

## **KANSAS HOUSE AGRICULTURE COMMITTEE**

Paul Johnson – Kansas Rural Center – March 6, 2018

### **OPPOSITION TO SENATE BILL 405**

Thank you for this opportunity to testify in opposition to Senate Bill 405. My name is Paul Johnson and I represent the Kansas Rural Center (KRC). KRC is opposed to further expansion of State preemption power over county governments in siting and environmental issues in regards to industrial poultry operations. KRC supports delaying SB 405 at this time and spending the next year fully researching the social and environmental impact of industrial poultry impacts on local communities and the State.

Industrial poultry is corporate poultry. Corporate poultry is a system where a company – such as Tyson – owns the birds, the feed, the veterinary services and the processing. The chicken grower is responsible for building the chicken houses, disposing of the tons of chicken litter and getting rid of the dead birds. Corporate poultry should be regulated the same as corporate hogs and corporate dairies in Kansas law. For counties who want corporate poultry there should be an open debate by county residents and a resolution passed by the County Commissioners. County residents would have petition power to promote or reject corporate poultry.

This public process would be in stark contrast to the 'dark of the night' State raid on Tonganoxie and Leavenworth County residents. If Kansas was going to allocate \$500 million in 'industrial revenue bonds' (federally tax-exempt Private Activity Bonds) to a billion dollar corporation, there should have been an open and transparent public forum held by the Kansas Department of Commerce and the Leavenworth County Commission before the final decision.

Kansas lawmakers should take the time to analyze the staffing and capabilities of the Kansas Department of Health & Environment to monitor and regulate livestock waste. That responsibility falls to the Livestock Waste Management Section within the Bureau of Water at KDHE. This Section has 10 employees under the Section Chief. There is only one professional environmental engineer on staff and one vacant position for a second engineer. SB 405 (page 8 – lines 6 to 9) does not require that a plan for a new or expanding confined feeding facility (over 300 animal units) be prepared by a professional engineer. Apparently that cost falls to the State to determine significant water pollution potential.

Missouri and Oklahoma have been forced to sue over pollution from mega-poultry operations. Since chicken manure contains twice the amount of nitrogen and four times the amount of phosphorous as cow manure, special attention must be paid to these two contaminants when land applied as they are responsible for stimulating 'harmful algal blooms' that Kansas has already had problems with.

In conclusion, Kansas lawmakers should set SB 405 aside until the full impact of commercial poultry production is researched, counties are included in the decision making and the social and environmental costs are assessed for its entire impact on local communities and neighboring property values. Thank you for this opportunity to testify.