

Dairy Feed Management

Farm groups oppose clean water legislation

Source: *The Cattle-Site News Desk* (June 17, 2009)

Words in written legislation may have unintended consequences for farmers

Farming groups in the US are partnering to oppose legislation to significantly expand the federal jurisdiction of The Clean Water Act (CWA).

The National Association of Counties' (NACo) and the American Farm Bureau Federation (AFBF) are concerned that the Clean Water Restoration Act (CWRA) would needlessly expand the federal reach of CWA and result in significant negative impacts on farmers, ranchers, local governments and local economies without improving protections of the nation's critical water resources.

Both organizations stressed that they support current CWA

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A newsletter for certified feed management planners

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Pa. DEP proposing changes to NPDES program, including annual permit fee

Source: *Penn.Ag.*

DEP is in the initial phases of proposing changes to Chapter 92-National Pollutant Discharge Elimination System (NPDES) permitting, monitoring and compliance.

DEP has released a draft document of proposed changes to internal DEP committees and intends to present the proposed changes to the Environmental Quality Board (EQB) in July or August 2009.

The EQB will direct DEP to post the proposed changes for a public comment period. It is likely that DEP will also conduct public meetings and allow for testimony to be presented. Typically, DEP allows a 60 or 90 day public comment period. This could occur in early to mid fall 2009.

Of the proposed changes, the most obvious is the change to the permit fee and the creation of an annual permit fee. Under the current NPDES structure, there are no annual permit fees; CAFO's ≤ 1000 AEU's have no permit fee; and an Individual permit is \$500 (for a CAFO ≥ 1000 AEU).

The indication from DEP is that they are increasing permit fees across every department in an attempt to cover the Department's cost associated with the program.

Application Fees for Individual Permits:

CAFO < 300 AEU:

\$500 for new; \$250 for reissuance

CAFO ≥ 300 <1,000 AEU:

\$1,000 for new; \$500 for reissuance

CAFO $\geq 1,000$ AEU:

\$3,000 for new; \$1,500 for reissuance

Annual Fees for Individual Permits:

CAFO < 300 AEU: \$0

CAFO ≥ 300 <1,000 AEU: \$500

CAFO $\geq 1,000$ AEU: \$1,500

In addition to the changes with the fee structure, there are several implied issues that have caught our attention.

- The proposed changes will capture smaller farms and the need for smaller farms to comply with regulations.
- The change in CAFO status and inclusion of smaller farms appears to be an attempt to comply with the Environmental Protection Agency (EPA) and prevent EPA from overseeing the Pennsylvania NPDES program.

PennAg and other agriculture organizations/groups are coordinating efforts and meeting with appropriate staff of DEP to further discuss the proposed regulations.

Once the public comment period opens and meetings are scheduled, your input and attendance at meetings will be necessary to drive home the message of the ramifications of this change to your individual operations.

This newsletter is brought to you by:



Factory Farms: It's what's NOT for dinner

The hidden cost of getting food on your table

Source: *Clean Water Network's Hill Briefing (June 20, 2009)*

Summary Provided by *Daphne Pee, Regional Water Quality Liaison
Mid-Atlantic Water Program*

The Clean Water Network (CWN) is a coalition of more than 1200 non-profit organizations interested in protecting environmental resources. Together, these organizations aim to “strengthen and implement federal clean water and wetland policy.” The first Hill briefing in the CWN’s national series on “America’s Water Crisis” was focused on CAFOs, with three speakers providing overviews on legislative changes related to CAFO management, public health, and litigation. Much of the audience appeared to represent NGOs and the interested public. It is unclear how many congressional staffers attended.

Weakened water and public health protection

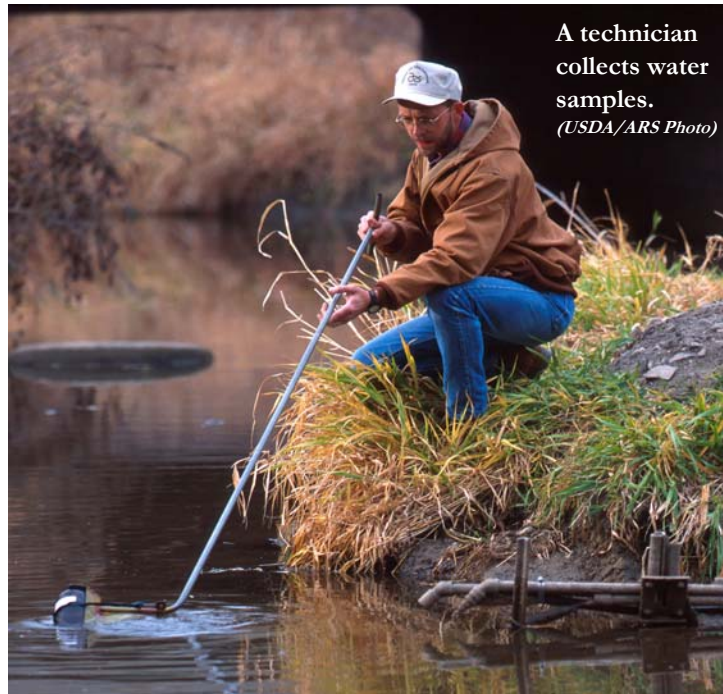
Martha Noble, Senior Policy Analyst for the Sustainable Agriculture Coalition, provided an overview of CAFOs and how recent changes to the Clean Water Act (CWA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and the Emergency Planning Community Right-to-Know Act (EPCRA) have weakened water and public health protection. Keeve Nachman, Science Director for Food Production, Health, and Environment at Johns Hopkins University’s Center for a Livable Future, presented public health concerns related to CAFO operations. And Eric Schaeffer, Executive Director of the Environmental Integrity Project, provided an overview of common CAFO-related conflicts and litigation actions.

Much of the presentations centered on strengthening regulations and permitting requirements to prevent pollution and health impairment. Questions from the audience largely came from interested individuals in the process of fighting CAFO developments in their neighborhoods. No questions were asked by congressional staffers.

None of the speakers or participants raised the issue of how farm economics (operating/maintenance costs and revenue) constrain a farmer’s ability to meet legal requirements or voluntary actions to prevent pollution or health impairment.

Food cost an issue

While Martha Noble’s presentation does include a slide on subsidies, due to time constraints, she could not cover the issue. In order to understand the scope of CWN’s legislative platform, I asked whether the CWN was doing anything to advocate for reforming market forces (particularly, promoting food prices based on the cost of production). Surprisingly, this question was not received very well by the panelists. During the panel, Martha Noble did note that the cost of food is certainly an issue, but she did not mention any specific actions the CWN is taking to reform the market. The only past legislative action relating to CAFO operational costs that CWN has promoted was to require that integra-



A technician collects water samples.
(USDA/ARS Photo)

tors sign on to permits as co-permittees. This effort occurred during the Clinton Administration, but failed, and may be revisited with President Obama.

After the briefing, I was stopped by staffers of the Environmental Integrity Project (EIP) who wished to continue the discussion with me. When I reiterated my concern that further regulating farmers would not truly address pollution and public health issues, but would just serve to further burden struggling farmers and industries without providing any additional monetary or capacity assistance to improve operations, the EIP staff disagreed with me and stated that with strengthened environmental laws under the new administration, much can be done to prevent pollution and public health improvements.

On-farm instruction needed

Overall, I left with the feeling that CWN is doing what it needs to strengthen environmental policies, but their platform is so narrowly focused on water quality that maintaining a secure food production system has been lost. While their intentions are good, they don’t seem to understand the broader implications of what they advocate. In failing to take a more holistic approach, they are continuing to address the symptoms of the disease, rather than the cause – and in such a way, that seemingly only the farmers will be affected.

As such, I do think there is a need to host some on-farm demonstration days for environmental lobbyists and congressional aides with the intent to showcase what farmers do to meet various environmental and public health regulations (some of which conflict with each other), how much time and money is spent to meet both regulatory and voluntary actions, and how economic forces affect their individual operations and their industries at large.

Is there a light at the end of the tunnel for dairy?

By Virginia Ishler
Nutrient Management Specialist
Penn State Dairy Alliance

UNIVERSITY PARK, Pa. – Everyone, regardless of what industry you are in, is feeling the effects of the current economy. Right now the dairy industry is struggling more than ever with low milk prices and high operating expenses. It feels like this scenario has been persisting for a long time and we are still waiting for things to improve. The frustration for those of us in consulting and education is there is very little we can do to compensate for these outside forces. So other than taking one day at a time what can be done?

Dealing with the extremes

It is hard to rely on historical data related to the markets in light of the volatility of the past few years. We seem to have really good times and really bad times. So how does a dairy operation deal with these extremes? The answer: Start now to prepare for the good times ahead so the operation can maximize profitability and prepare for the bad times. In order to succeed, a major responsibility of the owner/manager is to develop a plan, monitor a key performance indicator(s), and make adjustments if something is moving off track. One such indicator is income over feed cost (IOFC). This number monitored monthly over time gives great insight on where things may need to be improved. Some areas to investigate when IOFC is too low are dry matter intake efficiency, use of excessive feed additives, level of concentrate feeding for production, or poor feeding management practices.

Managing change

The solution to almost all of the nutrition and feeding management practices requires time commitment from the owner/manager and the willingness to make changes, if necessary. Both can be very difficult when time is already our greatest enemy. For that reason the Penn State Dairy Alliance, a Cooperative Extension initiative, has developed a Risk Management Team with the focus of working with producers during these tough times and preparing them to take advantages of opportunities in the good times ahead. Currently, Penn State is working with numerous producers to develop cash flows and calculate IOFC. Monitoring this information over time will help them make smart decisions about management strategies.

The Risk Management Team is offering assistance to dairies via various formats:

Start measuring IOFC: Visit the web site <http://www.das.psu.edu/dairy-alliance/resources/income-over-feed-cost-tool> or contact Erica Cowan, senior project associate, at ecowan@psu.edu or (814) 863-3917 for assistance in getting your herd started.

Start developing a Cash Flow: Contact Tim Beck, Cumberland County Extension educator, at tbeck@psu.edu or 717-240-6500 for assistance.

Start a dairy discussion group on the topic “Making Smart Decisions Based on IOFC.” Contact Dave Hileman, discussion group facilitator, at hilecrest@keyconn.net or toll-free at 888-373-7232.

For more information about these strategies, contact Virginia Ishler at vishler@psu.edu or 814-863-3912.

Farm groups oppose legislation

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provisions and enforcement of state and local environmental protection laws. The groups have expressed their concern to Congress that eliminating the word “navigable” from the definition of “Waters of the United States” would result in an unprecedented expansion of federal authority.

NACo President Don Stapley, supervisor, Maricopa County, Ariz., said that NACo supports CWA provisions that protect wetland habitats and rivers and streams of the U.S., but does not support federal efforts to change the definition of the Clean Water Act from navigable waters to “waters of the United States.” In addition, NACo opposes federal efforts to further expand the authority and responsibilities of the federal agencies in regard to these waters.

“The legislation would drastically expand federal clean water jurisdiction and create significant bureaucratic obstacles and lead to increased costs to counties without necessarily enhancing environmental protections of waterways and wetlands,” Stapley said.

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