

CAFO

CONTINUED from Page 1

to pollutants seeping into groundwater from manure lagoons and fields.

The proposal potentially expanded federal jurisdiction over groundwater and opened the possibility that dairies could be sued in U.S. district courts by environmental groups unhappy with DOE's enforcement of permit requirements.

DOE has dropped that proposal.

Instead, dairies that discharge to groundwater only will have the option of obtaining a state permit that can't be challenged in federal court.

DOE also proposed to exempt dairies with fewer than 200 mature cows, an acknowledgment that small dairies would have faced financial hardships in complying with the new rules.

Puget Soundkeeper lobbyist Bruce Wishart said environmentalists are disappointed that DOE has backed away from its original proposal.

DOE has been lax about policing agriculture, and law-

suits by environmental groups could be vital to ensuring dairies comply with permit requirements, he said.

"Overall, there's less public accountability with this approach," Wishart said.

DOE's special assistant on water policy, Kelly Susewind, said the agency opted for a state-only permit because most dairies will only need a permit to discharge to groundwater.

"We have every intention of upholding the permit," he said. "I think the state will do a good job of managing permits and making sure

they are implemented."

The Legislature this year failed to pass a bill that would have required DOE to offer a state-only permit to dairies.

After the session, nine lawmakers wrote DOE, stating there was still strong support for the idea.

"My concern is not the health of the litigation industry. My concern is the health of the environment and the dairy industry," House Agriculture Committee Chairman Brian Blake, D-Aberdeen, said Monday.

"I'm hopeful we can come through with a process that

leads to a good strong regulatory program and a strong, viable dairy industry," he said.

Even without the threat of federal lawsuits, a state-enforced CAFO permit will bring new requirements for producers.

"Do I think it will be a heck of a lot less than the combined state-federal permit? No," Gordon said.

DOE won't require dairies to line lagoons with synthetic material, but the agency maintains that even well designed and well built clay-lined lagoons seep pollutants.

Susewind said he suspects

pollutants seeping from lagoons reach groundwater in the "vast majority" of cases, triggering the need to get a permit.

Dairies with permits will have to assess their manure lagoons to minimize seepage and test fields more often to ensure they aren't applying too much manure.

Dairies that don't obtain a permit risk being penalized if DOE can show they are discharging pollutants into groundwater.

Wednesday's proposal will be subject to public comment before becoming final.

Share

CONTINUED from Page 1

In visiting with Midwestern farmers at the event, he learned he commences harvest a few weeks earlier than Corn Belt growers. He formed an LLC with Nebraska farmer Don Cantrell to jointly own a combine, each contributing an annual sum based on his hours of use.

They each own headers for their respective crops to fit the machine. The following year, the brothers formed a second LLC to share another combine with an Iowa farmer, Tim Richter. They formed a third LLC to share a combine with another Iowa farmer, Ben Riensche, two years later.

They still cooperate with the Nebraska farmer.

Though their business arrangements have ended with the Iowa growers, the farmers all remain close friends, which Nate Riggers insists has been the best part of the agreement.

"(Riensche) will be at my son's wedding next year," he said. "It's a neat relationship."

He also rents a combine designed to work hillsides to an Oregon grower.

Nate Riggers said other growers are skeptical when he tells them that he ships heavy equipment a third of the way across the country to save money. But he's found the shipping cost — \$2,400 one-way when he started and now about \$4,500 — is offset by sharing the interest and insurance on a combine.

"You've got to have a party on each end that is committed to the savings and sees the big picture and doesn't get hung up on details," Nate said.

Working with neighbors

Having good neighbors has enabled Sid Freeman to get by with one less plow and a smaller fleet of trucks.

Freeman said he has a bean combine to offer his neighbor, who in turn has plenty of trucks.

"When it comes to harvest time, I don't have enough trucks to keep things running. He's got a lot of trucks, and during that particular time of harvest season, he's not using all of his trucks," Freeman said. "I'll go and cut beans for him and he'll come and do the trucking for me."

Another neighbor plows for Freeman, who reciprocates with spraying services. Spreading resources over several farms has the added benefit of maximizing farmworkers' time.

"It adds up to tens of thousands of dollars being able to trade back and forth in that manner," Freeman said.

Equipment sharing used to be standard practice for farmers and fell out of fashion somewhat when commodity prices spiked a few years ago, Freeman contends.

"Back when farms were a lot smaller and there were a lot more farms, trading like this was commonplace," Freeman said. "The ag indus-



Sean Ellis/Capital Press

Sid Freeman, a Canyon County, Idaho, farmer, sprays a field for a neighbor on June 8. In turn, his neighbor plows fields for Freeman. Sharing equipment has saved both growers tens of thousands of dollars.



John O'Connell/Capital Press

Texas A&M University Extension economist Danny Klinefelter speaks in March during a symposium on farm technology in Pocatello, Idaho, about ways to make a farm successful. Klinefelter highlighted the opportunities for growers who share equipment to keep costs down.

try has gotten fat in the last six to eight years."

Cathy Wilson, vice president of research collaboration at the Idaho Wheat Commission, said even within the state, the wide variety of crops and differences in climate have opened a window large enough to make sharing of planting and harvesting equipment possible for some farmers.

Wilson said there's about a two-week difference in the planting and harvesting schedules of south-central Idaho's Magic Valley and Swan Valley in Eastern Idaho,

which has opened the door for some farmers in those areas to share equipment. Wilson also knows of an equipment-sharing agreement involving brothers who farm at different elevations with slightly different seasons, avoiding potential scheduling conflicts.

Big investment

Most farm equipment is expensive. A farmer can easily spend more on a tractor or combine than on his house.

Shane Mitchell, marketing director with Milestone, a Blackfoot, Idaho-based potato seed cutter manufacturer, said



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equipment costs have been driven up in recent years by new features and innovations.

His company's original seed cutter in the 1960s had a single deck with no sizing capabilities. The latest Milestone cutter has a double deck with three sizers and speed controls. The cost of a new, basic model ranges from \$130,000 to \$190,000, depending on size.

The same trend holds true with tractors and other implements that now come standard with GPS-guided computer technology for variable-rate applications.

Charlie O'Brien, senior vice president with the Association of Equipment Manufacturers, said new environmental requirements on machinery, especially governing engine exhaust, have spurred equipment price increases.

O'Brien said there's now a glut of used farm equipment on the market, and sales have dropped considerably for large, new farm equipment, as growers bought heavily when commodity prices were higher but have been forced to be more conservative lately.

O'Brien said the strength of the market is in smaller equipment, including tractors under 40 horsepower, purchased by hobby farmers with secondary income streams. O'Brien is uncertain how much equipment growers may be purchasing cooperatively.

"A lot of the harvest and planting is at the same time. That's historically been the deterrent," O'Brien said. "It's certainly not surprising there may be more (sharing) happening today than in the past

because of the economics of it."

Collaborative farming

Texas A&M Extension economist Danny Klinefelter said equipment sharing is a prime example of collaborative farming, which was the focal point of a national conference his university hosted June 13-14 in Nashville.

Klinefelter advises farmers who collaborate to form legal entities, such as LLCs, to address potential problems. He also suggests farmers first get to know would-be partners — he knows of one partnership that dissolved because one of the participants was too rough on the equipment.

"It's like getting married. You've got to be compatible," Klinefelter said.

Klinefelter said sharing equipment can also provide growers the wherewithal to keep current on technology, such as variable-rate prescriptions.

But equipment sharing merely scratches the surface of how farmers are now collaborating to control their inputs.

Three farmers, for example, formed a service bureau to hire an accountant and data entry professional, Klinefelter said.

Other farmers have formed operating entities in which they retain their land ownership but jointly hire financial officers and other specialized personnel. They also share equipment, often finding they can buy more specialized and modern machines when they pool their resources.

"They share the cost and returns of the operating entity," Klinefelter said.

Fairfield, Wash., grower Marci Green and her husband employ a full-time mechanic, who spends about four or five weeks per year helping a neighboring farmer work on equipment.

The neighbor, who couldn't afford to hire a mechanic on his own, pays Green to cover her worker's wages, which helps her get the most of the mechanic's time.

"This week, we're in a position where we're caught up, and it's a rainy time of year, and we didn't have a whole lot to keep him busy," Green said, as her mechanic worked on the motor of her neighbor's truck.

She and her neighbors also share equipment. Two years ago, she and three neighbors collaboratively bought a specialized drill, which Green needed this season to seed only 100 acres of alfalfa.

"Our share is \$35,000 instead of \$140,000," she said.

She and her neighbors also bought a machine to lay drainage tile on low areas of fields that sometimes flood. It's nice to have but wouldn't be worth buying on her own.

"We can't do much about the price of commodities, but where we can control a little bit is our inputs," Green said. "If you want to stay in business, you have to watch your inputs and try to be as efficient as you can be."

H-2A

CONTINUED from Page 1

the U.S. Citizenship and Immigration Services.

"For the past two years, H-2A employers have experienced unacceptable delays in the processing of labor certifications, visa petitions and interviews for final border crossing and arrive on farms and ranches," the letter states.

It said delays this spring have been seen at the Depart-

ment of Labor, and that USCIS, at times, is not following a requirement in law that applications be responded to 30 days prior to a farmer's date of need.

"DOL must comply with the law and the failure to comply is unacceptable," the letter states while urging the agencies to handle H-2A applications expeditiously.

Among the signers are:

- Washington Republicans: Reps. Cathy McMorris Rodgers, Dave Reichert and Jaime

Herrera Beutler.

- Washington Democrats: Reps. Jim McDermott, Rick Larsen, Denny Heck and Derek Kilmer.

- Oregon Democrats: Reps. Suzanne Bonamici and Kurt Schrader. An aide for Rep. Greg Walden, R-Ore., said the congressman was not aware of the letter but supports it.

- Idaho Republicans: Reps. Mike Simpson and Raul Labrador.

- California Democrats: Reps. Julia Brownley, Jim

Costa, Sam Farr, John Garamendi and Juan Vargas.

- California Republicans: Reps. Ken Calvert, Jeff Denham, Doug LaMalfa, David Valadao and Devin Nunes.

WAFLA, formerly the Washington Farm Labor Association, has been dealing with federal delays of H-2A applications since February and on April 21 the American Farm Bureau Federation warned that H-2A delays in more than 20 states was fast approaching crisis propor-

tions and threatening crops.

"When running smoothly, the H-2A legal worker program benefits farmers and farmworkers alike. But when one of the six government entities involved messes up, the entire application comes to a screeching halt," said Dan Fazio, WAFLA's CEO.

Six governmental agencies each has to do its part within a 60-day window, he said.

In the past month, he said, "DOL and the State Department have really stepped up."

The consulates, which are under the State Department, have "gone the extra mile," he said.

USCIS, on the other hand, needs to commit to handling H-2A applications in 10 days or less and needs to communicate with applicants faster than by the U.S. Postal Service, he said.

WAFLA provided 67 percent of the 11,844 H-2A workers in Washington last season through contracts with growers.