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Opinion

Our View

Meatless Mondays won't save the planet

Ask any environmentalist and you are likely to hear that livestock production in the United States is responsible for 50 percent of greenhouse gas emissions. The story goes that cow flatulence and manure methane are killing the planet. If you want to save the planet, they say, cut meat from your diet.

Not so fast, says Frank Mitloehner of the University of California.

Mitloehner, a professor and air quality specialist, used data from the Environmental Protection Agency to show what most of us in agriculture already believed: Livestock production accounts for a small portion of greenhouse gas emissions.

In a white paper released late last month, Mitloehner documented that livestock production accounts for only 4.1 percent of greenhouse gas emissions in the United States. That compares to 27 percent attributed to transportation and 31 percent attributed to electrical power production.

Beef cattle account for 2.2 percent of emissions, dairy cows 1.37 percent. The other domesticated farm animals combined account for the remaining six-tenths of a percent.

What about widely publicized campaigns to institute "Meatless Mondays" at schools, colleges and other institutions? Pointless, if the goal is to impact in any meaningful way greenhouse gas emissions.

"It is sometimes difficult to put these percentages in perspective; however, if all U.S. Americans practiced Meatless Mondays, we would reduce the U.S. national GHG emissions by 0.6 percent," Mitloehner says. "A beefless Monday per week would cut total emissions by 0.3 percent annually."

For many advocates, attributing greenhouse gas emissions to livestock production has more to do with getting people to stop eating meat than it does with impacting climate change.

We doubt the facts will calm that rhetoric.

Rik Dalvit/For the Capital Press

Our View

'Go-slow' federal agencies hurt farmers

It appears the federal agencies that coordinate the H-2A program to obtain guestworkers for harvesting crops and other farm jobs are giving U.S. farmers the "slow no."

That's when they slow down their work — even more than usual — and make farmers wait ... and wait. They make the folks at the driver's license office look as though they are in overdrive.

Ironically, the slowdown only hurts farmers who jump through all of the H-2A hoops to operate legally, without cutting corners to hire illegal or quasi-legal workers with questionable documentation.

Through the slowdown, the Obama administration appears to be making a point about the illegal immigration problem — a problem it has helped create. By making bringing guestworkers into this country even more difficult, the administration apparently hopes farmers will beg Congress to fix the immigration mess.

In fact, many farmers who rely on labor have been begging Congress to act on the immigration mess for years — long before President Obama was elected.

President Obama has had almost eight years to fix the immigration problem. The best he could do was a couple of executive orders that landed him in court.

The Obama administration burned every bridge with Congress to get its health care law passed. It's still suffering from the breakdown in communications with Capitol Hill.

Now it's putting pressure on farmers to push Congress for immigration reform.

That would be interesting political patter if it were not for the fact farmers in 20 states risk losing some or all of their crops because of the H-2A program's slowness.

Many of them say the Department of Labor is understaffed and has a hard time processing H-2A applications and the U.S. Citizenship and Immigration Services is unresponsive.

Last year, H-2A workers were delayed because of visa printing problems, WALFA, an organization that helps farmers procure H-2A workers, said in its annual report.

The slowdown appears to be purposeful. The American Farm Bureau and other organizations point out that H-2A paperwork cannot be sent via email, as is nearly every other document in the federal government, including tax returns. Instead, the paperwork must be sent by the Postal Service's "snail mail."

If the administration wants to make progress on immigration, it should first unleash the turtles and help U.S. farmers obtain adequate harvest labor in a timely manner.

Then it should get out of the way and let Congress and the new president get the job done.

Let's find out how GMOs impact organics

Organic growers worry that their crops will be contaminated by genetically modified crops growing nearby.

It's a legitimate concern. By definition, commodities that are certified organic can't have even a trace of GMO contamination. A contaminated crop won't fetch the premium normally attached to organics, and the grower's reputation could also be tainted.

And, it happens. According to the USDA organic agriculture survey conducted in 2014, organic growers reported losing $6.1 million due to GMO contamination. Not much in a market that was worth $5.4 billion, but troubling enough for the growers who lost their crops.

Where is the contamination occurring? Turns out, no one is really sure.

The National Organic Standards Board wants to find out. Seems like a pretty good idea.

"The data that we really need to identify first is whether contamination is coming from the seed or from pollen drift, or from post-harvest handling," Zea Sonnabend, a board member, said during the group's recent meeting in Washington, D.C. "The marketplace data collection is 'Are you being contaminated?' not 'Where is it coming from?'"

The board wants funding for a study that would answer that question.

Anti-GMO advocates tout pollen drift when they push for tighter controls on growers who produce GMO crops. But the truth is the contamination could just as easily be the work of unscrupulous or careless seed suppliers or processors.

Growers of all stripes have an interest in what's really happening. It makes sense that the NOSB collect some data to quantify the contamination problem by source.

You have to know what the problem is before it can be solved.

Letters policy

Write to us: Capital Press welcomes letters to the editor on issues of interest to farmers, ranchers and the agribusiness community.

Letters policy: Please limit letters to 300 words and include your home address and a daytime telephone number with your submission. Longer pieces, 500-750 words, may be considered as guest commentary pieces for use on the opinion pages. Guest commentary submissions should also include a photograph of the author.

Send letters via email to opinions@capitalpress.com. Emailed letters are preferred and require less time to process, which could result in quicker publication. Letters also may be sent to P.O. Box 2048, Salem, OR 97308; or by fax to 503-370-4383.

Follow the money (if only we could)

By KATIE BALTZOR
For the Capital Press

Guest comment
Katie Baltzor

What began as a law with good intentions to "protect the small business community from governmental overreach" and to "make sure that a party cannot be harassed by unjustifiable government activity solely because of the prohibitive expenses of attorneys' fees," the Equal Access to Justice Act has morphed into a revenue source for litigious environmental groups.

EAJA was signed into law in 1980 and originally, EAJA dollars were tracked and reported to Congress. However, in 1995, the tracking and reporting requirements were eliminated due to the small amount of payouts.

Once these requirements were excluded, the number of lawsuits filed by extreme environmental groups soared and the payouts became enormous. The lack of traceability precludes anyone from knowing where the money actually goes.

From 2001-2010 the General Accounting Office attempted to track EAJA funds and found $44.4 million was paid out on 525 cases. This information was based on only 10 of 75 agencies within the Department of Agriculture and Department of Interior that kept records. Sixty-five of these agencies didn't have a tracking method to know the amount they paid in attorney and legal fees.

Between September 2009 and August 2010, $5.8 million in legal fees were paid to 20 environmental groups in suits against the U.S. Fish & Wildlife and the Bureau of Reclamation. In that same year, the U.S. Forest Service paid over $6 million.

So where does this money come from to pay these legal fees? Directly out of the federal agencies' budgets. Money that could be allocated for water development, range health improvement, prescribed burns, juniper encroachment or sage grouse habitat is being used instead to pay the attorney fees of environmental groups. Federal agency employee time is required to be spent on paperwork to prevent lawsuits more than ever before, as environmental groups have become very adept at finding reason to sue.

Environmental groups utilize several tactics to gain EAJA dollars. Many times they use a "sue and settle" method. They file a lawsuit against a federal agency and then work out a settlement agreement. This is just as legally binding as a court decision, but by design, the settlement is negotiated in private, thus effectively eliminating public participation or comment by affected individuals.

Another tactic is to overload an agency with requests or protests. An example of this is when WildEarth Guardians proposed over 600 species at one time to be listed as endangered or threatened. This caused the agency to miss a timeline, thus providing the WildEarth Guardians basis to sue. The Fish & Wildlife Service couldn't possibly achieve the required paperwork and research to complete their reports in the time requirement, thus WEG sued the agency for the missed timeline.

Often environmental groups join forces in a lawsuit and if they win on even one point, they could each be reimbursed for their legal fees.

Currently, Western Watersheds Project, WildEarth Guardians, Center for Biological Diversity and Prairie Hills Audubon Society have joined forces to file a lawsuit against Assistant Interior Secretary Janice Schneider, BLM and USFS regarding the sage grouse plan. They list many issues and have the potential to have their legal fees paid due to the EAJA.

Environmental groups have found certain federal judges that are much more sympathetic to their cause and attempt to have their cases heard by those judges. Meeting the eligibility criteria and prevailing on even one issue does not guarantee the court will grant you the EAJA award.

Individuals, local governments, associations, and businesses have a cap of their net worth for eligibility for EAJA funds. However, 501c(3) nonprofits are eligible regardless of their net worth. For example, Sierra Club has a net worth of over $80 million and can still tap EAJA funds and has found a loophole to exceed the hourly attorney rate stated in the law.

EAJA caps the rate for attorney fees at $125 per hour; however, the court may determine an increase in this amount due to cost of living or other "special factors." Environmental lawyers meet this criterion according to several courts. Karen Budd-Falen, a Wyoming attorney, found that with Endangered Species Act cases, the average reimbursement of attorney fees is approximately $491 per hour. Her research has shown the highest hourly fee for environmental attorneys has been $775 per hour.

While this is an obvious problem with EAJA, it is not the only one. The lack of accountability costs taxpayers millions each year. Our tax dollars are supporting these litigating environmental groups, many of which strive to limit, if not eliminate, multiple uses of public land.

There are other issues with EAJA and some changes have been proposed. In late 2015, The House of Representatives passed HR3279 Open Book on EAJA. This requires EAJA funds to be tracked, create a searchable database with award information and require a report to Congress of all transactions.

The Senate version of this bill is S350 Judgment Fund Transparency and currently sits in the Senate Judiciary Committee. I encourage you to write your senators to encourage them to support this bill. This abuse of a well-intended law needs to end.

Katie Baltzor is a cattle rancher from Harney County, Ore. She is a member of NCBA, Oregon Farm Bureau, Oregon Cattlewomen's Association, Oregon Cattlemen's Association and the Harney County Cattlewomen's Association.