

## C & H Hog Farms, Inc. (Newton County, Arkansas): Arkansas Governor Hutchinson Announces Buy-Out/Settlement



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*Arkansas Times* and *Arkansas Business* published articles yesterday referencing Governor Ash Hutchinson's announcement that the State of Arkansas had resolved the proceedings/conflicts regarding C & H Hog Farms, Inc. ("C & H") which is located in Newton County, Arkansas.

The C & H operation has generated conflict, along with both administrative and judicial litigation, due to its presence in the Buffalo River Watershed.

The C & H facility involves the operation of a swine facility. The liquid animal waste management systems at the facility triggered certain permitting requirements. The administrative and judicial litigation has involved C & H's appeal of Arkansas Department of Environmental Quality's denial of permits for such systems.

The *Arkansas Times* reports that Governor Hutchinson announced in an appearance before the Arkansas Municipal League the Agreement that had been reached with C & H. The Agreement is stated to include the payment of \$6.2 million to the C & H owners. Further, the *Arkansas Times* states that the source of most of the money will be public but also will include funds from the Nature Conservancy.

The settlement is reflected in a June 13th nine-page Agreement executed by Governor Hutchinson and the stockholders of C & H.

Key provisions of the Agreement include:

- Termination of existing Contained Animal Feeding Operations ("CAFO")
- Conservation Easement on a specified portion of the property which prohibits future CAFO operations (authorized uses are addressed)
- Assumption by ADEQ of responsibility for activities required to terminate the CAFO and liquid animal waste storage and Land Application operations and termination of such permits
- ADEQ development of implementation of closure plans
- Provisions for public input and comment upon closure plans

A copy of the Agreement can be downloaded [here](#).