

## **Kansas Legislature Changes Law to Suit Tyson**

Changing laws to suit the CAFO industry while increasing harm to rural residents is unjust. States make legislative changes when lobbyists object to current regulations. Often times, it happens after residents have registered opposition to CAFO industrial plans. Following are examples of the legislative-bull.

In 2017 Kansas Governor, Sam Brownback, announced with big media flourish that Tyson Foods would be building a \$320 million slaughterhouse in Tonganoxie, Kansas. Unbeknownst to the public, as is usually the case with CAFO-supporting operations, this deal had been brewing for 6-months. In fact, the County Commission had already approved the industrial revenue bonds for Tyson.

Intense opposition erupted immediately in this bedroom community just 15 miles west of the Kansas City metro area. This unexpected popular uprising [forced the Leavenworth County commissioners to withdraw](#) the \$500 million package of incentives offered to Tyson.

While Tyson expressed their continuing interest in investing in Kansas, which in 2017 had no integrated broiler chicken production, they turned their attention to another proposal in Tennessee.

Undeterred, the Kansas livestock industry rounded up their legislative backers and proposed [SB 405](#) that would allow Tyson or some other integrator to cram many more birds onto each industrial farm. (Italics in the new bill indicate the change.) The new language in the bill [simply changed the calculation](#) for laying hens or broilers allowable, but with fewer so-called environmental protections.

The previously existing animal unit (a.u.) conversion factor for broiler chickens had been 0.01 a.u. per bird, so that 100,000 birds required a 4,000-foot setback from habitable structures. SB405 cut that factor to 0.003 per bird such that 333,333 birds would be allowed to be located within only 1,320 feet from habitable structures. 99,999 birds could be placed anywhere with no required setback to homes. Despite Sierra Club Kansas' best efforts to oppose SB 405, it was passed and signed into law.

Tyson built their new plant in Tennessee, but Kansas now remains vulnerable to another such effort by the chicken industry that would subject rural residents to dozens of new CAFOs with dangerous air emissions. An animal processing plant erected always means the CAFOs that confine the thousands of animals will come to the area. This drama is documented in the attached references. The Sierra Club Kansas Chapter received valuable assistance from the Socially Responsible Agriculture Project that was experienced in fighting broiler chicken CAFOs in the eastern United States.

Do we admit that we are powerless before large corporate pollution? NO. Our voices elevated against injustice raise awareness. Public comments put the CAFO system on alert that we are watching, that we want a cleaner food system that does not threaten rural

residents, and that [we do not believe](#) that economic benefits will come to rural communities because we have already witnessed what the CAFO system is doing to decimate rural American communities.

In every CAFO case in which we do not dissent, we definitely lose. Sometimes we win.

## **References**

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**Legiscan**, Bill Text: KS SB405 | 2017-2018 | Regular Session | Enrolled; SENATE BILL No. 405, “AN ACT concerning the department of health and environment; relating to animal conversion units; poultry facilities; confined feeding facilities; amending K.S.A. 2017 Supp. 65-171d and repealing the existing section”, Page 1 (3)(A) “Animal unit means”; Approved by Governor on Tuesday, March 20, 2018

<https://legiscan.com/KS/text/SB405/id/1763282>

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<https://news.mikecallicrate.com/wsj-american-farm-towns-with-changing-priorities-reject-industrial-agriculture/>

**Fact Sheet Prepared by Kansas Chapter of Sierra Club to Assist Opponents of**

**SB405.** [https://www.sierraclub.org/sites/www.sierraclub.org/files/2022-12/Bull%20Sheet-on-KS%20Tyson-Bill\\_FINAL.pdf](https://www.sierraclub.org/sites/www.sierraclub.org/files/2022-12/Bull%20Sheet-on-KS%20Tyson-Bill_FINAL.pdf)