



Legislative Watch

Issues important to today's dairy farmers

MEAP Bills Provide Common Sense to Environmental Issues

A first step toward victory for farmers who want to see common sense applied to their environmental regulations was taken recently when the so-called MAEAP (Michigan Agriculture Environmental Assurance Program) legislation passed the Senate and was referred to the state House of Representatives.

"This legislative package achieves an important balance in Michigan's agriculture industry of penalizing convicted polluters and rewarding proactive environmental stewards," says MFB President Wayne H. Wood of Senate Bills 447, 448, 501, 502, 503 and 504 introduced by Sens. Gerald Van Woerkom (R-Norton Shores), Patricia Birkholz (R-Saugatuck), Cameron Brown (R-Fawn River) and Jim Barcia (D-Bay City).

Pro-agriculture organizations in Michigan such as MMPA and Michigan Farm Bureau (MFB) support the six-bill package because it would impose strong penalties on farms convicted of breaking environmental laws and increase incentives for farms to not only meet but exceed environmental standards.

"This package of bills provides severe penalties when farms have been convicted of breaking environmental laws and at the same time provides a proactive method of protecting the environment," MMPA president Nobis says.

Most recently, concentrated animal feeding operations (CAFOs) have been under intense environmental scrutiny in the agriculture industry. Farms considered "large CAFOs" include those with at least 700 mature dairy cows, 1,000 head

of beef cattle or approximately 2,500 hogs.

Under this package, large CAFOs that are convicted of violating state water quality laws would be subject to increased regulatory oversight and would not be re-issued their existing operating permit nor issued a new permit to operate a large CAFO at another site unless the following conditions were met:

- A convicted large CAFO would be required to come into compliance with the law and court orders; and
- The large CAFO would be prohibited from expanding for three years; and
- Would be restricted from applying manure to farm fields that are already high in phosphorus; and
- The large CAFO would be subject to annual water quality monitoring and soil sampling requirements.

"The vast majority of large CAFO operators are very environmentally conscientious as is true of all farmers," Nobis says. "This legislation will address concerns about environmental offenders and at the same time provide a path for them to follow to further advance their own environmental safeguards."

The legislative package also contains provisions to support proactive environmental protection, including defining MAEAP in state statute. MAEAP, which helps farmers identify and reduce and/or eliminate environmental risks on their farm, is a voluntary program for Michigan farmers. Farm Bureau contends that defining MAEAP in state statute would make the

program more appealing to farmers and would be an incentive for more farmers to complete the program. According to supporters, this would benefit the entire state because completing MAEAP often requires a farmer to meet environmental standards that exceed those federally mandated - and MAEAP applies to farms of all sizes and all commodities.

The bills would also direct state resources to the heart of agricultural pollution prevention. Specifically, the legislation would:

- Require that environmental protection fines paid by animal feeding operations be deposited to the state's Agriculture Pollution Prevention Fund.
- Require the MDA and DEQ to promote and assist farmers with implementing manure treatment technologies.
- Provide funding priority for MAEAP-verified farms for agricultural pollution prevention projects.

"These provisions demonstrate common sense and show the senators' commitment to a healthy and productive agriculture industry and the protection of Michigan's environment," Wood says.

Bill 502, which would give the Michigan Department of Environmental Quality (DEQ) authority to seek monetary restitution for repeated frivolous and unverified complaints against farms, was not taken up by the Senate. The Senate also did not take up SB 444, a bill that would impose a 5-year moratorium on farm expansions. It remains in the Senate Agriculture Committee.

NMPF Pleased with Initial Action on House Farm Bill

NMPF is generally pleased with the outcome of the May 25 discussion by the House Livestock, Dairy and Poultry Subcommittee about what to include in the 2007 Farm Bill, although additional provisions will need to be addressed as the legislation winds its way through Congress.

“The new Farm Bill took its first baby steps, but it has a long way to go before it can run,” said Jerry Kozak, President and CEO of NMPF. “We appreciate the hard work that Subcommittee Chairman Leonard Boswell (D-IA) and his colleagues have invested in this process, and we will continue to work with them and others on the Agriculture Committee as the bill continues its progress.”

The subcommittee included as the primary dairy producer safety net a major revision of the dairy price support program, one that NMPF had suggested to the committee earlier this spring. The panel also included other provisions supported by NMPF, including a reauthorization of the Dairy Export Incentive Program, language requiring the U.S. Department of Agriculture to account for its inventory reporting procedures on nonfat dry milk, and provisions that require the USDA to expedite the hearing process for making changes in Federal Milk Marketing Orders.

In addition, NMPF’s efforts to include a direct payment program for farmers in this Farm Bill received strong support from Boswell and others members of the Subcommittee, such as Reps. Kagen and Gillibrand, who discussed the need for a farmer payment program, and pledged to work to secure a funding baseline for it.

Although the Subcommittee’s legislative language did not address the dairy import assessment, Kozak expressed great confidence that the promotional checkoff on all dairy imports will be included in the full House Agriculture Committee deliberations this summer. The import assessment updates the domestic dairy checkoff so that it applies to imported dairy products as well, as is the case with most other agricultural commodities’ checkoff programs.

The subcommittee’s discussion also included language creating a permanent forward contracting program for producers who sell milk in classes II, III and IV. The Federation does not support making the program permanent; rather, it should expire once the Farm Bill itself sunsets. NMPF also advocates the inclusion of several farmer-friendly protections as part of the forward contracting measure - stipulations that are not included in the version of the Farm Bill approved by the Dairy Subcommittee.

“We have serious reservations about the absence of producer safeguards in this measure, and we will be fighting in the coming months to ensure that those safeguards are ultimately part of the Farm Bill,” Kozak said. “Our support for forward contracting is conditioned on getting those protections included with the overall Farm Bill.”

He expressed gratitude for the efforts of Rep. Kirsten Gillibrand (D-NY), who raised similar concerns during discussion of the forward contracting program, saying that Gillibrand “clearly understands the need to create a forward contracting program that takes into consideration the needs of family dairy farmers, and we expect that she and other like-minded members of Congress will successfully address those needs as this bill proceeds from here.”



Letter Sent by NMPF to Trade Representative Schwab Concerning WTO Negotiations

Thirteen commodity organizations, including NMPF, have sent a letter to Ambassador Susan Schwab expressing their deep concern regarding the negotiating landscape described in the “Challenge Paper” recently submitted by the Chairman of the Doha Round Agricultural Negotiations Committee.

The letter went on to explain that concessions will only be made by the U.S. if they yield an important net gain for American farmers and ranchers through commitments on market access and other trade-distorting policies.

The organizations expressed their appreciation for efforts made by Crawford Falconer, who is chairman of the Doha round, to advance these negotiations, but noted that his latest blueprint for the negotiations, the so-called “Challenge Paper,” did not represent a step forward in the negotiations. The paper foresees the need for substantial additional cuts in overall U.S. support, further cuts in de minimis caps, and intrusive caps on Amber and Blue Box supports that would sharply curtail U.S. flexibility in administering its programs. At the same time, it envisions extensive loopholes to market access commitments and other disciplines that would not allow American farmers and ranchers to realize an important net gain.