

Dan Baum

20 Tharp Avenue

Watsonville, CA 95076

(831) 722-3484

danbaum@pacbell.net

In January, National Hog Farms quietly agreed to pay \$150,000 to settle what appears to be the last in a series of accusations by the state of Colorado that the company fouled the air and water of its neighborhood. So ends one of the loudest, most colorful disputes ever over hogs, a feud among some of the world's wealthiest men, in which the weapons were thunderhead-sized clouds of atomized hog manure, billionaire-financed "grassroots" citizens groups with names like POW (Protect Our Water), and dueling ballot initiatives. An anatomy of the Colorado feud, with its colorful characters and faux-populist law-making, provides a window not only on the shrinking stage and rising

stakes for livestock in America, but on the bizarre ways in which the ballot-initiative process – upon which California heavily depends – can skew the democratic process.

It all began nearly 15 years ago when Denver railroad baron Phil Anschutz heard that the Seventy Ranch was going on the market. The Seventy, twenty-three thousand acres of rolling grassland watered by the South Platte and Crow Rivers, adjoins Anschutz's private pheasant-hunting preserve in northeastern Colorado. The owner was inviting sealed bids and Anschutz, principal shareholder of Union Pacific Railroad, founder of Qwest Communications, and one of the world's richest men, was sure he could have it. The Seventy would have expanded his shotgun playground, with views of Long's Peak and the Craggs of Rocky Mountain National Park, to an area bigger than Seattle.

Unfortunately for Anschutz, the Bass Brothers wanted it more.

Sid, Robert, Edward and Lee Bass of Dallas, heirs to an oil fortune they'd extended into sports, entertainment and livestock, won the Seventy Ranch for about four and a half million dollars. The Bass brothers didn't start out with a grudge against Anschutz

– though they surely knew most billionaires prefer not to have a quarter million hogs for neighbors -- but through an outspoken employee, they quickly acquired one.

Bill Haw, who ran the Bass Brother's livestock operations, is a handsome, grey-haired cowboy known for brash eloquence in defense of modern meats. ("My guess," he told Frontline when asked in Kansas about another Bass operation, "is that if you could interview a steer and ask him whether he'd rather be out in the pasture or in the feedlot, I think the vast majority of them would vote to be in the feedlot.") The operations he manages are famous for their size and density. Haw stands astride feedlots the size of Central Park packed with 100,000 cows – he is the unchallenged überkommandant of Cowschwitz. He phoned Anschutz immediately upon winning learning the Bass brothers had won the bid, promising, he says, to be a good neighbor. "You're the enemy," Anschutz told him, in Haw's oft-repeated story of the genesis of hostilities. "I'll make you regret you ever bought the Seventy."

There are plenty of reasons besides irritating Anschutz that the Bass brothers might have reasonably chosen to lay a city-sized hog farm on his doorstep. American pork exports were on their way to quadrupling in the late eighties, yet pork producers had fewer and fewer places in which to raise swine. North Carolina, once hog heaven, and Mississippi, another big pig state, had by 1988 stopped letting companies install new swine operations because so many people objected to the smell and the pollution of groundwater. Kansas, headquarters for National Hog Farms, had passed a law requiring pig farms to be family-owned. South Dakota and Iowa were strict about manure treatment. And Oklahoma and Wyoming, states not given to frivolous restriction of private enterprise, had both said no to mass hog ranches.

Colorado, however, had no law governing any aspect of hog farming. Even by the standards of the west, with its love of livestock and property rights and its traditional what-the-hell attitude toward the environment, Colorado was, ahem, business-friendly. It didn't keep track of how many hog farms it had, let alone what kind of mess they made. As the Bass Brother's

operation -- National Hog Farms -- chased from state to state, Colorado was a natural refuge. Weld County alone, where The Seventy Ranch lay, already had more animals in feedlots than any other state in the union.

Haw said he chose the Seventy Ranch "first because of Colorado's frontier spirit, second for its favorable business climate, and third" – here's where the story gets weird – "for the opportunity to create a sound environmental loop."

One pig may be, as Wendell Berry suggests, a reasonable substitute for a Dispose-All and a good source of homegrown fertilizer, but a hundred-thousand-plus animals can create a medieval nightmare. A modern corporate hog farm produces a daily "waste stream" equal to that of Burbank, with the sanitation of an outhouse. Hog manure is particularly nasty, possessed of a microbe called Pfesteria piscida, which biologists have called "the cell from hell," for its ability to cause animal and human disease. The conventional treatment for hog waste is to store it, often uncovered, in vast "lagoons." And the smell? Don't ask. The International Round Table on Swine Odor Control met in Iowa in

1994, and all they came up with was a hare-brained scheme to dump train-car loads of deodorant and perfume into fecal lagoons. "As hard as it is to make a purse out of a sow's ear, it is even harder to make potpourri out of its poop," wrote University of Iowa professor Richard P. Horwitz in his scholarly Hog Ties: Pigs, Manure, and Mortality in American Culture.) Anschutz may have been a rich NIMBY, but his complaint was not without merit.

National Hog Farms was soon raising three hundred thousand swine a year upwind of Anschutz's weekend home, on the nation's biggest hog farm ever. Haw's "sound environmental loop" replaced traditional lagoons with a series of waterfalls, settling tanks, and – the centerpiece -- a center-pivot irrigation system to aerosolize the liquefied waste and fire it heavenward. The manure drifted down "like a gentle rain," Haw said, covering one thousand nine hundred and sixty acres with a third of an inch of diluted manure every five days. Nitrogen-hungry grasses sprouted, and cattle grazed them, supposedly completing Haw's cleansing loop. "State of the art," Haw told every microphone he could reach.

Aerosolizing hog manure had, in fairness, been tried in other states. But on The Seventy, National Hog Farms seems to have altered the technology. Sometime in the mid-nineties, the manure sprinklers achieved heights of pressure that boggled engineers. The jets created a micro-climate-changing storm of atomized dung. "We walked all over the National Hog Farm property and hardly found any residue on the ground," an environmental engineer hired by the state to monitor the site told me. "All of it, it seems, was drifting on the prevailing wind to the east."

Onto Anschutz's property. His beloved knolls, grasslands, and cottonwood draws, with their cold, bubbling creeks, were disappearing under a thin patina of filth. Inadvertently or not, Haw had found a way to weaponize pig shit.

For the next seven years, suffering periodic shitstorms, Anschutz got a painful lesson in the limitations of his own power, hounding county and state health officials and legislators to no avail. Neither body was willing to do anything so radical as restrict a man's lawful business, no matter how polluted state

regulators said the groundwater was becoming, no matter how rich the complainer. Finally, Anschutz went out and bought himself a statewide initiative, Amendment Fourteen, paying three dollars apiece for enough signatures to get on the ballot. Haw went out and bought his own, Amendment Thirteen. Anschutz's initiative required the state to regulate the size, pollution, and odor of hog farms. Haw's didn't mention pollution but required state law to treat all livestock operations equally, so that, in effect, an injury to a swineherd would be an injury to a cowboy. Both sides spent a bundle on a campaign that was long, loud, and bruising. "Neither of these guys ever had anyone say 'no' to him," one county official said. But in a statewide contest, Anschutz had at his disposal the urban sensibilities and brainpower of Denver. In November 1998, Colorado voters sided with him. ("Haw is the biggest whiner in the industry," Anschutz's spokesman gloated afterwards.) Still, the legislature, clinging to its frontier ethic, dragged the battle out, refusing to enforce the law or fund regulators. The hog farm dismantled its last sprinkler two years ago, while the state water quality board continued to accuse the

company of overspraying, threatening groundwater, and fouling the air. The end seems to have come this January, when National Hog Farms agreed to pay a \$150,000 penalty.

The Bass Brothers, beloved in Dallas for building parks and theaters, prefer to be known for their donations to protect the desert bat. Anschutz, in trouble over the implosion of Qwest (four of his lieutenants were indicted this week), has so far ignored my requests for an interview. But Haw remains eager to talk and the shadow figures of these billionaire friends of President George Bush pervade the battle. Colorado is full of legislators, county commissioners, health officials, environmental engineers, activists, political scientists and others eager to be interviewed. In addition to pulling reclusive billionaires from under their rocks, the story spotlights the ballot initiative process in all its flawed glory. Ballot measure are often called "pure democracy," but even as they went to the polls, Coloradoans knew they were acting as personal instruments of the oligarchs.

The story would require a few days in Colorado, with a side trip to Kansas City to interview Haw, who remains as flamboyant as ever in defense of modern meats.

Drex responds:

Hell of a story idea. I love it. The chief reason: Anschutz is a huge player in L.A.

He is part-owner of the Staples Center arena (where Lakers and Clippers NBA teams play and L.A. Kings NHL team plays). He's part owner of the L.A. Kings, and owns most if not all of the nation's professional soccer league. He's building a huge soccer facility just south of L.A., in Carson, down by Long Beach. He is intimately involved in efforts to bring NFL football back to Los Angeles.... He has built, or is building, a big tennis facility, too, I think.

And he NEVER talks to the press. Last time he did, Nixon was president.

So for starters, if you did manage an interview, you'd be the first journalist in three decades to do so--and many have tried.

Second, a story about the blood (aeresol shit) fued in Colorado would be lapped up here. L.A. has a love-hate relationship with the guy because he's been good for professional sports, but he's arrogant and won't talk, and doesn't give a damn that some people don't like it.