

Industry View of Environmental Issues

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■ Introduction

Producers must become increasingly aware of environmental regulations that can impact their way of doing business. In the U.S., recent federal and state initiatives have aimed at minimizing the environmental impacts of animal agriculture. In addition, many producer groups are developing voluntary, incentive-based programs to educate producers and assist them in making environmental management decisions.

U.S. livestock producers have a small window of opportunity to determine how to best address their environmental impacts before mandatory regulations increase their cost of doing business. This paper outlines the challenges facing U.S. livestock and poultry producers and the steps they are taking to address them.

■ Federal Initiatives

In recent years, there have been numerous national initiatives aimed at addressing the potential environmental impacts of agriculture in the United States. The Clinton Administration's *Clean Water Action Plan*, released in February 1998, outlines over 100 key action items to continue the successes of the Clean Water Act. Action Item 82 is the *Unified National Strategy for Animal Feeding Operations (AFOs)*, which was released in March 1999 by the U.S. Department of Agriculture (USDA) and the Environmental Protection Agency (EPA). The Strategy aims to minimize water quality and public health impacts from AFOs.

The AFO Strategy sets a national performance expectation for all AFOs to develop and implement Comprehensive Nutrient Management Plans (CNMPs) by 2009. The majority of these plans would be developed and implemented voluntarily. USDA released its *Technical Guidance for CNMP Development* in

December 2000 to be used as a tool for developing CNMPs. USDA is expected to release model CNMPs in February 2001.

A CNMP is a site-specific grouping of conservation practices and management activities to help ensure that AFOs can achieve both agricultural production goals and natural resource concerns. The elements addressed in a CNMP may include manure and wastewater handling and storage, land treatment practices, nutrient management, and record keeping.

In addition to encouraging CNMP development, the AFO Strategy outlined regulatory steps to address livestock and poultry waste. As a result of this and other actions, EPA released their Proposed CAFO Rule, which combines the changes to both the permit regulations for CAFOs and the corresponding effluent limitation guidelines, on December 15, 2000. The Proposed Rule was open for public comment through July 30, 2001. EPA released a Notice for Data Availability regarding the Proposed CAFO Rule, which provides industry with another opportunity for comment (ending January 15, 2002). EPA must issue a final CAFO Rule by December 15, 2002.

The CAFO Rule is not the only topic of concern to livestock producers. EPA's Total Maximum Daily Load (TMDL) process was established by the Clean Water Act to protect water quality on a watershed basis and can impact producers as well. States must list their impaired waters and determine the maximum daily load of pollutants that those waters can receive and still meet water quality standards. An action plan is then established to reduce pollutants to this level.

CAFOs that find themselves located in impaired watersheds could have to take additional measures to minimize their impact on water quality. AFOs in these watersheds could potentially be designated as CAFOs and have to meet the corresponding permit requirements.

The Final TMDL Rule, which clarifies and strengthens the authorities of EPA and States to implement the TMDL program, was published in July 2000. A Congressional rider prohibited EPA from implementing this rule until October 2001. Administrator Whitman issued a delay of this Rule, which would push back the effective date until April 2003 while working with stakeholders to make the revised Rule more workable. Many states are already moving forward to develop and implement TMDLs in the absence of federal guidance.

Though these regulations are significant, they are by no means the only programs that can potentially affect livestock and poultry producers. From hypoxia in the Gulf of Mexico to endangered species in Oregon, there are many regional and state environmental protection programs that producers must be aware of. In addition to other water quality concerns, air quality is an emerging issue that producers also must address.

■ **Producer Initiatives**

From a program standpoint, it is fairly easy to categorize the various initiatives mentioned above that are aimed at addressing the environmental impacts of animal agriculture. From a producer's point of view, however, it is not the regulatory program delineation that matters, but the management practices that are required, and subsequently, the operating changes that must be made in the way they do business.

In order to translate regulatory requirements into on-the-ground management practices, many producer groups have undertaken initiatives to encourage compliance through producer education.

The National Milk Producers Federation has organized discussions between industry representatives and federal regulatory agencies and will be producing educational resources as part of our Dairy Environmental Initiative. A manual outlining environmental best management practices for dairy farms will be produced in cooperation with USDA NRCS and available in November 2002. Dairy producers also discussed environmental issues through the Dairy Producer Conclave process and developed resulting action items to encourage environmental stewardship.

Other livestock industries have also developed tools to assist producers in meeting environmental stewardship goals. The National Pork Producers Council's On Farm Odor/Environmental Assistance Program provides producers with a comprehensive evaluation of water quality and odor risks, in addition to other environmental challenges associated with pork production.

Many states are moving ahead on programs to address the environmental impacts of agriculture. State regulations must be as stringent as federal standards, and are often more so. The dairy industry in several states has organized and taken the lead to address their environmental challenges. Under the Idaho Dairy Pollution Prevention Initiative, all producers must pass environmental inspections and implement nutrient management plans. The Environmental Stewardship Component of the California Dairy Quality Assurance Program educates producers to write Environmental Stewardship Farm Management Plans to become certified by a third party.

Environmental awareness is not limited to a state or national level. There are steps that individual producers can take as well:

- Manage odors and encourage good neighbor relations. Many producers' environmental problems start by complaints from their neighbors.
- Become aware of the existing regulations that may affect your farm. Increased enforcement of existing regulations is likely, even though the

rules may soon be changing. Most notably, if you have more than 700 dairy cows, it is likely that you will be required to obtain a discharge permit under the new regulations.

- ▶ Address your nutrient management concerns before it becomes a requirement.
- ▶ Implement voluntary best management practices to minimize runoff from your facility and from your fields.
- ▶ Take advantage of any cost share and technical assistance that may be available to you.
- ▶ Become involved in local conservation groups. Many such groups encourage stakeholder participation.

■ Summary

Regardless of what final form some of these pending regulations may take, they are not going to go away. In fact, we may want to be careful what we wish for. In the absence of any regulation, advocacy groups may more frequently resort to lawsuits instead.

Most producers are willing to comply with common sense regulations that are economically achievable. We encourage the use of voluntary, incentive-based programs that address site-specific concerns to meet water quality goals but recognize the place for science-based, goal-oriented regulations.

We have all heard that industry must become part of the solution in addressing the environmental impacts of animal agriculture. Our actions at the local, state, and national levels can show that agriculture is responding to that challenge.

■ Additional References:

U.S. Environmental Protection Agency: <http://www.epa.gov/>

USDA's Natural Resources Conservation Service: <http://www.nrcs.usda.gov/>

Clean Water Action Plan: <http://www.cleanwater.gov/>

Unified National Strategy for Animal Feeding Operations:
<http://www.epa.gov/owm/finafost.htm>

Comprehensive Nutrient Management Plan Technical Guidance:
<http://www.nhq.nrcs.usda.gov/PROGRAMS/ahcwpd/ahCNMP.html>

Concentrated Animal Feeding Operations: <http://www.epa.gov/npdes/afo/>

EPA's Total Maximum Daily Load Program: <http://www.epa.gov/OWOW/tmdl/>

The EPA Agricultural Compliance Center: <http://es.epa.gov/oeca/ag/>

California Dairy Quality Assurance Program: <http://www.cdqa.org/es/index.htm>
Livestock and Poultry Environmental Stewardship Curriculum (educational resource for dairy and other livestock operations): <http://www.lpes.org/>

