

State, Industry Environmental Programs Should Be Given Chance

(Part 3)

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UNION DEPOSIT (Dauphin Co.) — Up until recently, the long, ongoing battle between Pennsylvania's agricultural industry and anti-agricultural forces over how to deal with overloading of nutrients in some of the state's waters was considered settled by many with the passage of the state's Nutrient Management Act.

But, the heat of battle in the state has been recently re-ignited by the federal government with its proposal for federal oversight.

The Clinton Administration's newest proposal is to broaden the interpretation of existing authorities granted under the nation's Clean Water Act, supercede state authority and essentially micro-manage the nation's livestock operations.

In September, the USDA and EPA released the draft USDA-EPA Unified National Strategy for Animal Feeding Operations for public comment.

The comment period ends Jan. 19.

The gist of the Unified Strategy is that all livestock operations develop, file and implement comprehensive nutrient management plans as described by the federal government.

While the strategy holds out voluntarism as an option for small farming operations, it purports that the federal government can declare any livestock operation to be required to have mandatory nutrient management planning, depending upon the cause-effect suspicions of a field agent, and the general water quality of the watershed in which the farm sits.

The main excuse for the proposed plan is that the Clean Water Act provides that high density livestock operations (EPA calls them concentrated animal feeding operations or CAFOs) can be considered point sources of pollution and therefore be required to have an operating permit under the National Pollutant Discharge Elimination System (NPDES) program.

The EPA is reportedly disastified with the success it has had in getting all of the nation's estimated 6,000 CAFOs to operate under NPDES permit.

While Pennsylvania is in the middle of a process of compromising with EPA over its Nutrient Management Act regulations which have been in effect for less than a year, the new strategy would seem to dispense with the value of a customized state program, such as Pennsylvania's Nutrient Management Act.

At a recent "listening session" — a newly coined term to describe a public comment hearing — held at the Sheraton Inn Harrisburg East in Union Deposit, professional representatives of environmental groups testified to their support for federal oversight, but complained that it didn't call for more of a heavy hand over farming, such as requiring phosphorus planning, etc.

While the environmentalists generally called for greater federal government control over all livestock operations in the United States, a few agricultural advocates did express concern about the possible effects the draft Strategy would have — on state programs and on agricultural industry programs established to control nutrient pollution of water.

In other words, unlike the spokespeople for environmentalist publicity groups, not everybody at the meeting expressed a desire for increased governmental control of day-to-day farming activities and

controlling the size of farming businesses.

Bob Mikesell is a professional hired by Penn State University with financial support by the National Pork Producers. He represented the Pennsylvania Pork Producers.

"I'm one of the thin line of folks (who are) out there in the field dealing with producers one-on-one, trying to help them become better environmental stewards.

"The draft Unified Strategy for Animal Feeding Operations provides a solid basis for recommending that all livestock producers handle manure in a responsible manner.

"However, there are currently several educational programs sponsored by the National Pork Producers Council which are already accomplishing many of the same goals and objective found in the draft strategy," he said, referring to the National Pork Council's national Pork Dialogue of 1997 which established an ideal for

environmentally responsible hog production.

"For example," he said, "the pollution prevention strategies program (of the Pork Dialogue) helps recognize producers who strive for environmental excellence.

"More importantly, through this program we can show producers firsthand specific strategies for improving their environmental stewardship," Mikesell said.

"In the past three years, we have conducted more than 130 environmental audits of Pennsylvania swine producers through this program.

"A second program just underway in this state is the On-farm Odor and Environmental Assessment Program.

"This effort provides a more intensive evaluation of a producer's environmental efforts and delivers detailed documentation of the producer's strengths and challenges in regard to odor control and nutrient management."

He said that Pennsylvania has recently completed its own environmental program similar to the national Pork Dialogue.

"Our document, which will be published before the end of the year, is entitled, 'Environmental Standards of Production for Larger Pork Producers in Pennsylvania.'

"The document, which includes many recommendations that exceed current regulations, provides standards under which we believe Pennsylvania pork producers should operate.

"Finally, we have in Pennsylvania the Nutrient Management Act,

which requires operators of intensive livestock operations to develop nutrient management plans," Mikesell said.

"Since the enforcement of this regulation commenced in October 1997, Penn State and other professionals have provided dozens of training and certification workshops to help producers come into compliance.

"All of these programs and efforts, which I have briefly summarized, support the same concepts that are outlined in the Draft Unified Strategy.

"While we are not opposed to regulations that protect our environment, we believe that regulations must be based on sound science.

"Decisions and assumptions made based only on a farm size, rather than its environmental track record, have no place in regulations of any kind.

"While Pennsylvania's pork producers generally support the goals of the Unified Strategy, we oppose any and all instances where the Draft Strategy allows social policy and unfounded public hysteria to supplant sound science."

Don Robinson, director of the Lancaster County Conservation District, who was also involved in helping provide research- and experience-based information in support and guidance of the development of Pennsylvania's Nutrient Management Act regulations, commented on behalf of the Pennsylvania Association of Conservation Districts.

He discussed several issues of (Turn to Page A33)

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