

Dodge County Concerned Citizens

dodgecc.org

September 5, 2022

SENT VIA E-MAIL

Becker County Commissioners
913 Lake Avenue
Detroit Lakes, Minnesota 56501

Re: Eric P. Zurn and Erica L. Zurn – Application for Conditional Use Permit
Project Location: TBD 350th Street, Ogema, MN 56569

Dear Becker County Commissioners:

I am an attorney in Minneapolis, but I write as a farmer's daughter and as a member of Dodge County Concerned Citizens (dodgecc.org). I am actively involved in the day-to-day operation of our family farm in Dodge County, Minnesota.

I urge you to deny the application of Eric P. Zurn and Erica L. Zurn for a conditional use permit to construct a swine gestational facility in Becker County. In the alternative, I suggest that you adopt a moratorium on the construction of all animal confinement facilities in Becker County, thus providing all residents an opportunity to participate in this important decision that will forever change the character of Becker County.

My family has been on the frontlines for years fighting industrial animal agriculture. In the early 1990s, we witnessed significant changes to the rural countryside, as concentrated animal feeding operations ("CAFOs") began to disrupt the rural area. In 1993, the first pig CAFO was constructed approximately one mile north of our farm, confining approximately 4,000 pigs. Since then, numerous pig CAFOs have been constructed in the immediate area, including one located one-half mile west of our farm and another located a mile north of our farm. Today, there are 12 swine CAFOs within a 3-mile radius of our farm, housing an estimated 30,000 pigs.

These facilities generate a substantial amount of waste. One pig produces approximately 10 times more fecal waste than a human,¹ so the pigs right around our farm generate the same amount of waste as a city of 300,000 people. This waste contains antibiotics, nitrogen, phosphorus and other contaminants.²

¹ See Mark Sobsey & Vincent Hill, *Hog Waste Treatment to Control Microbial Contamination* (June 2008), <https://repository.lib.ncsu.edu/bitstream/handle/1840.4/4110/NC-WRRI-380.pdf>.

² Michael A. Mallin et al., *Industrial Swine and Poultry Production Causes Chronic Nutrient and Fecal Microbial Stream Pollution*, 226 *Water, Air, Soil & Pollution* 407, 407 (2015).

This accumulation of fecal waste is terribly disruptive to our lives. At the nearby CAFOs, the confinement barns are located over manure pits capable of holding hundreds of thousands of gallons of urine and feces. Each evening, the facilities raise the curtain that close off parts of the confinement barns, and the putrid stench from the manure pits rolls across the countryside. During the fall, the CAFO operators pump the urine and feces out of the manure pits. During pump-out, the manure pits are agitated, which causes them to release hydrogen sulfide, ammonia, methane, and other dangerous gases. CAFO operators then apply the manure pumped from the pits on neighboring field by injecting it into the soil.

Immediately adjacent to our farm, I have personally witnessed application of manure onto frozen ground that cannot absorb the manure, as well as over-application of manure. These are dangerous practices, as manure frequently pools and eventually runs off into area drainage ditches, rivers and road ditches, which in turn increases the risk of water pollution.

Like other CAFO operators, the Zurn Family will not own the pigs that pass through their proposed facility. An Integrator owns the hogs at all stages of the process, beginning with the sows, who are housed in massive gestational facilities, such as the one proposed in Becker County. **This gestational facility is the tip of the iceberg.** Once the piglets are weaned, they're moved along to area nurseries, which, likewise, are managed by growers who contract with the Integrator. The hogs are then moved along to finishing barns, i.e., feeder operations where they are fed to maturity. Again, these CAFOs are operated by contract growers. Upon achieving market weight, hogs are transported to slaughterhouses operated by meatpackers.

This is a pyramid scheme, with multinational meatpackers at the top of the pyramid, such as Hormel Foods, JBS, Smithfield and Tyson. Integrators occupy the middle tier of the pyramid and provide a steady supply of pigs, feed and veterinary services to contract growers. Contract growers occupy the bottom tier of the pyramid, with an estimated 3,000 contract growers.³

According to a recent display at the Minnesota State Fair, Robert A. Christensen Pavilion, and sponsors Christensen Farms [Integrator], New Fashion Pork [Integrator], Holden Farms [Integrator], Farm Bureau and other sponsors, "pigs [sows] average 12 piglets per litter." I understand the average gestational facility turns approximately 2.5 times per year. With 2,000 sows producing an average of 12 piglets, that amounts to 24,000 pigs. Now, take that number (24,000) and multiply by 2.5, and **I estimate this single facility will produce an estimated 60,000 hogs per year.**

In our experience, standard feeder operations house 2,400 hogs. With a single gestational facility of 2,000 sows, such as the one proposed here, **I estimate that approval of this single gestational facility will require eventual installation of approximately 25 area feeder operations** (60,000 hogs divided by 2,400 hogs per feeder operation). This single gestational facility will fundamentally change the character of Becker County and profoundly interfere with the recreational value of this beautiful part of our State.

³ Fact Sheet 2022 distributed at the Minnesota State Fair, Minnesota Pork Board; see, www.mnpork.com/porkfacts

My elderly parents spent their twilight years consumed by a series of legal battles that my parents initiated against Dodge County officials and area swine contract growers. Rather than enjoying the fruits of their labors, they tirelessly fought the swine industry to protect our land from the encroachment of industrial factory farms that scarred the rural landscape, polluted the air and water, harmed the local economy, and detrimentally affected human health in Dodge County. Despite the emotional scars of these lawsuits, it's something my family would do all over again. My family re-lives these fights over and over again. If we can stop one more swine factory farm and save one more community, we will. It is our calling.

One of my parents' legal proceedings advanced to the Minnesota Court of Appeals. We invited *amicus* (friends of the court) to submit briefs to the Minnesota Court of Appeals. I encourage you to review the attached briefs, as they provide vital information regarding the dangers associated with industrial swine operations.

We know firsthand the dangers associated with industrial swine operations. We have shared our story in Buffalo, North Dakota; Devils Lake, North Dakota; western Wisconsin and other frontline communities—the industry's new territory as the swine industry seeks to move its territory north and east to minimize disease progression. I am here to warn the citizens of Becker County—do everything in your power to limit this industry from moving into our beautiful lakes country!

Our family farm is situated at the headwaters of the Cedar River, which flows south to Austin, Minnesota, world headquarters of Hormel Foods. According to the Minnesota Pollution Control Agency ("MPCA"), "improper application of manure can contaminate surface or groundwater."⁴ The MPCA lists the Cedar River as an impaired water that is "non-supporting of aquatic life for aquatic macroinvertebrate communities," in part because of high concentration of nitrogen and phosphorous, two pollutants often present in animal waste.⁵ I believe that the Cedar River is impaired, at least in part, because of water pollution from CAFOs.

This belief was confirmed in 2017, when our citizens group, Dodge County Concerned Citizens, worked with the Izaak Walton League on the Cedar River Watershed Project, which documented water pollution in our community. Over a 19-week period, 40 volunteers collected 498 samples from 83 sites across the Cedar River watershed.⁶ Of the samples collected, 70 percent indicated the presence of *E. coli* exceeding health standards for safe recreational uses, such as swimming, wading or boating.⁷ Throughout the watershed, DNA testing also indicated contamination from pig and cattle fecal waste. After major rainstorms, testing consistently found high *E. coli* readings, indicating that "the rain is flushing *E. coli* on the land, and in tile lines and ditches into the streams," raising concerns "about the health of children and adults who enjoy our streams,

⁴ MPCA, Mississippi River – Sartell Watershed *E. coli* and Phosphorus Total Maximum Daily Load (Nov. 2020), <https://www.pca.state.mn.us/sites/default/files/wq-iw8-61e.pdf>.

⁵ MPCA, Cedar River Watershed Stressor Identification Report 46 (June 2016). <https://www.pca.state.mn.us/sites/default/files/wq-ws5-07080201a.pdf>.

⁶ See, Izaak Walton League, Cedar River Watershed Project Report (Feb. 2018).

⁷ *Id.*

rivers and lakes.”⁸ According to the U.S. Geological Survey, exposure to E. coli-contaminated water can cause “health problems and sickness,” including “urinary tract infections, respiratory illness, and pneumonia.”⁹

Local wells in Dodge County often have high levels of nitrate, a chemical component of manure that can run off fields, seep into groundwater, and cause serious health problems, including an increased risk of cancer and birth defects.¹⁰ Recently, Dodge County officials acknowledged that 21 percent of local private wells contained nitrate and were potentially unsafe for supplying drinking water.¹¹ According to the Minnesota Department of Health, nitrate pollution has been detected “in more than 8,000 [] drinking water wells” across the state, and the agency’s testing showed that “[m]ore than 1,000 had nitrate levels deemed unsafe for infants and pregnant women.”¹² Due to the proliferation of CAFOs in Minnesota, which now ranks second in the nation in hog production according to the Minnesota Pork Board,¹³ I believe that CAFOs are in large part responsible for this statewide problem. 16 million hogs were raised in Minnesota last year alone.¹⁴

CAFOs have completely changed life in Dodge County and throughout southern Minnesota, and the industry is determined to change life in northern Minnesota. With a front row seat, my family has witnessed the destructive power of the swine industry. While fighting back against CAFOs, my family has faced repeated harassment and intimidation for speaking out against the swine industry, including bullet holes shot in the stop sign just steps from the field where my brother and I pulled weeds a few hours earlier; constant garbage dumped in our roadside ditches and driveway; blue farm booties strategically planted every few feet from a neighboring swine factory farm to our driveway, a reminder that the industry is large and in charge; a large piece of metal hidden in the tall grass that damaged our mower; pure Roundup sprayed on the field and caused thousands of dollars of damage; harassing late-night phone calls to my elderly father, stating “Have you changed yet?;” false telephone calls to the local sheriff’s department, not to report some infraction, but to put the heat on my family and me personally and get us to shut up; and other tactics. In the face of these tactics, we continue to speak out and are aware of other frontline families facing similar harassment and intimidation tactics. I frequently tell others— We went to the press, not to grab headlines, but for our own safety.

⁸ Id.

⁹ U.S. Geological Survey, *Bacteria and E. Coli in Water* (June 5, 2018). <https://www.usgs.gov/special-topics/water-science-school/science/bacteria-and-e-coli-water> (last visited Dec. 23, 2021).

¹⁰ See, Minn. Dept. of Health, *Nitrate in Drinking Water* (Oct. 2021).

<https://www.health.state.mn.us/communities/environment/waer/docs/contaminants/nitratefactsht.pdf>.

Sarah Porter, *Tap Water for 500,000 Minnesotans Contaminated with Elevated Levels of Nitrate*, Environmental Working Group (Jan. 14, 2020), https://www.ewg.org/interactive-maps/2020_nitrate_in_minnesota_drinking_water_from_groundwater_sources/

¹¹ *Nitrogen in Dodge County Ground and Surface Waters*, Dodge County Environmental Services.

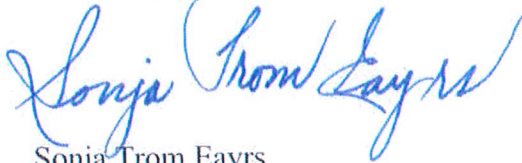
¹² Mark Zdechlik, *Trouble in the Water: Can Minnesota Stop Polluting its Lakes, Rivers?*, MPRNews (May 16, 2016), <https://www.mprnews.org/story/2016/05/16/water-can-minnesota-stop-pollutingmy-family-and-me-ng-lakes-rivers>.

¹³ Fact Sheet 2022 distributed at the Minnesota State Fair, Minnesota Pork Board; see, www.mnpork.com/porkfacts

¹⁴ Id.

I urge you to deny the permit for the Zurn gestational facility. Protect the health and welfare of your citizens, protect our beautiful northern Minnesota lakes region, and protect your county from the irreversible damage this industry will cause to your community. Seeing is believing—I personally invite you to Dodge County for a tour of the damage sustained to this once idyllic farming community.

Very truly yours,



Sonja Trom Eayrs

On behalf of Dodge County Concerned Citizens (dodgecc.org)