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WITH RESTORED NEPA, BIDEN ADMINISTRATION STRENGTHENS RURAL COMMUNITY PROTECTIONS

Move reverses harmful Trump administration policy to exempt factory farms from environmental review

MINNEAPOLIS—Today, the White House Council for Environmental Quality (CEQ) finalized reforms that would reinstate environmental protections for rural communities. The new rules included provisions to reverse a harmful Trump administration decision to exempt concentrated animal feeding operations (CAFOs) that received government loans and loan guarantees from environmental review.

“The Biden administration’s revised rule is a win for rural communities dealing with water and air pollution from a proliferation of factory farms,” said Ben Lilliston, director of climate and rural strategies at the Institute for agriculture and Trade Policy. “Public money should serve the public, and rural residents should have a say in projects that could pollute their air and water or lower their property values and quality of life.”

The National Environmental Policy Act (NEPA), signed into law under the Nixon administration, is critical for rural communities. It requires new projects, including large CAFOs, to undergo a public environmental review to assess the project’s impact on the water, air and climate, and to provide an opportunity for community input, prior to receiving public funding. In 2020, the Trump administration seriously weakened NEPA several ways, including by exempting Farm Service Agency and Small Business Administration loan guarantees to new or expanding CAFOs or slaughterhouses from a mandatory environmental review.

In 2020, IATP joined partners in a [lawsuit](#) challenging the Trump administration’s move to weaken environmental protections for rural communities. In 2021, IATP [submitted comments](#) to CEQ on how to restore NEPA’s original intent, including its application to CAFO projects. While clear data is lacking, many new or expanding CAFOs have relied on federally backed loans for financing because they are unable to get the support of traditional banks. The rapid growth of the CAFO system has also led to farm-level consolidation, pushing small and mid-sized independent producers out of meat and dairy production while serving global meat giants, such as Smithfield, Tyson and JBS.

CAFOs are a major source of air and water pollution. Waste from CAFOs collects in manure lagoons, which release the greenhouse gases methane and nitrous oxide into the atmosphere. CAFOs also emit a variety of air pollutants including ammonia, hydrogen sulfide, volatile organic compounds and particulate matter. CAFO manure is often liquified and sprayed onto nearby fields, causing additional greenhouse gas emissions, odor and particulate drift to surrounding communities. When manure is overapplied to fields, it runs off into waterways, contributing to nitrate pollution.

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Based in Minneapolis with offices in Washington, D.C., and Berlin, Germany, the Institute for Agriculture and Trade Policy works locally and globally at the intersection of policy and practice to ensure fair and sustainable food, farm and trade systems. To learn more, visit: www.iatp.org.