

Subscribe to our weekly dairy or livestock email newsletter at [CapitalPress.com/newsletters](https://www.CapitalPress.com/newsletters)

Dairy/Livestock

S. Idaho dairy, owner sentenced for Clean Water Act violation

Capital Press

An Idaho dairy and its owner have been fined \$130,000 for discharging manure into a water of the U.S. during a flood that inundated the farm in 2017.

The discharge is a misdemeanor violation of the Clean Water Act, according to Acting U.S. Attorney Rafael M. Gonzalez Jr.

U.S. Magistrate Judge Candy W. Dale ordered 4 Brothers Dairy Inc. to pay a \$95,000 fine and Andrew Fitzgerald, 60, of Shoshone, Idaho, to pay a \$35,000 fine. They pleaded guilty last fall under a plea agreement.

The incident took place during record-breaking snow, rain and flooding in February of 2017.

Under the plea agreement, 4 Bros. also agreed to obtain a National Pollution Discharge Elimination System permit, which is issued under the Clean Water Act by the Environmental Protection Agency.

NPDES permits are designed to control water pollution by regulating point sources, such as large dairies, that discharge pollutants into waters of the U.S.

Dale also imposed one year of probation on 4 Bros. during the sentencing.



Capital Press File
A field near American Falls, Idaho, is covered with standing water on Feb. 10, 2017. Widespread flooding damaged crops and fields and inundated farms. A southern Idaho dairy and its owner were fined for allowing manure to flow into a nearby canal during the flooding.

According to court records, the dairy has at least 1,000 head of cattle and maintains wastewater

lagoons adjacent to the Miller-Gooding Canal, which flows into the Malad River and on to the Snake River.

In the winter of 2017, record precipitation, snowpack and flooding caused extreme runoff at the 4 Bros. dairy. During that flooding, 4 Bros. and Fitzgerald negligently caused discharges of manure-laden water into the Miller Gooding Canal at three locations, according to court records.

On Feb. 10, 2017, a catchment area on the east side of the dairy overtopped, inadvertently breached and discharged

snowmelt and manure into the canal. 4 Bros. and Fitzgerald were aware of the discharge but did not attempt to repair the lagoon until Feb. 23. They admitted in the plea agreement that failing to repair the discharge for 14 days was criminally negligent under the circumstances.

Two other discharges occurred between Feb. 19 and Feb. 22. On the west side of the dairy, 4 Bros. used earth-moving equipment to cut open a berm and lined it with plastic to cause manure-laden wastewater from a lagoon to flow into the canal.

Pasture improvement during springtime

By DOUG WARNOCK
Greener Pastures

The snow and cold temperatures we've been having make it seem like spring is far away. But spring weather really isn't that far away and it's not too early to be thinking about pasture improvement.

Have you met your long-term goals for pasture quality? Most of us probably have not, because we're continually seeking that very high target of top quality. Pasture productivity is linked closely with pasture quality. Usually, a mixture of vigorous, perennial plants will provide the most optimum forage production for livestock.

If you want to enhance your pasture quality and forage quantity, spring is a good time to do it. It's easier to do where adequate moisture is available. Irrigated pastures and those in higher rainfall areas can be improved faster than pastures in arid or semi-arid range areas. Once a goal has been set, it is time to determine which actions, those that are practical and affordable, will help you achieve it.

We can add desirable plants by seeding. This is the most direct way to increase the population of the more desirable, better producing forage species. With the high quality, good performing no-till drills that are available now, it is not necessary to till the soil before seeding. Being able to seed right into the existing plant community is less costly and doesn't take the pasture completely out of production as when tillage is involved. Some conservation districts have no-till drills that are available for members to use.

When planting into existing sod, it is best to have the standing forage as short as possible to allow the seed to be distributed as evenly as possible. This will help to get the seed in contact with the soil. It's best to limit seeding depth to a

half-inch. Sprouts from seeds planted deeper than that may never reach the soil surface.

Seeding is best done when there is good moisture available to support germination. Moisture is one of the prime factors in choosing the time to plant. The soil needs to have enough moisture for germination and to support the new plant's growth to ensure survival.

Selection of the types of grass and legumes to match the soil type, slope, elevation and moisture norms is important. Your local Extension office and Natural Resources Conservation Service office can be of help in recommending specific grass and legume species.

If possible, it is wise to select a combination of grasses and legumes to provide the diversity that will enhance both forage production and livestock nutrition. The grasses produce more during the cooler spring and fall, while legumes produce more during the warmer summer temperatures. Periodically there will be new grass and legume cultivars available, but it is best to check with an experienced Extension educator or NRCS technician before trying new ones.

Improved pastures can increase forage production, enhance forage quality and result in higher profit from your livestock grazing operation. A well made plan will include tapping into the good resources available from your Extension educators, NRCS range specialists and the local conservation district office.

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 dwarnock-greenerpastures@gmail.com.

Greener Pastures
Doug Warnock



Livestock hauling bill introduced

By CAROL RYAN DUMAS
Capital Press

A bipartisan bill to provide more flexibility to haulers of agricultural commodities and livestock was reintroduced in the Senate on March 18.

The Haulers of Agriculture and Livestock Safety (HAULS) Act was introduced by Sens. Deb Fischer, R-Neb.; Jon Tester, D-Mont.; Tina Smith, D-Minn.; and Roger Wicker, R-Miss.

The bill would add a 150-air mile exemption from drive-time requirements on the back end of hauls for transporting livestock or agricultural commodities. It would also eliminate the requirement that exemptions from hours-of-service rules only apply during state-designated planting and harvest seasons.

Current hours-of-service requirements allow for 11 hours of drive time and 14 hours of on-duty time followed by 10 hours of rest.

National Cattlemen's Beef Association has long pushed for greater flexibility for livestock haulers, contending one-size-fits-all regulations don't work when hauling live animals. Truckers say a livestock hauler can't just pull off the road and park his load for 10 hours.

NCBA member Margaret Ann Smith, owner of Southlex Cattle Co., Glasgow, Va., said her feeder cattle and cattle procurement business ships cattle to 22 states.

"The HAULS Act will give us some more flexibility to handle a perishable live commodity," she said during the latest "Beltway Beef" podcast.



Maegan Murray/EO Media Group File

Legislation introduced in the U.S. Senate would make current hours-of-service exemptions for livestock haulers permanent.

Her operation buys cattle in the Mid-Atlantic states and ships them to western states — 1,000 to 1,200 miles. Storms or other events could happen on the road to change where the drivers are going to unload cattle, she said.

The cattle might be only 50 or 60 miles from the destination, but under current rules the driver might have to stop if he's out of time, she said.

"That's not feasible when you just need another hour to get the cattle unloaded, rather than waiting for 10 hours to get the cattle unloaded," she said.

It becomes an animal welfare issue. The right thing to do is allow the driver to go another hour or hour and a half, she said.

Livestock drivers have been working under the hours-of-service exemptions during the pandemic for the last 14 to 15 months, getting ani-

mals down the road safely and in a timely manner, she said.

The HAULS Act would make the exemptions permanent and allow haulers to do what's right for themselves and the animal, she said.

"Our haulers are very, very special and very unique and have a different skill set than a freight hauler," she said.

They have to be trained and certified in things such as animal handling and the Beef Quality Assurance program, she said.

"They have to have those certifications in order to be able to haul. And they know what they're doing to make sure that animal gets there safely," she said.

There are also logistical issues. There are not a lot of places to safely and reliably unload cattle along the journey or get them back on the truck after 10 hours, she said.

Fairlife opens new plant in Arizona

Capital Press

Chicago-based fairlife LLC has opened a new 300,000-square-foot production and distribution facility in Goodyear, Ariz.

The facility boasts advanced manufacturing technologies and equipment to enable continued growth more efficiently, while supporting the increased demand for fairlife products, the company said in a press release on Wednesday.

The company, a unit of Coca-Cola Co., produces ultra-filtered

milk and other products.

"With cases now rolling off the line in Goodyear, today is an exciting day for fairlife and the consumers who love our products," said Neil Betteridge, fairlife senior vice president of global manufacturing.

"This new state-of-the-art facility allows us to significantly increase our production capabilities in the West region and beyond while also bringing hundreds of jobs to Arizonians," he said.

In addition to the more than

100 positions already filled at the Goodyear facility, fairlife has also partnered with United Dairymen of Arizona to buy milk from numerous dairy farmers in the West Valley.

"With shared values of animal care and great nutrition, our partnership with the UDA has been a seamless and enjoyable part of opening this new plant in beautiful Arizona," Betteridge said.

The new plant will manufacture nearly all products in the fairlife portfolio.

Milk production keeps rising

By LEE MIELKE
For the Capital Press

The Agriculture Department's preliminary data reports February milk output hit 17.63 billion pounds, down 1.5% from February 2020.

However, February 2020 had an extra "Leap Day," so adjusting for that, February output was actually up 2.0% from 2020. Output in the top 24 states was up 2.3%, when adjusted.

Revisions in January output were a big factor of interest in this report as January's preliminary estimate was raised by 155 million pounds to 19.3 billion, up 2.4%, instead of the originally reported 1.6% increase.

February cow numbers were up for the eighth consecutive month, totaling 9.46 million head in the 50 states, up 3,000 from January's count, which was revised up 5,000 head. The February herd was up 81,000 from February 2020.

February output per cow averaged 1,864 pounds, up

Dairy Markets
Lee Mielke



22 pounds or 1.2% from a year ago.

California's February output was up 2.1% from a year ago, when adjusted, thanks to a 43-pound gain per cow, but with 3,000 fewer cows. The January total was revised up 94 million pounds, resulting in a 2.0% increase from January 2020, instead of the originally reported 0.7% decrease.

Wisconsin was up 3.2% in February on a 57-pound gain per cow but 2,000 fewer cows. January output was revised up 12 million pounds, resulting in a 3.6% gain from January 2020, instead of 3.1%.

Idaho was up 0.4%, despite a 2-pound drop per cow, but cow numbers were up 3,000 head. Revisions added 14 million pounds to Idaho's January output, up 0.7% from a year ago, instead of the 0.3% drop originally reported.

FC TC CENTER-PIVOT | Mower Conditioners
10'2" - 14'4" working widths

FAST MOWING, FAST DRYDOWN

Standard drawbar or 2-point Gyrodine® swivel hitch for tight turns

Finger, rubber roller or steel roller conditioning - adjustable for any crop

Lubed-for-life Optidisc® cutterbar and Fast-Fit® blades

Allows wide spreading to over 90% of cut width for accelerated drydown

California

Marble Mountain Machinery
Fort Jones

Papé Machinery
Fall River Mills
Fortuna

Idaho

Campbell Tractor & Implement
Fruitland
Glenns Ferry
Homedale
Nampa
Wendell

Oregon

Papé Machinery
Aurora
Central Point
Cornelius
Gresham
Harrisburg
Madras
McMinnville
Merrill
Roseburg
Salem
Tangent

Robbins Farm Equipment
Baker City
Burns
La Grande

Campbell Tractor & Implement
Ontario

Boyd's Implement
Tillamook

Farmer's Equipment
Burlington
Lynden

Papé Machinery
Chehalis
Ellensburg
Longview
Lynden
Mount Vernon
Okanogan
Quincy

Papé Machinery cont.
Summer
Walla Walla
Yakima

Watkins Tractor & Supply
Kelso

Okanogan Truck & Tractor
Okanogan

Central Machinery Sales
Pasco

Visit your local KUHN hay and forage dealer today!

INVEST IN QUALITY™
www.kuhn.com
5228057-1