Exempting manure emissions from CERCLA gains momentum

By CAROL RYAN DUMAS
Capital Press

Animal agriculture groups are applauding the introduction of a bipartisan bill in the U.S. House that would exempt livestock producers from reporting manure emissions under the Comprehensive Environmental Response, Compensation and Liability Act, known as CERCLA.

Reps. Billy Long, R-Mo., and Jim Costa, D-Calif., introduced HR 5275, the Agricultural Certainty for Reporting Emissions (ACRE) Act, on March 14. It is supported by 85 co-sponsors.

If CERCLA were to be applied to agricultural operations, about 200,000 livestock operation would be subject to regulations created to address toxic waste dumps and spills, such as from chemical tanks, they said.

Congress never intended the law to be applied to farms, the lawmakers said.

The bill comes a month after a similar bill — S. 2421, the Fair Agricultural Reporting Method (FARM) Act — was introduced in the Senate by Sens. Deb Fischer, R-Neb., and Joe Donnelly, D-Ind.

While Congress did not expressly state CERCLA — enacted in December 1980 — does not apply to farms, the U.S. Environmental Protection Agency clarified that farms were exempt with a final rule in 2008.

The agency successfully defended that exemption until the D.C. Circuit Court of Appeals last year vacated the exemption in a lawsuit brought by the Waterkeeper Alliance environmental group.


The U.S. Capitol

New reporting requirements for livestock operations were set to go into effect on Nov. 15, but the court twice granted EPA a stay on implementation, now set for May 1.

Without a legislative fix, livestock operations will have to "guesstimate" emissions from manure and report them to the Coast Guard's National Response Center and EPA.

"EPA exempted farms from CERCLA reporting because it knew responses would be unnecessary and impractical," Jim Heimerl, National Pork Producers Council president, said in a press release.

"Routine emissions from hog manure do not constitute a hazardous emergency that requires the Coast Guard to activate a national clean-up response," he said.

Some farmers tried filing reports at the initial Nov. 15 deadline, but the Coast Guard's system was overwhelmed, he said.

"The pork industry was prepared to comply with the reporting mandate, but EPA, the Coast Guard and state and local emergency response authorities said they didn't want or need the information, which could have interfered with their legitimate emergency functions," he said.

There's not a lot of bipartisan consensus in Washington, D.C., but folks on both sides of the aisle can agree CERCLA shouldn't apply to animal agriculture, Kevin Kester, National Cattlemen's Beef Association president, said.

"CERCLA was never intended to regulate cow manure, and Congress should fix this situation as soon as possible," he said.

The National Milk Producers Federation agrees.

"Through this legislation, Congress is stipulating that this burdensome regulatory overreach serves no legitimate health or safety purpose," Jim Mulhern, NMPF president and CEO, said.


Jan Jackson/For the Capital Press
Martin and Joy Dally of Lebanon, Ore., with the first Swiss Valais Blacknose cross lambs to be born in the U.S.

Swiss Valais Blacknose cross sheep make debut

By JAN JACKSON
For the Capital Press

LEBANON, Ore. — After four years of plowing through USDA and EU protocols, Martin and Joy Dally have welcomed the births of the first Valais Blacknose cross lambs at their farm.

The first to import the genetics into the U.S., the Dallys say they are eager to see them flourish in he U.S.

Martin Dally operates Super Sire Ltd., which offers genetics for the sheep industry, and Joy Dally operates Shepherd's Lane, which deals in fiber, fleece and pelts from their farm.

The Valais Blacknose sheep, a heritage breed native to the Swiss Alps, is small and cute enough to look at home in any toy store. As is most Swiss livestock, the people-friendly Valais graze in the mountains all summer and are brought down to the valleys and housed in winter.

"It was 2014 when we first saw a photo of a Valais, and it was love at first sight," Joy Dally said. "We knew we had to have them. Knowing that the sheep had recently been imported into the (United Kingdom), we began our search for breeders there.

"Our knowledge of importing genetics was put to work and after countless phone calls, international flights and filling out reams of paperwork, the semen arrived on U.S. soil," she said. "We now are the first in the country to have lambs on the ground."

Before he retired and moved to Oregon, Martin Dally spent most of his 25-year career at University of California-Davis directing the sheep research programs at the Hopland Research and Extension Center.

As one of the first people in the U.S. to use laparoscopic insemination as a means of improving reproduction and genetics in sheep — in 1986 — his main love is breed preservation and the development of fiber sheep.

"It is important to pick a foundation breed that has traits similar to the breed you are introducing," Martin said. "A likely choice would be the Scottish Blackface as they also have the black face, coarse wool and both the rams and ewes are horned. Our Scotties weren't ready yet so we used the Teeswater and Gotland ewes for this project."

The Teeswater has similar face coloration and fiber, though the breed is a little flightier in nature than the calm Valais, he said.

"The Gotlands, which have great mothering instincts and milk well, share the Valais' calm temperament," he said. "It is going to be interesting to see how the breed develops over the years."

He is also lending his knowledge and experience to others who have a similar desire to establish high-quality sheep in the U.S.

"I classify myself as a steward of these new breeds and establishing sound upgrading programs is part of introducing a new breed," Martin said. "Good guidelines are very important as every deviation leads breeders farther away from the breed's desired characteristics. Creating a sound gene pool ensures the breed's health and success in the coming years."

Multi-paddock grazing enhances rangeland sustainability

By DOUG WARNOCK
For the Capital Press

Greener Pastures
Doug Warnock

Land designated as grazing land includes about 26 percent of all land in the U.S. It is generally accepted among rangeland ecologists that grassland ecosystems evolved from grazing by ungulates and fire.

This premise suggested that grazing of rangelands dominated by native plants is a sustainable form of agriculture, especially in areas with limited potential for crop production. At the same time, some studies have suggested that livestock grazing has led to grassland degradation.

So, in terms of rangeland health, the results of livestock use of rangeland have not always been consistent. Various management systems have been developed and proposed to provide consistent positive outcomes from grazing. Several types of rotational grazing schemes have been advocated to support sustainable management of grasslands.

Richard Teague, researcher with the Texas A&M AgriLife Research Center at Vernon, Texas, has data showing there must be sufficient rest between grazing periods in order to avoid vegetation shifts and soil degradation on the rangeland. Many ranchers have successfully managed their grasslands with multi-paddock grazing, some for more than 30 years, resulting in a high degree of positive ecological and economic results. Teague found the most positive results when ranchers combine adaptive management with multi-paddock grazing.

Grassland varies from one location to another because of differences in slope, elevation, rainfall, types of vegetation and other factors, making them very complex ecosystems subject to many variations. Adaptive management allows the rancher to adjust the management based on what is observed and what changes are needed. The management should facilitate the proper amount of plant defoliation from grazing and allow adequate recovery time to sustain the health of the grassland's plant community.

Grazing research has been substantial, but there have been very few studies to identify ranchers' perspectives on the effectiveness of the alternative grazing approaches. Teague and associates conducted a survey of ranch managers to determine their perceptions of the key ecological, economic and social indicators of sustainability of the grazing system each manager used.

The use of multiple paddocks for managing grazing resources can enhance the vigor of preferred rangeland plants, profitability and quality of life. The central hypothesis of the study was that rancher perceptions of each of the three elements of rangeland sustainability are positively associated with the number of paddocks in the ranch's grazing system.

This study showed that North Central Texas ranchers, who responded to the survey and who used eight or more paddocks perceived that the ecological status of their land was improving compared to those ranchers who grazed their livestock continuously in a single paddock. The research found a direct relationship between the sustainability scores and the number of paddocks used per ranch. Ranchers whose land was rested for longer periods of time were observing greater improvement in land health.

The benefits of the multi-paddock grazing approach are the result of increased periods of recovery after grazing and shorter periods of grazing. These perceptions are supported by published research, which indicates greater sustainability from management that embraces shorter periods of plant exposure and longer periods of plant recovery. More information on Teague's research can be found at Texas A&M's AgriLife website: AgriLife.com.

Doug Warnock, retired from Washington State University Extension, lives on a ranch in the Touchet River Valley where he writes about and teaches grazing management. He can be contacted at dwarnockgreenerpastures@gmail.com.