

**Defending Agriculture** 

Legal, environmental hot button issues that impact U.S. farmers.

Copenhagen: What Next?

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Twenty thousand delegates and journalists have been meeting in Copenhagen in an attempt to start all industrialized countries on the road to reducing their carbon dioxide (CO₂) and carbon dioxide equivalent emissions. The President made it clear in Copenhagen that the U.S. will put in a cap and trade system to start reducing CO₂.

All of you have read reports from scientists on both sides of this issue. Not being a scientist but a lawyer, as well as a corn and soybean producer, I do not know which side is correct in terms of the science. We have all read about the alleged fraud committed by a number of scientists researching the CO₂ issue. The disclosure of certain emails from the Climate Research Unit in England suggests that some scientists appear to be suppressing or at the very least massaging the data that supports regulating CO₂ emissions from industrial and agricultural sources.

I want to put some facts in perspective as you read stories coming out of Copenhagen. The Obama Administration has made an "endangerment" finding under one section of the Clean Air Act, suggesting that the U.S. will regulate CO₂ for new auto and truck engines. The U.S. House of Representatives has also passed a bill setting forth how this country should regulate CO₂ emissions. This bill proposes a roadmap for the delegates in Copenhagen and farmers regarding what the United States might undertake to save the world.

Protecting agriculture? The bill to regulate CO₂ emissions in the U.S. is authored by Rep. Henry Waxman, D-Calif., and Rep. Ed Markey, D-Mass. The bill is over 1,000 pages of requirements and would seek to control the economic aspects of our lives in order to control CO₂. Rep. Collin Peterson, D-Minn., has been trying to protect agriculture during this process.

Before I go into the bill, here are a few facts, and these numbers were discussed in Copenhagen.

The bill would seek to lower our CO₂ and its equivalent emissions by 83% below 2005 levels by the year 2050. George Will, a columnist who grew up in Illinois, in a recent column puts that number in perspective. He writes "...2050 emissions will equal those in 1910 when there were 92 million Americans. But there will be 420 million Americans in 2050, so Obama's promise means that per capita emissions will be about what they were in 1875."

Ag emissions You have read or heard about CO₂ discussions in Copenhagen. You have not heard about other Greenhouse gases (GHGs) which include emissions from our agricultural operations. Here is the scorecard of the gases which are being discussed as GHGs: carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons from chemical manufacturing, any perfluorocarbon, nitrogen trifluoride, and any other anthropogenic gas designated as a GHG by the U.S. E.P.A. Administrator.

You may recognize that methane not only comes from the oil industry, but it also comes from concentrated animal feeding operations (CAFOs). Nitrous oxide, N₂O, is a byproduct of our use of anhydrous ammonia.

Waxman-Markey sets forth a chart which states that one metric ton of methane is the equivalent of 25 metric tons of CO₂. One ton of N₂O is the equivalent of 298 metric tons of CO₂. Keep these numbers in mind when you hear the commentators suggesting agriculture doesn't have anything to worry about in terms of CO₂ control.

Plug-in vehicles The U.S. House of Representatives would require some actions you have not heard about in the news media. Waxman-Markey would require that each electric utility develop a plan to support the use of plug-in electric drive vehicles, including heavy duty hybrid electric vehicles. The utilities would be required to build electrical charging stations in public and private locations, including charging stations at street parking places, parking garages, parking lots, gas stations, and highway rest stops.

The bill would give your state utility commission the authority to consider how the utility would implement a cost recovery plan. In plain English, this means you and I will be paying for this infrastructure. There is also a section that deals with reducing miles traveled by people. The reason for this is to reduce our use of fossil fuels.

Another section will require states to adopt energy efficient building codes. The code the states will follow will be developed by the Secretary of Energy and will apply to residential and commercial buildings. If a state does not follow the code, it and its citizens will be punished when the Secretary determines violations and develops penalties.

This is a small sampling of the actions being discussed in the Waxman-Markey bill. The stated purpose of all of these actions is to reduce emissions of CO₂ and its equivalents in order to save the planet, according to former Vice President Gore.

You may want to pay attention to the reports out of Copenhagen and Washington and read what congress and the President are proposing. You may not like what you see and hear - it may even impact you and your farming operation!

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