From:	steve groen
To:	Jennings, Jonathan (ECY)
Cc:	Corby Groen; Ron Reimer; Jeff Polinder; polindersp@gmail.com; Jeremy Visser; rstjoelker81@hotmail.com; George Boggs
Subject:	cafo permit comments
Date:	Sunday, August 16, 2015 12:36:20 PM
Attachments:	CAFO Permit comments.docx

Jonathan, please respond with your acknowledgment of this document. See attached. Thanks.

--

Steve Groen CCA-NW
Hidden Acres Dairy
1000 Barnhart Rd
Lynden, WA 98264
Office: 360.318.8403
Fax: 360.318.8403
Cell: 360.708.2123
sgroen.sg@gmail.com

[Your Name]
Owner, co-manager
[Company Name]
1000 Barnhart Rd
Lynden, WA 98264
August 15, 2015
Olympia, WA

Wa State Dept of Ecology
Jonathan Jennings
WA State Dept. of Ecology
Olympia, WA

Dear Jonathan Jennings:

See more concerns below concerning your newly proposed CAFO permit regulations

Lagoon liners:
For over 30 years manure lagoons were considered a BMP, promoted, and engineered by NRCS, state conservation districts, and DOE, this is a fact. All lagoons were built to NRCS engineering specifications. Dairy farmers were mandated to use these to avoid nutrient and coliform contamination of groundwater and streams and maximize dry matter yield by complete utilization of on farm nutrients. To the best of my knowledge, there are no definitive studies that WA state manure lagoons contaminate ground or surface water. Your motivation of requiring lagoon liners is politically motivated by environmental groups, or motivated by individuals within the administration or DOE to destroy our state's dairy industry. It's clearly that simple. Any requirement like this would only be challenged and destroyed in court, costing user groups much time and money. EPA does not require lagoon liners so therefore the state should not. Your failure and unwillingness to understand the economic implications of such a requirement can only lead one to wonder if your motivation goes beyond clean water. The fees you demand will only further burden the farmer with no environmental benefit to the citizens of the state. DOE has little evidence to blame current engineering standards for causing lagoon failures or groundwater contamination. You only cite a minimal amount of data skewed to support your findings to coerce us into conforming to this ridiculous permit draft.

Buffers:
It doesn't take a rocket scientist to determine 35 ft buffers on streams and water bodies will effectively stop and destroy the income producing power of approximately 30% of our ag lands. You obviously aren't rocket scientists. Do you know what pays your wages??? Taxes. I propose the state rents these buffers at the full gross value factoring in inflationary values annually, and ALL of the income lost per acre, including buffer maintenance costs, since DOE proposes stealing these lands from farmers who need to pay mortgages and taxes on these lands. These taxes pay your wages, you are public servants. Once again, you have no

multiple, definitive studies or proof when these areas are properly grazed or farmed properly pursuant to the rules within a nutrient management plan, that these practices will cause fecal coliform pollution or nutrient runoff. Each nutrient management plan needs to maximize a farmers ability to use All of his /her farm to ensure nutrients are utilized, any less productive acreage land volume will cause and encourage more water contamination. Once again your motives are being politically motivated without any science backing of your proposals.

Soil testing before manure application;

Let's get the facts straight; proper manure applications improve soil, fertility, microbiology, dramatically improve crop yields, eliminate or reduce the use of mined fertilizers (phosphate mines, heavy metal pollutants, stream sedimentation, and other problems associated with mining) You all are failing to see the big picture here. The elimination of animal agriculture in this state (which your proposals will expedite)only will destroy the profitability of every sector of ag that relies on animal ag for compost and nutrients to enhance and improve soil. Do your homework, this is becoming big business in the state. Apples, alfalfa, cherries, hops, potatoes, to name a few all rely on the fertility animal agriculture provides to stay profitable and keep their soils fertile. These are all high value export crops. When we are gone who will you regulate because the problem won't be solved. On the majority of dairies, following their already strict nutrient management plans this one, two, and three foot soil testing is unnecessary. It's completely impractical, it will prove nothing. Once again you have no definitive, multiple scientific, unbiased research to support your ludicrous proposal. The resources do not exist within the industry to get this done in a timely, economical fashion. There will be no environmental or economic benefit to anyone to this proposed requirement. Your proposal shows you did not interact with any ag professionals to determine the feasibility of such a practice, it takes at least three days to have a soil test in hand. Dairies are already required to test in the fall to the one foot level. This is adequate nitrate detection for the vast majority of most farms to determine if they are applying manure at acceptable rates. This practice is acceptable, practical, and widely accepted by ag professionals as myself and the farm community as a positive, working tool that yields results and educates producers.

It's utterly ridiculous for a farmer to rely completely on weather forecasts to determine when and when not to apply manure. Weather forecasts are accurate 50-60% of the time! This proposed rule will only eliminate opportunities to apply manure. This proposal will only concentrate the total amount of manure applied during times DOE deems appropriate.You based this rule on your emotions, not widely accepted science. Now DOE can predict or rely on forcasters?? My family has farmed for three generations in Whatcom county . The day I rely on weather forecasts to apply manure is the day your permit will fail the people of the state. This will only increase the danger of stream and groundwater contamination due to unpredictable science of weather forcasting.

Your proposed fees are nothing more than a tax and unacceptable. Leave the job of nutrient management enforcement to WSDA. DOE needs to stay out of this. You don't need to control the animal agriculture

industry in WA state, your proposals will chase it away. You don't do any DNA testing of fecal coliform bacteria to prove ruminates are causing water issues. The issues are many and complex, such as septic systems, pets, wildlife, metropolitan areas, unmanaged storm water, bad modeling DOE uses to track coliform pollution(which DOE refuses to reform) and poor sampling procedures by DOE and WSDA staff witnessed by many producers. DOE cannot legally place the full blame of water contamination on the animal agriculture industry, as you are trying to do and have made crystal clear by this proposed draft. We provide substantial, sustainable jobs, food, and revenue to states, counties and towns. We protect the riparian areas by following our nutrient management plans, testing soils and manures, participating in CREP and WRP. Dairies and ranches provide wildlife and fish habitat that metropolitan areas cannot. We provide recreational opportunities for bird watchers, fishing, hunting, walkers, hikers; exposing ourselves to legal liabilities and expenses such as these. I for one, am fed up and I am going to fight this and other injustices imposed by the DOE and other groups

DOE is obviously wanting to classify manure as solid waste (putrid human garbage). Manure does have some hazards associated with its management, but it is not comparable to solid waste in any shape or form. These hazards are and continue to be addressed effectively by WSDA, our industry, land grant universities, and conservation districts. You seem to want to take an easy path in your management solutions of manure and CAFOs by comparing family farms to landfills. Have any of your field staff tried to soil sample at the one, two, and three foot levels in Western WA? I for one demand an answer and regional on-farm demonstrations in real time as you would require us to apply manure, as you seem to believe these procedures will work, and are attainable(so easy to achieve from your desks and meeting rooms). IN most areas, ur glacially formed soils consist of an almost impermeable clay subsoil. This is why farm plans are developed specifically for individual farms to address local environmental needs, unlike your cookie cutter proposal . A side point, NRCS requires compacted, clay liners in storage ponds as BMP, do your homework. You show us the practicality, the equipment involved, through field demonstrations performed by your staff, before demanding we do this unnecessary practice, I can assure you it won't happen (DOE budget and time constraints-the common excuse) This involves special equipment used by engineers, miners, and geology consultants taking much time and effort. This equipment is unaffordable and inapplicable to our industry.

The goal of DOE seems to be to destroy the animal agriculture industry, fueled by the political concerns of the governor's office and the influence of certain tribal factions, radical environmental groups, civil and state lawsuits funded by out of state interests. This is wrong and unethical. You ignore all the land grant university research, private research showing the environmental and economic benefits of animal agriculture. Where will waterfowl (swans) winter when we are gone? This is just one example of how these regulations will affect wildlife.

Sincerely,
Steve Groen CCA
Hidden Acres Dairy
1000 Barnhart RD

Lynden, WA 98264
360.708.2123

Sincerely,

Steve Groen CCA
Owner, co-manager
Hidden Acres Dairy
1000Barnhart RD
Lynden, WA 98264
Sgroen.sg@gmail.com

9-30-15 7:05 PM

TO:

Mr Jon Jennings
360-407-6426
Department of Ecology
Olympia WA

From:

Dave Boon
wvfdave@gmail.com
Mount Vernon WA

1 Cover page
2 printed pages

DEPARTMENT OF ECOLOGY
OCT 01 2015
WATER QUALITY PROGRAM

DEPARTMENT OF ECOLOGY
OCT 01 2015
WATER QUALITY PROGRAM

September 28, 2015

Washington Department of Ecology

c/o Mr. Jon Jennings

PO Box 47696

Olympia, WA., 98504-7696

Re: Draft CAFO Permit

Dear Mr. Jennings,

The Department of Ecology (DOE) has been mandating for over 40 years. I have been in the dairy business for over 40 years. There have been some good things accomplished. I think farmers, in general, are doing a better job of caring for their land and the people around them. Laws have been passed to help try to improve, by whosever judgment, what and how we farmers do the work we've chosen to do.

My family, which includes my wife and 2 sons, and their families, farm in the river bottom of the Skagit River. We are farming on farms that have been in existence for nearly, or over 100 years. Those farmers did a good job, and made a good living from that land. They developed a good drainage system that made the ground farmable. On one occasion recently, the state Department of Fish and Wildlife and the tribes came in with their experts to help the drainage work even better. That cost my farming business failed crops on our Fir Island farm for nearly a half dozen years, because the state and tribes didn't put the drain tube in correctly. The land affected is close to 100 acres. This farm has approximately 24100' of drainage ditches. Multiply the 24,100 times 100' of buffer that is 2,410,000 square feet, divided by 43560', the amount of square feet in an acre, and that makes just over 55 acres we would be required to give up on only that farm. The value of the crops we raise is well over $1000/acre. We still have to pay rent on the land, and we have not received **ANY** money to compensate us for our losses. I think this is a good example of inept state employees claiming authority, trying to save the world and screw those that take the risk to make a living while paying taxes to support those with the authority. We have tried to get compensation for our lost crops, but good government delay tactics seem to prevail. If you think I'm bitter about the way my family was treated here, you're right. The Washington State Department of Ecology, WSDFW, and the tribes are at par with each other. I see no reason why any farmer should support or respect anything you do when you treat conscientious taxpaying citizens the way you do.

Our farming operation has 9 lagoons. Most of the lagoons are smaller than a million gallons. We have worked extensively with our local conservation district to assure we

are in compliance with the current rules. We do our best to apply the manure at appropriate rates to grow good crops. The lagoons on all of these locations were put in place with the help of the Natural Resources Conservation Service, and Soil Conservation specs. I believe we are being good stewards of the land. I believe DOE, WSDFW, are trying to rationalize their jobs by picking on sectors of the economy that have worked hard already, to stay in compliance with all of the rules. With 100' buffers, our total dairy farming operation would lose approximately 250 plus acres, or about 25% of the land we farm.

The proposed CAFO Permit will close this one farm, and probably several of the others down because of the unnecessary high cost of lagoon liners. We have worked hard to keep these farms functional with the rules that are in place. With 100' buffers, we may have a 50' strip that we can farm down the middle of many of the fields. I don't know that our whole farming operation could stand the impact of having to line all of our lagoons and comply with the new rules.

This is a bad proposal. I know the DOE and the DOE and EPA would like to have dairy farms go away so they can go pick on somebody else. The knowledge and expertise that I have seen and experienced when it comes to government trying to run private industries is poor at best. I have no reason to believe this CAFO Permit which includes lagoon liners will be any different. The dairy farmers are already complying with the laws in place. Let us farm.

As the monitors of everything environmental, these governmental agencies are continually putting regulations on those that produce food for the people of our nation and others in the world. If a food shortage or famine ever hits our world, I hope our fine regulatory friends will be generous and kind enough to stand in the back of the line.

Dave Boon,

Bayside Dairy, Mount Vernon, WA