INTRODUCTION:
If you first don’t succeed, try, try, try again. It’s an old adage, but when it comes to Georgia’s legislative process, it’s a wise one. Every legislator, lobbyist or citizen advocate who has ever worked beneath the state’s “Gold Dome” has uttered those words—often after soul-crushing legislative flameouts. In the 2020 legislative session, lobbyists for “Big Ag,” aiming to adopt legislation that would invite industrial-scale animal feeding operations to rural Georgia, experienced such a defeat in HB 545. Their deceptively labeled “Right to Farm” bill was exposed for what it was: a weakening of legal protections for rural landowners and farmers that could leave rural communities and the waterways that flow through them fouled by millions of gallons of feces and urine. The Georgia Farm Bureau, one of the lead advocates of HB 545, has indicated that in the 2021 legislative session, the organization and their big ag allies will, indeed, try, try, try again. HB 545 was a bad idea this legislative session, and no amount of lipstick will turn this pig into a legislative beauty queen.

THE WATER BODY:
Industrial-scale agriculture where animals are confined and animal waste is concentrated poses serious risks to streams, rivers and lakes where ever they operate. Georgia’s more than 70,000 miles of streams and rivers, 425,000 acres of lakes and vast stores of groundwater could all be threatened by industrial-scale agriculture. Over the past several decades North Carolina rivers have been devastated by pollution from industrial hog farms. This fall, thousands of dead fish began washing up on the shores of the Neuse and Pamlico rivers, the result of upstream pollution including run off from industrial-scale animal feeding operations. Georgia has not been immune to these problems. In 1995, a lagoon failure sent 12 million gallons of liquid manure into tributaries of the Oconee River. The streams and rivers that flow through Georgia’s agriculture communities—and the groundwater that underlies those lands—not only provide drinking water to countless communities, but are also part of the fabric of the state’s rural culture serving as places where residents fish, hunt and recreate.
THE DIRT:

Nobody wants to live next to the stench of factory farms, and those retreating to the beauty of rural Georgia usually avoid areas where such operations exist. Those that already live in rural Georgia, many of them farmers themselves, likewise don't want factory farms impacting the homes that some have labored for generations to preserve.

Georgia's existing “right to farm” law dating to the 1980s prohibits someone from moving next to an agricultural operation and then bringing a nuisance lawsuit against the operation. It’s a common sense buyer-beware rule. If you don’t want to smell chicken manure, don’t build your home next to a chicken farm.

But Georgia’s existing law does not protect farms when they move into a community or expand their operations and then create a nuisance. In those situations, neighbors can take legal action to protect their quality of life and their property values.

As is, the law balances property rights and serves as a strong defense against noxious water and air pollution that can harm quality of life and property values in rural areas.

HB 545, defeated during the 2020 legislative session, would have turned Georgia's right-to-farm law on its head. An unexpected bipartisan coalition of rural landowners and farmers and urban Democrat senators as well as some key Republican senators ultimately sealed HB 545’s fate.

The bill was fashioned after legislation adopted by the North Carolina legislature as it sought to protect the state’s powerful hog industry from nuisance lawsuits brought by rural property owners that had seen their quality of life and property values decimated by factory hog farms and their stench-filled, fly-attracting waste lagoons.

Studies have shown that hogs produce anywhere from 4 to 10 times as much waste as your average human. A farm of 12,500 hogs can produce the same amount of poop as a city of 50,000. And, on factory hog farms, the feces isn’t run through a sewage treatment plant like our waste. It’s typically held in open lagoons and/or sprayed on farm fields as fertilizer, spreading the stench far afield.

Hogs, as tasty as their meat is on the breakfast table, make bad neighbors where they occur in large numbers.

This is not the first effort to welcome mega hog farms to Georgia. In 2013, big ag attempted to change state rules to make it easier for factory farms to locate here. That effort was also aborted due to public opposition.

Yet, in 2021 we can expect the issue to resurface. It’s not the first time and won’t be the last. If you first don’t succeed…

WHAT MUST BE DONE:

Georgia legislators must stand by the state’s long-standing and effective right to farm laws that protect rural landowners and farmers alike from nuisance neighbors. They should reject any effort that would open Georgia to factory farms that pollute our water and air and destroy quality of life in rural communities.

For More Information Contact:

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