

A RESOLUTION TO PROTECT THE CITIZENS OF GALENA AND JODAVIESS COUNTY IN MAINTAINING THEIR RIGHTS TO CLEAN WATER AND CLEAN AIR AS SET FORTH IN THE ILLINOIS CONSTITUTION.

WHEREAS, ARTICLE XI of the ILLINOIS CONSTITUTION was enacted by the people to protect the citizens rights to live in a healthy environment.

WHEREAS, SECTION 1. ARTICLE XI of the ILLINOIS CONSTITUTION - PUBLIC POLICY – LEGISLATIVE RESPONSIBILITY states that the public policy of the State and the duty of each person is to provide and maintain a healthy environment for the benefit of this and future generations. The General Assembly shall provide by law for the implementation and enforcement of this public policy.

WHEREAS, SECTION 2. ARTICLE XI of the ILLINOIS CONSTITUTION RIGHTS OF INDIVIDUALS states that each person has the right to a healthful environment. Each person may enforce this right against any party, governmental or private, through appropriate legal proceedings subject to reasonable limitation and regulation as the General Assembly may provide by law.

WHEREAS, the rights of the individual family that has lived in their home for at least one year under Article XI takes precedence and supercedes the right to farm law.

WHEREAS, proposals were submitted by A. J. Bos for the purpose of constructing a Confined Animal Feeding Operation (CAFO) megadairy consisting of 5,500 cows next to Nora, Illinois.

WHEREAS, the site for this megadairy is situated on karst landscape, which is particularly prone to rapid hydrological movement through the underlying strata leading to pollution of groundwater, wells, creeks, and rivers. The majority of JoDaviess County is identified as having a karst landscape according to the Illinois State Geological Survey.

WHEREAS, the JoDaviess County Board on 2/11/08, voted against the proposal submitted by A. J. Bos, 11 to 5, primarily because of the threat of dangerous contaminants leaking from manure/urine holding ponds into the groundwater of the underlying karst which is the Galena Plattville primary aquifer for domestic use.. Also, contributing to a negative vote was the lack of an odor control plan, and a traffic plan.

WHEREAS, the Illinois Department of Agriculture (IDOA) in May 2008 then approved said proposal submitted by A. J. Bos. which again, did not address the issues of water pollution, air pollution, and traffic impact. The standards established by the Illinois Department of Agriculture (IDOA) siting CAFO's were not upheld.

WHEREAS, The IDOA was, therefore, negligent in granting permission for construction of said megadairy without these issues being resolved.

WHEREAS, Galena/JoDaviess County is the second largest overnight tourist destination in Illinois, behind Springfield, largely because of the pristine rural setting and rolling landscapes of the area. The presence of the megadairy would likely result in a loss to the essential character of the county and a reduction in the tourism trade

WHEREAS, the net effect on the local economy and well-being of the citizens is widely believed to be negative. Large, multi-year studies of factory farms show these negative impacts, including local health impacts, community well being, and reductions in property values (e.g. C. W. Stofferahn, "Industrialized Farming and Its Relationship to Community Well-Being, " 2006). Most recently in April 2008, the Union of Concerned Scientists has issued a report that analyzes both the policies that have facilitated the growth of CAFO's and the enormous costs imposed on society by CAFO's. Remediation of leaching under hog and dairy CAFO's in Kansas has been projected to cost tax payers \$56,000,000.

WHEREAS, The Appraisal Journal states home values in CAFO areas drop between 50% to 90% of their original values. One study determined that each CAFO in Missouri has lowered property values in its surrounding communities by an average total of \$2,680,000.

WHEREAS, multiple health concerns are associated with CAFO operations. Manure spread on fields over karst in Ontario sickened thousands and killed seven. Water pollution at a similar dairy in Walkersville, MD this year forced the local municipality to close its well and "import" water from a nearby town. The potential health effects of factory farms are so great that the Canadian Medical Association, the Michigan State Medical Society, and most recently (in April 2007) the Missouri Association of Osteopathic Physicians and Surgeons, the Union of Concerned Scientists, and the American Public Health Association have all called for a moratorium on CAFO's.

WHEREAS, the health and well-being of our citizens and the sustainability of our County environment should be a primary concern of all Galena citizens.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Galena, Illinois, to act in a prudent and precautionary manner to take measures to protect ourselves and future generations by asking the State of Illinois to place a moratorium on the building and operation of all new CAFO's until the scientific implications on health can be quantified and new rules and regulations can be formulated and enforced.