

Citizen Petition Seeking a Programmatic Environmental Impact Statement for Northeastern Arkansas Poultry Facilities

Animal Legal Defense Fund, Arkansas Rights Koalition, and the Center for Biological Diversity

January 17, 2017

EXHIBIT LIST

Exhibit Number	Document Description
1	Letter from Val Dolcini, Administrator, USDA FSA, to Steve Apodaca, Senior Vice President, American Bankers Association (Oct. 11, 2016) and Letter from Steve Apodaca to Val Dolcini (Oct. 6, 2016)
2	Combined record containing the following guidance documents: CEQ Guidance Documents “Considering Cumulative Effects under the National Environmental Policy Act” (Jan. 1997), “Effective Use of Programmatic NEPA Reviews” (Dec. 18, 2014), “Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews” (Aug. 1, 2016), SBA Standard Operating Procedure 90 57 National Environmental Policy Act (1980), and FSA Handbook (2016)
3	81 Fed. Reg. 51274 (Aug. 3, 2016)
4	68 Fed. Reg. 7176 (Feb. 12, 2003) EPA National Pollutant Discharge Elimination System Permit Regulation and Effluent Limitation Guidelines and Standards for Concentrated Animal Feeding Operations
5	USDA NRCS “Animal Feeding Operations” available at https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/plantsanimals/livestock/afo/ (accessed Jan. 16, 2017)
6	USDA and EPA “Unified National Strategy for Animal Feeding Operations” (March 9, 1999) available at https://www3.epa.gov/npdes/pubs/finafost.pdf (accessed Jan. 16, 2017)
7	EPA, Detecting and Mitigating the Environmental Impacts of Fecal Pathogens Originating from Confined Animal Feeding operations: Review, EPA/600/R-06/021 (Sept. 2005)
8	USDA Natural Resource Conservation Service (“NRCS”), Agricultural Waste Management Field Handbook (“AWMFH”) (210-AWMFH, 4/92) Ch. 3 “Agricultural Wastes and Water, Air, and Animal Resources” (1992)
9	EPA, "State Specific Probable Sources" available at https://ofmpub.epa.gov/waters10/attains_nation_cy.source_detail?p_source_group_name=AGRICULTURE (accessed Jan. 15, 2017) and EPA, "National Summary of State Information" (no Arkansas information available) available at https://iaspub.epa.gov/waters10/attains_nation_cy.control?p_report_type=T%23causes_303d (accessed Jan. 13, 2017)
10	World Health Organization, Toxic Cyanobacteria in Water: A Guide to Their Public Health Consequences, Monitoring and Management (1999)
11	U.S. EPA National Risk Management Laboratory, Risk Assessment Evaluation for Concentrated Animal Feeding Operations, EPA/600-R/04/042 (May 2004)
12	ATSDR, Toxicological Profile for Nitrate and Nitrite (Draft) Ch. 3 Health Effects, available at https://www.atsdr.cdc.gov/toxprofiles/tp.asp?id=1452&tid=258 (last visited Jan. 16, 2017)

13	Excerpt from International Agency for Research on Cancer of the World Health Organization, Monographs on the Evaluations of Carcinogenic Risks to Humans, Vol. 94, Ingested Nitrate and Nitrite, Cyanobacteria Peptide Toxins, § 6 (2010)
14	Ward, M.H. et al. "Nitrate intake and the risk of thyroid cancer and thyroid disease." <i>Epidemiology</i> . Vol 21(3): 389-395 (May 2010)
15	Weyer, P. et al. "Municipal Drinking Water Nitrate Level and Cancer Risk in Older Women: The Iowa Women's Health Study." <i>Epidemiology</i> . Vol. 11, No. 3 (May 2001)
16	Des Moines Water Works, "Des Moines Water Works' Nitrate Removal Facility Sets Record Number of Days in Operation in a Single Year" (May 28, 2015) available at http://www.dmww.com/about-us/news-releases/nitrate-removal-facility-sets-record-number-of-days-in-operation-in-a-single-year.aspx (last accessed Jan. 16, 2017)
17	USDA NRCS "Nutrient Management Technical Note 9: Introduction to Waterborne Pathogens in Agricultural Watersheds" (September 2012) available at https://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=32935.wba (last accessed Jan. 16, 2017)
18	Centers for Disease Control and Prevention, Painter, J. et al. "Attribution of Foodborne Illnesses, Hospitalizations, and Deaths to Food Commodities by using Outbreak Data, United States, 1998-2008. <i>Emerging Infectious Diseases</i> . Vol. 19 No. 3 (March 2013) available at https://wwwnc.cdc.gov/eid/article/19/3/pdfs/11-1866.pdf (last accessed Jan. 16, 2017).
19	Agency for Toxic Substances and Disease Registry, Toxicological Profile for Ammonia (2004).
20	Suzi Parker, How Poultry Producers are Ravaging the Rural South, <i>Grist</i> (Feb. 22, 2006), available at http://grist.org/article/parker1/ (last visited Jan. 16, 2017)
21	Arkansas Natural Resources Service, Nutrient Surplus Map
22	U.S. Government Accountability Office Report GAO-08-944, "Concentrated Animal Feeding Operations: EPA Needs More Information and a Clearly Defined Strategy to Protect Air and Water Quality from Pollutants of Concern" (Sept. 2008)
23	Arkansas Dept. of Environmental Quality, 2004 Integrated Water Quality Monitoring and Assessment Report (2005)
24	Haggard, B. et al. "Nutrient and B17-estradiol loss in runoff water from poultry litters" <i>Journal of the American Water Resources Association</i> (April 2005)
25	Peterson, E. et al. "Persistence of 17 B-Estradiol in Water and Sediment-Pore Water from Cave Streams in Central Missouri." <i>Environmental & Engineering Geoscience</i> , Vol. XI, No. 3 pp. 221-228 (2005)
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29	Taylor, C. A., et al., "Conservation status of crayfishes of the United States and Canada." <i>Fisheries</i> 21(4):25-38 (1996)
30	Camp, C.D., et al. "A new genus and species of lungless salamander (family Plethodontidae) from the Appalachian highlands of the southeastern United States." <i>Journal of Zoology</i> 279: 86-94 (2009)
31	"Peco Foods Featured in Arkansas Business" (Aug. 31, 2015), formerly available at http://www.thepoultryfederation.com/news/peco-foods-featured-in-arkansas-business (last visited late 2016)
32	Various Ozark Mountain Poultry announcements, including "Ozark Mountain Poultry Expands with Opening of Batesville Facility" (Nov. 11, 2013), available at http://www.ozarkmountainpoultry.com/contact-us/press-room/ (last visited Jan. 16, 2017)
33	NRCS AWMF (210-VI-AWMFH) Ch. 4 "Agricultural Waste Characteristics" (March 2008).

34	ALDF Comments on the Tracy Operation (March 31, 2016) and supporting materials
35	Petitioners' Significant New Information Letters dated August 12, 2016 and September 28, 2016 and supporting materials
36	Pew Commission Report on Industrial Farm Animal Production, "Putting Meat On the Table: Industrial Farm Animal Production in America" (2010)
37	Excerpts from Sample Environmental Assessment records for Northeastern Arkansas poultry operators obtained through FOIA (Cross Over LLC, King, Melton, Perkey, Tracy)
38	SBA FOIA record - SBA 7(a) loans for broiler Spreadsheet (Aug. 3, 2016) (Excel format)
39	SBA & FSA loan information from SBA and FSA websites (accessed January 16, 2017)
40	ARK Comments on the Tracy Operation (March 31, 2016)
41	ESA Notice of Intent to Sue (June 29, 2016) and supporting materials
42	Forty Most Asked Questions Concerning CEQs National Environmental Policy Act Regulations, 46 Fed. Reg. 18026 (1981)
43	FWS FOIA record TA-0365 Randolph Co. Bontrager Broilers
44	Catherine Boudreau, "Slow loans over green woes put CAFOs in limbo" Politico Pro (Oct. 20, 2016)
45	USDA Economic Research Service (ERS), "Technology, Organization, and Financial Performance in U.S. Broiler Production", Economic Information Bulletin No. 126 (June 2014) available at http://www.ers.usda.gov/webdocs/publications/eib126/48159_eib126.pdf (last visited Jan. 16, 2017)
46	Arkansas Natural Resources Commission (ANRC) email from Jessie Green to Patrick Fisk (Oct. 6, 2015) and email between Patrick Fisk and Tate Wentz (July 1, 2015) regarding influx of poultry operations in Northeastern Arkansas
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50	C. Davey et al., Arsenic as an endocrine disruptor: arsenic disrupts Retinoic Acid receptor- and thyroid hormone receptor-mediated gene regulation and thyroid hormone-mediated amphibian tail metamorphosis. 116 Environmental Health Perspectives 165-172 (2008)
51	NRCS AWMFH (210-VI-AWMFH, Amend. 44, April 2011) Ch. 2 (Planning Considerations)
52	NRCS AWMFH (210-VI-AWMFH Amend. 38, Aug. 2010) Ch. 7 (Geologic and Groundwater Considerations)
53	NRCS AWMFH (210-VI-AWMFH Amend. 38, July 2010) Ch. 8 (Siting Agricultural Waste Management Systems)
54	NRCS AWMFH (210-AWMFVH, 4/92) Ch. 9 (Agricultural Waste Management Systems)
55	Pew Commission on Farm Animal Production, Antimicrobial Resistance and Human Health (2008)
56	NRCS Conservation Practice Standard Code 590 "Nutrient Management" (Jan. 2012)
57	S. Wing et al., The potential impacts of flooding on confined animal feeding operations in eastern North Carolina, 110(4) Environmental Health Perspectives 387-391(2002)
58	United Nations Food and Agriculture Organization (FAO), FAO Plant Production and Protection Paper 197, FAO Manual on the Submission and Evaluation of Pesticide Residue Data For the Estimation of Maximum Residue Levels in Food and Feed (2009), available at http://www.fao.org/docrep/012/i1216e/i1216e.pdf (last visited Jan. 16, 2017)

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60	C.D. Church et al., Occurrence of arsenic and phosphorus in ditch flow from litter-amended soils and barn areas, 39 <i>Journal of Environmental Quality</i> 2080-2088 (2010)
61	R. Hirsch, Associate Director for Water, USGS, Statement before the Committee on Environment and Public Works Subcommittee on Transportation Safety, Infrastructure Security and Water Quality (Apr. 15, 2008)
62	A. Batt et al., Occurrence of sulfonamide antimicrobials in private water wells in Washington County, Idaho, USA, 64(11) <i>Chemosphere</i> 1963-1971 (2006)
63	C.M. Lathers, Clinical pharmacology of antimicrobial use in humans and animals, 42 <i>Journal of Clinical Pharmacology</i> 587-600 (2002)
64	W. Witte, Medical consequences of antibiotic use in agriculture, 279 <i>Science</i> 996-997 (1998)
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66	Wardyn, S.E. “Methicillin-resistant <i>Staphylococcus aureus</i> in central Iowa wildlife.” <i>Journal of Wildlife Diseases</i> . (Oct. 2012). 48(4):1069-73
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69	SBA “Food & Drug Administration Safety and Innovation Act Small Business Report to Congress” under § 1128 of the Act at 16 (2013)
70	The Poultry Site, “International Poultry Council to Work on Comprehensive Antibiotic Resistance Report.” (Oct. 26, 2016) available at http://www.thepoultrysite.com/poultrynews/37737/international-poultry-council-to-work-on-comprehensive-antibiotic-resistance-report/ (last visited Oct. 27, 2016)
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75	National Ambient Air Quality Standards for Ozone, EPA Proposed Rule 75 Fed. Reg. 2938 (Jan. 19, 2010)
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78	EPA, “What Climate Change Means for Arkansas”, EPA-430-F-16-006 (August 2016)
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84	Chengsheng Jiang, et al., "Climate Change, Extreme Events, and Increased Risk of Salmonellosis in Maryland, USA: Evidence for Coastal Vulnerability," <i>Environmental International</i> 83 (2015) 58-62
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86	Kristi S. Shaw, et al., "Presence of Animal Feeding Operations and Community Socioeconomic Factors Impact Salmonellosis Incidence Rates: An Ecological Analysis Using Data from the Foodborne Diseases Activities Surveillance Network (FoodNet) (2004-2010)," <i>Environmental Research</i> 150 (2016) 166-172
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91	Arkansas Geological Survey "Arkansas Geology: Karst and Caverns" (2014) available at http://www.geology.ar.gov/pdf/EWS-07.pdf (last visited Jan. 16, 2017)
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100	FWS, Recovery Outline, Yellowcheek Darter (August 2011)

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102	R.D. Bullard & B.H Wright, Environmental justice for all: community perspectives on health and research needs, 9 <i>Toxicol. Ind. Health</i> 821-841 (1993) available at https://www.ncbi.nlm.nih.gov/pubmed/8184445 (last accessed Jan. 16, 2017) (abstract only available at this time)
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