

## USDA Announces Disaster Assistance Sign-Up

HURON — USDA Farm Service Agency (FSA) State Executive Director Craig Schaunaman announced that the Supplemental Revenue Assistance Payments (SURE) program enrollment for 2010 crop year losses begins Nov. 14, 2011.

"Producers across the state experienced several natural disasters during the 2010 crop year that caused hardship and financial losses to many agricultural operations," said Schaunaman. "The SURE program provides assistance to producers when disaster strikes, so producers with 2010 crop losses are encouraged to contact their local FSA office to learn more about the program," he said.

To qualify for a SURE payment, the producer's operation must be located in a county that was declared a disaster for 2010 and have at least a 10 percent production loss that affects one crop of economic significance. Producers with agricultural operations located outside a disaster county are eligible for SURE benefits if they had a production loss greater or equal to 50 percent of the normal production on the farm.

To meet program eligibility requirements, producers must have obtained a policy or plan of insurance for all insurable crops through the Federal Crop Insurance Corporation and obtained Noninsured Crop Disaster Assistance Program (NAP) coverage on non-insurable crops, from FSA. Eligible farmers and ranchers who meet the definition of a socially disadvantaged, limited resource or beginning farmer or rancher do not have to meet this requirement. Forage crops intended for grazing are not eligible for SURE benefits.

For more information on SURE program eligibility requirements contact your local FSA office or visit the website at <http://www.fsa.usda.gov/sure>.

## SDSU Cow-Calf Phone Auction Scheduled

BROOKINGS — Cattle producers interested in purchasing cows during the 2011 SDSU Cow-Calf Unit Bred Female Phone Auction can stop by the SDSU Cow-Calf Unit and view the cows anytime between Nov. 7-16.

The phone auction begins Nov. 16. Prior to 1 p.m. on Nov. 16, all interested buyers need to contact Cody Wright, professor of Animal Science, 605-688-5448 or [cody.wright@sdstate.edu](mailto:cody.wright@sdstate.edu); or Kevin VanderWal, manager of the SDSU Cow-Calf Unit 605-688-4025 or [Kevin.VanderWal@sdstate.edu](mailto:Kevin.VanderWal@sdstate.edu); and leave a message with their name, phone number and which cows they wish to bid on. On Nov. 16 at 2 p.m. Wright and VanderWal will begin the phone auction.

"This is an opportunity to pick up what we believe are some good cows, with good genetics and solid EPD data - in most cases they are better than breed average," said Wright, explaining that the main reason most cows are up for auction is their due date falls later than the average date at the SDSU Cow-Calf Unit.

The Angus females will sell first, followed by the Simangus. Within each breed, the females with the most interested parties will sell first. If only one person has their name on an animal, they can purchase it at the minimum price.

Before each animal is auctioned, buyers can take their name off the list. Bids will start at the minimum price and increase in \$50 increments. Buyers purchasing five or more females, paid by the same check and transferred to the same name will receive a 10 percent discount.

Females will be delivered free of charge within 200 miles of Brookings, or owners can choose to pick them up before December 1 to receive a \$50/head discount.

The expected due date information available is based on ultrasound by Dr. George Perry. This is the best information available, but there are no guarantees. All females are registered with their respective breed associations and registration papers will be transferred to the buyer.

The calves can be registered and AI certificates will be furnished for the Angus calves. Contact the SDSU Cow-Calf Unit to request these, when ready to register, 605-688-4025.

# The Right To Farm

## N.D. Farmers Push For State Constitutional Guarantee

BY BLAKE NICHOLSON

The Associated Press

BISMARCK, N.D. — Doyle Johannes has worked land near the Missouri River in central North Dakota for 35 years, raising everything from corn to cattle. He's not about to let someone from outside the state's borders tell him how to go about his business.

Johannes and other farmers took notice last year when The Humane Society of the United States pushed a ballot proposal to abolish fenced hunting preserves. They've also followed efforts to pass animal welfare laws in other states, and they don't want any unreasonable rules in North Dakota.

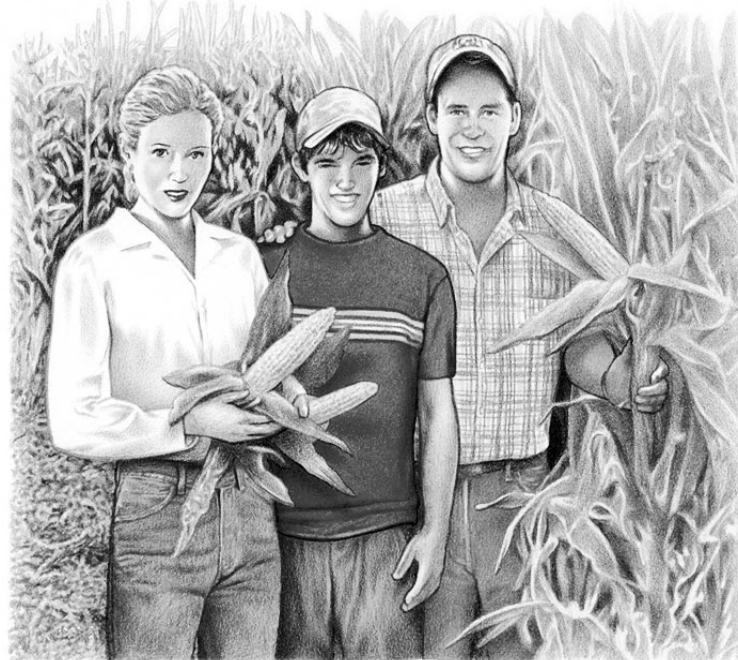
Johannes, who farms with family members near Underwood, is one of the backers of an effort to enshrine the right to farm and ranch in the constitution of the state that leads the nation in the production of a dozen crops — from wheat and barley to navy beans and honey. Officials say if North Dakota farmers succeed, it could prompt similar actions in other states.

"It doesn't allow someone from the East Coast, the West Coast, to come in here and tell you what you can and can't do because of their idealistic notions," Johannes said of a proposed measure the North Dakota Farm Bureau is trying to bring before voters next year. "We want to be able to farm in North Dakota, the way we think we should be able to."

The proposal would add to the state constitution: "The right of farmers and ranchers to engage in modern farming and ranching practices shall be forever guaranteed in this state. No law shall be enacted which abridges the right of farmers and ranchers to employ agricultural technology, modern livestock production and ranching practices."

Many North Dakota residents consider activities such as farming and hunting — centerpieces of society in the rural state — to be basic rights and distrust outside groups they think might infringe on them.

But others say farmers and ranchers shouldn't have unlimited control over their operations, and some say the proposal's broad wording might actually hurt farmers by taking away their ability to protect their own property against everything from a neighbor's livestock odor to the unwanted spread



of genetically engineered crops.

The farm bureau needs to collect just under 27,000 signatures to get the measure on the ballot in June or November 2012. That's likely — the organization has that many members. And in North Dakota, where agriculture generates one-fourth of the money in the state economy, many people who don't work the land still rely on the industry for their livelihoods. Voters in 2000 overwhelmingly approved adding the right to hunt, fish and trap to the state constitution.

North Dakota Farm Bureau President Eric Aasmundstad said the goal is to protect the future of the state's agriculture industry before groups such as The Humane Society push through stricter farm animal welfare rules and other measures. Farmers say rules that increase their costs also push up the price of food in grocery stores.

"It's important to the future of farming and ranching, and to consumers," said Aasmundstad, who grows grain near Devils Lake. "Those moms that go buy groceries for their kids every week, they need this industry to be vibrant."

But Joe Maxwell, a Missouri hog farmer and former lieutenant governor who serves as director of rural development and outreach for The Humane Society, said the agriculture industry also needs to be humane to animals and fair to other

property owners. For example, one farmer's right to build a large, noisy, smelly feedlot for pigs could infringe on neighbors' rights to enjoy their properties, he said.

"Their language should be more narrowly defined," he said of the Farm Bureau proposal. "Placing something in the constitution of any state has serious ramifications."

Maxwell said the Humane Society likes to work with farmers to find solutions. For example, Ohio implemented sweeping standards for the handling of livestock last month. The requirements are the result of a 2009 constitutional amendment requiring the establishment of livestock care standards and a deal then-Gov. Ted Strickland brokered last year between agriculture groups and The Humane Society.

"We collectively came to the conclusion that it was in the best interest of farmers, livestock producers, all Ohioans to see if we could pursue some middle ground," said Jack Fisher, executive director of the Ohio Farm Bureau. "We put together a process that would serve everybody's interests."

But supporters of the North Dakota proposal point to other states where The Humane Society successfully advocated animal welfare reform efforts unpopular with many farmers, such as in California. Voters in that state in 2008 approved a measure that bans

cramped cages for laying hens by 2015.

Steve Finsaas, a North Dakota Farm Bureau employee who lives in South Heart, said the measure hurt his in-laws' California egg business, which he and his wife had hoped to join.

"For my inlaws to upgrade (cages for) their 4 million hens would cost \$120 million," he said. "My father-in-law has told us, 'There is no opportunity for you in this industry unless there is major change.'"

"That's why it's personal for me," Finsaas said. "This is our way of trying to protect the agricultural industry here in North Dakota ... and not be dictated to by an outside group."

Some groups say the proposed North Dakota amendment also could hamper efforts to regulate genetically engineered crops amid concerns about the environment and food safety.

"I think it ties the hands of the entire state government to deal with something in the future that's a problem, just because it's 'modern,' whether it's biotech ... or stuff we haven't thought of yet," said Patty Lovera, assistant director of the advocacy group Food and Water Watch.

Andrew Kimbrell, executive director of The Center for Food Safety, suggested organic and conventional farmers could find themselves unable to sue if their crops lose value because of contamination from a neighbor's biotech fields.

"I think that's a restriction on the potential rights of farmers in the state, rather than a guarantee," he said.

Aasmundstad, the North Dakota Farm Bureau leader, said guaranteeing farmers and ranchers the right to farm and ranch does not override regulation of such things as hog farm siting and production of biotech crops. He compared it to U.S. citizens having a constitutional right to bear arms but also being required to follow gun laws.

Johannes, the central North Dakota farmer, said supporters simply want to ensure their ability to produce food free from onerous restrictions.

"It keeps your options open," he said. "It doesn't give you a license to pillage and plunder."

## Comment Period Open For New CAFO Reporting Rule

BROOKINGS — The U.S. EPA has proposed a new rule which could increase the amount of information owners of concentrated animal feeding operations report. The new rule is referred to as the concentrated animal feeding operations (CAFOs) 308 rule, under a settlement with the Natural Resources Defense Council, Waterkeeper Alliance and the Sierra Club.

The rule was published Oct. 21, in the Federal Register. It is currently in the 60-day comment period. Webcasts on the rule will be held on Nov. 9 and Nov. 17. Those involved in the livestock industry are encouraged to listen to the webcasts and provide feedback during this 60-day comment period.

"If this proposed ruling becomes law, it could impact South Dakota livestock producers. We strongly encourage everyone to become involved in the process," said Erin Cortus, SDSU Extension Air Quality and Waste Management Specialist. "The window of time in which producers' comments can make a difference is short. Don't wait."

The proposed rule is an information collection rule, and would not change which CAFOs need NPDES or Surface Water Discharge permits in South Dakota.

EPA's proposal would require CAFOs to provide five elements of basic information which include: facility contact information, production area location, whether the CAFO has a NPDES or Surface Water Discharge per-

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ERIN CORTUS

mit, the number and type of animals at the CAFO and the number of acres available for land application of manure, litter, and process wastewater. CAFO owners and operators ultimately would submit information through an online form.

The proposal contains two options regarding which CAFOs would be required to submit information to the EPA. One option would require every CAFO in the United States to report this information to EPA, unless states with

authorized NPDES programs choose to provide this information on behalf of the CAFOs in their state. The second option would require CAFOs in "focus watersheds" that have water quality concerns associated with CAFOs to report information to EPA.

EPA will take comment on both options as well as alternative approaches to gather information. The proposed rule, a fact sheet, common questions and answers about the rule, and in-

formation on how to register for webcasts on the rule that will be held on Nov. 9 and Nov. 17 can be found at: <http://cfpub.epa.gov/npdes/afo/aforule.cfm>. The comment period closes Dec. 20, 2011. The EPA plans to take final action on this proposal by July 2012.

Individuals can provide comments to the EPA in multiple ways — online, email, fax, mail or courier. Specific instructions are available on the EPA website. If you have any questions contact Erin Cortus, SDSU Extension Air Quality and Waste Management Specialist at 605-688-5144, or [erin.cortus@sdstate.edu](mailto:erin.cortus@sdstate.edu); or contact Kent Woodmansey, with the South Dakota Department of Environment and Natural Resources, (605) 773-3351 or [Kent.Woodmansey@state.sd.us](mailto:Kent.Woodmansey@state.sd.us).



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