

# “Farmers First Agenda” Senate Hearing October 17, 2005

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Thank you Senator Wenger and Senator Waugh for giving me the opportunity to comment on the Farmers First Agenda, and specifically, alternative uses of manure.

## **The Ombudsman Program**

As part of the PA Agricultural Ombudsman Program, I deal with public relations, education and conflict management related to agriculture. I am one of two Ombudsman in Pennsylvania, so I have experience with municipalities, farmers and citizens in many parts of Pennsylvania.

One aspect of the Ombudsman Program is to work proactively with municipalities and farmers to avoid controversial situations, which often result from a misunderstanding of the current nature and management of agriculture. Another aspect of the Ombudsman Program is reactive. In a reactive role, the Ombudsman Program helps to facilitate dialogue between parties involved in complex or controversial issues, because while it is important that the two sides talk or communicate, if discussions are not facilitated or moderated, meetings become unproductive and feelings can get hurt, very quickly.

## **Food, Fiber and Fuel**

Today's agricultural climate includes fewer farms than in the past, but animal production keeps increasing to meet consumer demand for food, yet the land available to raise the animals is less. The land that is available is often closer to people and houses than in the past. And people tend to be less tolerant and understanding of the agricultural way of life. Unfortunately, I have dealt with residents and municipal officials who have a complete lack of understanding of how agriculture and the manure by-products are necessary in Pennsylvania, and in the United States. Necessary for a quality-controlled food source. Necessary for valuable fertilizer. Necessary to support the overall economic structure of PA. Many people think that as long as there are supermarkets, we don't need farms. Or, they expect farms to remain as they operated 50 years ago, which is absolutely unrealistic in today's farming economy.

Agriculture provides food, fiber and fuel to Pennsylvania, to the United States and to the world. I believe in the future of agriculture, and farming. However, the Agricultural Ombudsman Program does not advocate for *only* large-scale farming, or *only* smaller farms, I do not advocate *for* or *against* a particular type of animal, or particular location of a barn or storage facility. I do not advocate for *only* organic, or *only* non-organic management styles. I do not advocate *for* contract farming of animals, nor do I advocate *against* it. However, I *do* advocate for the need for farmers to follow the legitimate rules and regulations that govern their agricultural operations.

## **Additional Land Base**

But, the agricultural community faces tighter and tighter restrictions. Part of the expected changes to the statewide Nutrient Management Act (NMA) regulations includes the use of the Phosphorus Indexing, and more restrictions of where and how much manure can be spread. If less manure can be spread on ground where it was previously spread, and there are fewer acres on farms

where it can be spread due to setback restrictions, ultimately more land base will be required. Where will that land base come from, since more farmland is being sold for other uses every year? More land base would be needed *unless alternative uses for manure can be found*.

### **Mushroom Industry**

The agricultural industry is *interdependent*, which is why this is a statewide issue and should receive statewide cooperation and efforts. One current alternative for manure utilization on *some* farms in PA is to ship poultry litter to Chester County for the mushroom industry. Some of Pennsylvania's poultry farmers rely on this outlet to be able to stay in compliance with their Nutrient Management Plans (NMP). If they weren't able to ship the poultry litter to be used for production of mushrooms, they may fall out of compliance with their NMPs.

### **Maryland and Delaware**

I also understand that Maryland and Delaware have transport subsidy programs that allow poultry manure to be shipped to the mushroom industry at significantly lower costs than PA farmers can afford to accept for their efforts. From what I understand, Maryland and Delaware have displaced approximately 40,000-50,000 tons of poultry litter that was previously purchased from PA farmers. This is a concern, because not only do PA farmers have the economic disadvantage, and therefore aren't able to get rid of the poultry litter and jeopardize their NMP compliance, but from a Chesapeake Bay watershed standpoint, Maryland and Delaware are just moving their manure to the northern part of the watershed, instead of providing a disposal method that creates energy or utilizes the nutrients outside of the watershed.

I am not advocating for a transport subsidy. I *am* suggesting that in order to make a program like that beneficial environmentally as well, consideration of where the transported material ends up, should be taken into account. Is the transported material going to help with abandoned mine reclamation? Is the transported material going to an energy processing facility? Or is it just moving nutrients around the watershed, instead of providing incentives to utilize the nutrients for "green energy" production, for example.

### **Traditional Disposal Causing Public Outcry**

The composting process, or the beginning of mushroom production, is where most of the odors are generated. The Ombudsman Program is currently working with Chester County Conservation District to resolve issues between the mushroom growers and the surrounding residents. Even though most complaints generate from the beginning of the mushroom production process, the whole industry is getting a black eye. People are much less tolerant of the Spent Mushroom Substrate (SMS) as well, which is a by-product of the growth process. A traditional disposal method was land application. Due to public outcry, land application is becoming more difficult all the time. An alternative is needed for disposing and utilizing SMS.

Frankly, an alternative is needed for disposal and utilization of most *all* by-products associated with the agricultural industry. Certain animal processing facilities produce byproducts that when land applied cause odors. Traditional usage of food processing wastes as food for livestock creates a manure with a strong odor, which causes public outcry. The more outcry, the less ability to spread manure or by-products, and the more manure and by-products that will need an alternative use.

### **Possible Importer Refusal**

There are many farmers with varying types of manure in PA. Historically, surrounding farmers may have imported some of that manure as fertilizer. One of the expected changes to the NMA regulations includes the need for importing farmers to have nutrient balance sheets, at a minimum, when receiving manure from CAO or CAFO operations. Those farmers who have imported the

manure in the past, may very well decide *not* to have the required nutrient balance sheet created because they choose not to fall under more regulations and inspections. Those farmers would no longer be able to import the manure. This could leave the exporting farmer with excessive manure and nowhere to go with it, unless economical alternative uses for manure can be found.

### **Education is Critical**

As with so many things in agriculture, education is critical. The majority of the requests that I receive to facilitate or moderate a contentious situation, or the majority of the comments that I hear when handling a situation where education is needed, are related to odors and the make-up of manure. Some people think manure is toxic. Some people are convinced that manure pits are “designed to leak” as I often hear. Some people believe farmers are intentionally mis-managing their farms environmentally.

### **Odors**

But, the key issue seems to be odors. I believe that if manure didn't have odors associated with it, there wouldn't be *near* the pressures on the agricultural industry, which have resulted in more local, state and federal regulations. To follow the old “out of sight, out of mind” adage... “out of nose, out of mind” probably isn't too far from the truth. Please don't misunderstand me, I am *not* advocating for random, irresponsible environmental management by farmers. But, the ag industry is seeing more required documentation of activities, more frequent reviews and visits by various agencies, stricter setbacks for application of manure, stricter building permit requirements, and stricter regulations on odors.

All these regulations are driving up the cost of doing business for the farmers both time-wise and financially, but the prices the farmers receive for their commodities is not increasing, and cannot be controlled by the farmers.

If manure could be manipulated so that it didn't have much odor associated with it, or if alternative uses for manure could be developed that greatly reduced odors, I think the agriculture industry would be freer to focus on the production of food, fiber and fuels, rather than focusing on the next meeting with their regulators, or record-keeping requirements. If alternative uses for manure were further developed and made economical that used manure and other ag by-products for energy, I think that would go a long way in giving “positive press” to and better acceptance of the ag industry.

### **Societal Pressures**

The citizens groups and environmental organizations also seem to be watching for, and demanding documentation of, correct application of manure based on agronomic need. I think farmers *should* only be applying manure and other fertilizers based on nutrient needs of the crops. But, when farmers have to document their actions for various agencies, and participate in annual status reviews, this is time taken away from the actual business of making a living.

Since it appears that the state NMA regulations will follow Phosphorus Indexing, there will be more manure that will need an alternative way to be utilized and disposed. And since the “export loophole” will be closed, it is possible that more farmers will have unwilling importers, and therefore have more manure that needs an alternative disposal method. Since societal pressures include reductions of odors and nutrients associated with manures, alternatives to what is currently practiced seems like a timely and necessary focus.

Alternatives will need to be economical for farmers to participate and support. They will also need to be widely available and accessible, and easily followed or practiced. The outcry against odors

associated with manure, and efforts to even further regulate manure usage and storage, is a statewide issue. Providing financial support and the infrastructure to develop alternative uses for manure will need to be a statewide focus, also. Municipalities, counties and the state will have to be willing to allow for the location of facilities to handle or process the manure. There are citizens groups organized to encourage alternative utilization and disposal of manure (if not the elimination of it), and there are almost guaranteed to be ones organized to prevent the construction of facilities that would *provide* alternative uses. The municipalities and state will need to be ready to deal with the “not in my backyard” outcry that many businesses and industries, not just agriculture, face.

### **Keep it Economical**

I think the ag industry realizes that there are certain areas of the state that have excess manure available, and certain areas of the state that don't raise as many animals, and therefore rely more heavily on chemical fertilizers. But transportation of manure, especially wet manures, is cost-prohibitive. So, the situation remains that farmers who want manure can't afford the transport costs, and those who have excess, can't find importers; unless economical alternative uses are developed.

PA also imports nutrients to feed our livestock and poultry, but currently PA doesn't have a way to viably export the nutrients in the manure back to areas where the nutrients originated, such as the Midwest. Currently, a promising idea may be to incinerate manure, produce steam for local industry and turn the ash into a consistent, “flowable” fertilizer that can be shipped, stored and used in current fertilizer delivery systems that farm operators use and want. But the industry needs support to further develop and refine the methods and products. The incineration of manure is readily done with poultry manure, but liquid manure poses logistical and economical problems. Liquid manure has solids mixed in the liquid. Technology that can separate these solids from the liquids is available, but may be cost-prohibitive to some farms. If the separation is done, the solids can be mixed and incinerated along with the poultry manure. The liquid can be applied to farm land with fewer nutrients and reduced odor.

### **Thank You**

I appreciate Senator Wenger and Senator Waugh's legislative efforts and proactive attention to these issues, to address alternative uses for manure disposal and utilization to help keep agriculture in Pennsylvania economically and culturally viable.