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November 26, 2008

Mr. Joseph Dougherty
Air and Radiation Docket and Information Center,
Environmental Protection Agency, Mailcode: 2822T,
1200 Pennsylvania Ave., NW.,
Washington, DC 20460.

RE: Docket ID No. EPA-HQ-OAR-2008-0318

Dear Mr. Dougherty:

Michigan Farm Bureau appreciates the opportunity to comment on the Advance Notice of Proposed Rulemaking (ANPR) for regulating greenhouse gases (GHG) under the Clean Air Act. We are very concerned about the impact the ANPR will have on Michigan agriculture.

The ANPR was published in response to the Supreme Court decision in *Massachusetts v. EPA*, which dealt with a petition to regulate automobile emissions. In order to trigger the regulation of automobile emissions under the Clean Air Act, the EPA must first make a finding that any or all of the GHG endanger public health or welfare and at what levels.

Our understanding is that once an endangerment finding is made, EPA cannot restrict its regulations only to emissions from automobiles. Rather, a number of other provisions of the Clean Air Act are automatically triggered, and these provisions would likely have an impact on agriculture as well as other entities and sectors of the economy.

Farm Bureau is concerned that the Title V permit program would be implemented as a result of an endangerment finding. Title V requires that any entity that emits, or has the potential to emit, one hundred tons of a regulated pollutant must acquire a permit in order to continue to operate. The requirement for a permit is mandatory and always results in the imposition of a fee by the government.

The U.S. Department of Agriculture has stated that any operation with more than 25 dairy cows, 50 beef cattle or 200 hogs that emits more than 100 tons of carbon equivalents would have to obtain a permit under Title V.

If greenhouse gas regulations as envisioned by the ANPR went into effect, Michigan agriculture would be dramatically impacted, negatively. Nearly one-third of the hog and beef farms and over 70 percent of the dairy farms would be affected. Depending on the cost of the fee, these requirements could eliminate livestock agriculture in Michigan. Furthermore, educational institutions (i.e., high school agriscience and land grant universities) with livestock farm components would be faced with superfluous financial burdens.

One other factor makes imposition of this tax futile. Most emissions from cows and pigs are from natural or biological processes. Enteric fermentation is a large source of these emissions, and there is no known technology to prevent or eliminate such emissions. Livestock have many carbon benefits that are not quantified simply by counting the emissions that come from the animal itself. Livestock feed requirements keep land in agriculture which maintains carbon sequestration areas and enables water recharge. Livestock's co-products can produce biogas as an alternative for natural gas and an alternative to petroleum-based fertilizers.

The very real negative impact of the ANPR's final outcome is concern enough for Michigan Farm Bureau to oppose using the Clean Air Act for regulating greenhouse gases.

Sincerely,



Carrie Vollmer-Sanders
Agricultural Ecology Specialist
Michigan Farm Bureau



Ryan P. Findlay
Associate National Legislative Counsel
Michigan Farm Bureau