



# The Right To Farm

by Janet Mayer

Are Farmers becoming an endangered species? Will agriculture lose its rating as the No. 1 industry in our country? According to the United States Department of Agriculture (USDA), in 1890, 25 million Americans or 42 percent of population lived on farms and ranches. In 1990, 3.9 million people or 1.5 percent live on farms. These figures, along with the nationwide loss of two to three million acres of farmland each year, mean there are many challenges ahead for the 2,300 rural counties in the country.

With the development of these rural areas comes a general population that is two or three generations removed from the farm. They are without the knowledge of standard farming practices, and therein lies more problems. Due to urbanization, the farmer of today faces a host of problems the agricultural community never before encountered.

Although the problem of urban sprawl exists mainly in the eastern part of the

country, and in other highly populated areas such as the West Coast, other states are not problem-free. In Montana, for instance, a less populated state with only five people per square mile, long-time residents are having their share of problems. With the wide open spaces, fresh air and beautiful scenery of the Big Sky Country, there would seem to be enough land for all. But in the past 15 years, Montana has become the "in place" for the well-to-do glamour set, which has resulted in an influx of development, and some insurmountable problems, especially for ranchers.

One of the most intense controversies has resulted in what many are calling the new range war, pitting traditionalists against environmentalists. Traditionalists are people who make their living in traditional occupations, such as ranching, farming, logging and mining. The environmentalists maintain that traditionalists have to realize that there is an end to the natural resources that are

being, by their terms, wasted.

One particularly hot issue has been the use of federal grazing lands. Montana ranchers, who have pastured their cattle on the lands for decades, view the privilege of using this land as an inalienable right. Now campers and hikers are objecting to the cattle being put on summer pasture in the mountains. In the early stages of the campaign, the environmentalists used the slogan "Cattle-Free by '93;" the ranchers soon sported bumper stickers that said "Cattle Galore by '94." All is not well with agriculture in Montana.

In most states the issues are not quite so intense, but the results can be just as frustrating. For many farmers, the hassle of dealing with new neighbors who generally have no understanding of the food chain beyond the grocery store shelves is too much. Subsequently, many decide to quit farming and succumb to the lure of selling their land to developers.

Farmers who decide to dig in and

stand their ground with the attitude that they were here first, may find themselves battling nuisance suits filed by neighbors. Most of the complaints are about the odors and flies common to farm areas. Compounding the issue is heavy traffic of formerly quiet rural roads with people trying to pass slow-moving farm vehicles. And along with the increase in traffic comes an increase in roadside litter which often ends up in fields and pastures. Bottles can ruin equipment, and aluminum cans are particularly dangerous when they are chopped up with feed.

#### Live in Peace with New Neighbors

Farmer Harlan Keener says he has very few problems with his neighbors. He owns a 205-acre farm in the highly populated area of Lancaster County, Pa. In fact, the farm is located exactly three miles south of the center square of the town of Lancaster, with part of the farm touching the city limit line. In addition to an 80-cow dairy operation, Keener runs a far-row-to-finish swine operation that markets about 20,000 hogs a year. At any given time, 12,000 to 13,000 hogs are in residence at the farm.

"I guess I would have to credit my ability to getting along with my neighbors to the fact that I use a methane digester for my manure, which keeps down the odors. I also use good management practices," Keener says. "When I expanded the operation, I couldn't get financial backing unless I agreed to install a digester. It has really kept me in business." In addition to alleviating odors, the digester supplies all of the farm's electricity.

Since Keener took over the farm in 1956, after the death of his mother, he has seen a tremendous increase in the population surrounding his property. "You get all of these people who want to live out in the country, but I don't think they really understand what the country is all about," Keener says. "They think it is like a gentlemen's park."

In 1978, when he added the hog operation, Keener's neighbors became concerned about having to put up with the anticipated odors. Before the hogs were even brought to the farm, one man was so infuriated that he drove down the farm lane to see Keener. The man pulled up and rolled his window down and shook his fist at Keener. Using some choice language, he threatened him that there had better not be any odor.

"Most complaints are about odors, flies, and the noise when we wean calves."

Fortunately, that incident was a rarity. Keener has used various methods for getting along with his neighbors. One that was particularly popular was an annual pig roast for the neighbors who lived along his road.

"Before we put in the digester, I thought it might make the people more understanding. After all, if they had to smell it, they might as well enjoy eating the end product," he says with a chuckle. "I think when people see you are making an effort, it makes them more tolerant."

R.H. Mullinix & Son, a feedlot located 27 miles from Baltimore, near Columbia, Md., has also learned how to survive in a highly populated area. The feedlot, now being operated by the third generation of the Mullinix Family, sends about 2,200 to 2,400 yield and grade cattle directly to packers each year.

Augie Velisek, retired manager of the operation, maintains the key to getting along with the neighbors was to employ good management practices, such as maintaining a runoff pond behind the feedlot. The pond feeds into a creek that is monitored by the government to make sure it stays clean.

During the 16 years he had worked at the operation, Velisek says the Right To Farm Act in Maryland helped protect the operation when spreading manure. In spite of this law, some new people who had built homes near the operation had written a petition against the feedlot and had taken it around the neighborhood to get signatures.

"Nobody would sign the petition,"

Velisek recalls. "We are lucky enough to have good management and a real good relationship with our neighbors. We have always tried to stick to the rules, and this works."

#### The Other Side of the Coin

Kurt Thelen of the Michigan Department of Agriculture says complaints are common in his state. He cites one filed against an area feedlot. A neighbor wrote a letter to the department. The feedlot was situated close to a nearby town, and the owner stockpiled manure in a field to be spread in the spring. The letter complained that the piles were the source of unsanitary conditions and unpleasant odors. He also accused the feedlot owner of throwing aborted fetuses on the manure piles. He went so far as to send a copy of the letter to his congressman. The complaint was investigated, however, and found to be untrue.

Thelen says in about 40 percent of the complaints, the department finds the operations are conforming to accepted agriculture management practices. He feels, however, many people just don't understand standard farming practices. But all complaints are investigated, and both sides of the argument are heard. When the case is resolved, a letter is sent to both parties in the dispute, informing them of the department's decision.

#### Get Involved to Protect Your Rights

Lawrason Sayre, Churchville, Md., agrees that farmers have to make a special effort to get along with their neighbors. He owns 220-acre Waffle Hill Farm, which is located just eight miles from the head of the Chesapeake Bay and 35 miles northeast of Baltimore. This area is known as the Baltimore-Wilmington-Philadelphia corridor. In addition to the main farm, he rents another 130 acres, with about 320 acres in hay and pasture. The operation maintains a herd of about 130 registered Angus cows.

Things have changed a lot in the 34 years Sayre has owned the farm. The influx of housing developments began about 15 years ago, but has accelerated in the past 10 years.

"Most complaints are about odors, flies, and the noise when we wean calves," Sayre says. "How can you keep 80 calves you just weaned quiet?" On the other hand, Sayre can compile a considerable list of complaints of his own. For instance,

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paving and storm drains around new housing can result in runoff changes that can increase the flow of streams. Waffle Hill has a considerable number of streams that run through the property. Fencing is another problem. Sayre believes that city people see all these wide-open spaces and feel they can use them for recreational purposes. The farm has had fences cut and people with four-wheelers and trail bikes driving through the pastures.

Urbanization also puts restrictions on farmers spraying crops in developed areas. Although Sayre's farm does not grow crops other than forages, being in a developed area has placed restrictions on other farmers in his area. If the spray drifts onto homeowners' lawn, lawsuits result.

One thing of particular concern to Sayre is an area where he runs his bulls with the cows in breeding season. "The area is near a budding new housing development with many small children. What happens if one of these children crawls under the fence? This puts a real liability on a farm; and it worries me."

Probably the biggest worry for farmers

in the area are the animal rights people. "So far there haven't been any incidents, for which we are grateful. But when you have a concentration of people who are not farm oriented in a concentrated rural area like this, I feel it is a matter of time," Sayre says.

## Solutions to the Problem?

Sayre feels the only solution to the problem of urbanization is for farmers to take part in local and state government. True to his word, he is working with the county planning advisory board. "One of the main reasons I keep active is so the board is not controlled by urban or suburban people who don't realize what some of the operational problems are.

"We have to work with the problem of urbanization, and compromises have to be made or else we are all going to be driven out of business. We have to do everything we can to prevent this from happening."

Sayre points out that *Angus Journal's* Land Stewardship and the National Cattleman's Association's Environmental Stewardship award programs are two excellent methods of getting people to take an active part in putting the word out what it means to farm and ranch. "After all, the people in the agricultural world are

the original environmentalists," he adds.

Another good way Sayre spreads the message is to host a county farm visitation field day the last Sunday in June. Waffle Hill Farm has participated numerous times. "This is one way to explain our operation to people who have no idea what goes into the production of their food," Sayre says. "In the end, these people are really appreciative."

Most of all, Sayre believes we have to stand up for our rights. "We can't be negative all the time. We have to keep doing a better job ourselves all the time. This is what we have to do to survive."

In opening remarks made at USDA's 70th Annual Outlook Conference, USDA Secretary Mike Espy referred to the conference as an event where agriculture takes time to pause and reflect on its past. "But, more importantly, it's a time when we cast a reflective visionary stance toward agriculture's future," Espy adds.

Bob Nash, USDA rural affairs undersecretary, predicts that in the future one rule will apply to both agricultural and rural communities: "Look for constant change. Those who try to stop change will be the losers. Those who adapt to change, accept change and figure out how to take advantage of it, will be the winners.