

## Barley Withdraws Support Of Nutrient Management Bill

**VERNON ACHENBACH, JR.**  
Lancaster Farming Staff  
EPHRATA (Lancaster Co.) — Rep. John Barley, R-Conestoga, was one of the few if not the only dissenter during a public hearing last year on House Bill 496, better known as proposed nutrient management legislation.

Recently, Barley went a step further and, opposite to his stance as a main proponent of nutrient management, announced his withdrawal of support for H.B. 496.

Because of his opposition during the public hearing last year Barley was criticized by Harrisburg pundits. Criticism of Barley had not been surprising, according to others who testified support of the legislation on behalf of agricultural organizations.

Instead, Barley said his opposition is based on the specific wording of H.B. 496. He said his main complaint with the bill is its wording and lack of cooperation from other legislators and an apparent lack of scrutiny by those who represent agricultural interests.

The wording in the bill addresses agricultural nutrients, that is, production animal manure.

It is fact that the legislation only clearly defines control of one non-point source pollution — production animal waste.

The bill does not technically address any other form of nutrient applications, such as those performed at country clubs, public golf courses, residential areas, on-lot sewage, etc.

According to Barley, the bill pinpoints agriculture as the scapegoat in the political effort to reach

a reduction in nutrients to the Chesapeake Bay before the year 2000.

Last week Gov. Robert Casey met with Maryland Gov. William Schaefer to discuss nutrient management and the progress in fulfilling a commitment for a specific percentage reduction in nutrient pollution, to which Casey agreed.

According to Barley, and others who attended, the message of that meeting was that Pennsylvania is basing its reduction on phosphorus pollution, something which several reports have claimed is not the problem at all, but that the problem is nitrogen.

Pennsylvania has banned all phosphate-containing detergents from being used or sold in the state to help with that problem. However, studies from Penn State University declared that phosphorus pollution was not a major factor at all.

Pulling support from the bill seems surprising since Barley had authored his own variation of nutrient management, which was merged with a simultaneous bill sponsored by Rep. Jeffrey Coy, R-Shippensburg.

The merged bill became H.B. 496. Barley said last week that he had a gentleman's agreement with Coy that the two would sit down and iron out disagreements about the purpose of the bill and the methodology of enforcing the intent of that bill.

That never happened, according to Barley.

He said he was snuffed out from being involved in closed door deliberations about the legislation.

Barley, a four-term representative, from Conestoga, said the bill,

as it stands, would mean a great negative impact on the agricultural community, to the extent of being unfair and onerous and perhaps putting small operators out of business.

He said that his opposition is also based on the fact that this legislation almost singly targets agriculture while ignoring the logical fact that there is more nutrient-laden waste from humans, and perhaps wildlife, being emptied into the Susquehanna Watershed than is being contributed by average production agriculture operations.

The bill does include wording that DER would have to study and recommend potential problems and solutions from on-lot septic systems and storm sewers. But it doesn't mandate any controls or involve those operations in its seemingly conclusive focus that agriculture is the main culprit in Chesapeake Bay degradation.

However, Barley said he acknowledges that some agricultural operations must come up to snuff with the rest of agriculture because they give the rest of agriculture a bad image.

Mostly, Barley said he wants people to look at this bill closely and consider whether it is a bill which address nutrient management, or whether it is a bill which targets agriculture in a prejudiced way.

"I do really dissect this line-by-line and fully understand what they're trying to say.

"Having the opportunity with serving groups of people, some plain (meaning religious factions), they're not going to be very vocal.

But they are concerned. They feel there is language in this bill that can have broad ramifications.

"Technically, I'm a co-sponsor (of the bill), but I have withdrawn sponsorship," Barley said. He said it should be reflected in an upcoming printing of the bill which is to reflect all changes made to it before it goes for further consideration.

Currently the bill is in the state Senate Agricultural and Rural Affairs Committee, where it is being scrutinized.

Another beef of Barley's is that he said there was a gentleman's agreement between he and Rep. Coy. The agreement was that the two would get together in an effort to work out some of their differences about nutrient management before a hybrid bill would emerge.

Barley charges Coy with renegeing on the handshake agreement.

"In my opinion it was a breach of professional courtesy," Barley said. "Unfortunately, that was not a contract."

He said his major opposition to the wording of the bill deals with the wording in the bill which does

give DER ultimate control of the application of manure.

However, Barley said he wants people to understand that production animal manure is not the only, and very well may not be, the major source of nutrient contamination into the Susquehanna Watershed.

The impetus for the bill was a result of the degradation of the Chesapeake Bay over the past 20 or so years to the point that there has been created a bottom area that can not support forms of life dependent on oxygen. In effect, it has become a sludge pool.

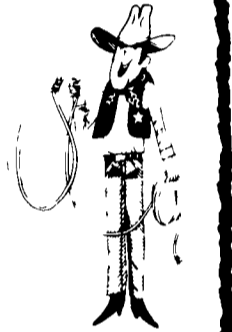
The specifics of the bill, which Barley is attempting to bring attention to, are several. The gist is that Barley wants the bill to reflect controlling of all nutrients applied in Pennsylvania, not just agriculture. And he wants more input from the agricultural industry into the enforcement of the law.

While that may seem as though the fox would be in charge of the hen house, Barley said those who would comprise an advisory board under the current legislative outlines, are not reflective of those who would be regulated.

**ROPE IN  
SOME EXTRA  
CASH!**

Advertise With A  
Lancaster Farming  
CLASSIFIED AD...

Phone: 717-394-3047  
or 717-626-1164



## To Jump-Start Your Farming Operation, Think Custom Farm Seed Hybrid Seed Corn.

When you think CFS, think outstanding yields, standability, fast dry down and overall top performance. It's no wonder CFS keeps on gaining corn acres, year after year.

*Think about these CFS hybrids for 1992...*

**CFS 6322 (109-113 RM)** ... Likes maximum sunlight. High yield potential ... Fast dry down ... Upright leaves. Outstanding yield potential under good management.

**CFS 7707 (113-117 RM)** ... Excellent yield potential under disease stress ... Excellent root and stalk qualities ... Outstanding dry down. Good "stay green" qualities.

PARS, Inc. markets Custom Farm Seed throughout the Eastern United States. In addition to hybrid seed corn, count on PARS for a complete line of CFS seed, including break-thru® alfalfa, soybeans and waxy corn hybrids.

For more information, call today.



**PARS, INC.**

976 West Ridge Road • Elizabethtown, PA 17022-9750

(Positive Approach for Revitalizing Soils)

PHONE (717) 367-2667

Please note warranty and remedy statements on CFS seed bag tag. The limitation of warranty and remedy of each bag of CFS seed sold is part of the terms of the sale thereof.

Custom Farm Seed • Momence, IL 60954 • 1 (800) 659-4307

**CFS**  
**Custom  
Farm  
Seed**