

House OK's Newhouse move to shield dairies

Ross Courtney, Yakima Herald Republic, July 8, 2015

WASHINGTON, D.C. — The U.S. House of Representatives approved an amendment from Rep. Dan Newhouse, R-Sunnyside, that would prevent federal environmental authorities from targeting dairies and livestock yards under solid waste laws in the wake of a successful federal environmental lawsuit against Lower Valley dairies.

The amendment to H.R. 2822, the Interior and Environment Appropriations measure, would prohibit the Environmental Protection Agency from spending any funds on issuing new regulations that apply to animal feeding operations.

The House approved the measure by voice vote late Tuesday as an amendment to the broader spending bill, according to Newhouse's office.

The House has yet to vote on the overall bill.

The amendment is a reaction to a U.S. District Court lawsuit filed by environmental groups against three dairies for contaminating groundwater with nitrates from poor manure management practices under the Resources Conservation and Recovery Act, the federal law that regulates solid waste.

In January this year, a federal judge sided with the environmentalists and ruled that the dairies' practices amounted to open dumping and likely contributed to groundwater pollution that has fouled 20 percent or more of private wells in the region, according to numerous state and federal tests over the past decade.

The parties settled the lawsuit in May, with the dairies promising to line their manure storage lagoons and pay for distribution of clean water to residents within a 3-mile radius downgrade.

One of the lawyers representing environmentalists and residents in the lawsuit blasted the amendment.

“It is shameful that a U.S. Congressman, who is supposed to represent the people, is instead kowtowing to an industry that has polluted thousands of people's wells in the Yakima Valley and tens of thousands more nationwide,” said Charlie Tebbutt, the Eugene, Ore., attorney who represented the Granger-based group Community Association for the Restoration of the Environment.

Dairies argue that manure is not a waste, but a byproduct useful for fertilizer, compost and bedding.