

**From:** [kellers7297@gmail.com](mailto:kellers7297@gmail.com)  
**To:** [Jennings, Jonathan \(ECY\)](#)  
**Subject:** CAFO comment letter  
**Date:** Sunday, September 13, 2015 2:07:07 PM  
**Attachments:** [Department of Ecology letter.docx](#)

---

Steve Keller  
Keller Dairy  
PO Box 1377  
Fall City, WA 98024  
September 13, 2015

Jonathan Jennings  
Department of Ecology  
PO Box 47696  
Olympia, WA 98054-4696

Dear Mr. Jennings

Our family dairy is very concerned about the CAFO draft Permit Requirements on dairy lagoons, animal management, and paperwork requirements. First and foremost we are dairy farmers. We produce milk for the general market. We are an individual family farm and we should not have to be burdened with experimentally unproven regulations when we already have a regulated and approved manure system through a Dairy Nutrient Management Plan.

Lagoon Liners:

We have a clay lined, NRCS designed and approved manure lagoon. Because of our geographical location we were able to construct our manure lagoons out of clay, an optimal material due to its impervious quality. When each of our two lagoons were constructed, we coordinated with DOE, NRCS, King Conservation District (KCD) and Department of Permitting and Environmental Review (DEPR). It was incredibly difficult to work with all of these agencies and facilitate their coordination. There is an untold expense of landowner's time to do a multi-agency project.

In theory, if this double lined lagoon requirement was to be implemented, what would we do with the manure during construction? Our lagoons are designed by agriculture professionals to be used year around according to our herd size. How would an empty lagoon be available for lining? Government mandated projects tend to run over budget and over

schedule. We just upgraded to a sand separator last summer. The total cost was 20% over budget and ran 2 months beyond the expected work time.

The thought of using synthetic materials like plastics or rubber that do not have the life time expectancy that natural materials like clay have are frightening. How does the farmer cope with an aged liner? Clay does not age. Plastic lining will cause major problems in the future when the lagoons need repair or are subject to routine maintenance. Dredging and agitation are routine activities to manage manure solids. Both will be very risky activities with a synthetic liner. Catastrophic liner failure from routine maintenance, what a disaster.

We upgraded our sand and manure separating system recently. This was a small project compared to what you are proposing for the lagoon upgrade. The cost of this project last summer went well into the six figures, went over budget, and took over a year to get the permit. We can only imagine with trepidation the cost and burden on implementing a double lined lagoon system.

We think that if we had to implement a double lined lagoon, we would have to construct a new third lagoon to accommodate the dairy manure during construction. This would require us to go through the agencies listed above. It would be a staggering undertaking and a gigantic expense. All to accomplish replacing a working, designed and approved lagoon system.

Setbacks on water ways:

Our dairy farm thrives because of its unique location in a fertile river valley. Like so many other dairies in beautiful Washington State, dairy farms are situated where the land is sufficiently productive for farming. Dairy cows produce high quality milk where there is sufficient high quality feed and a mild climate. Waterways are inherent to dairy locations. Any setbacks from waterways take away our productivity and adversely affect the local milk supply. All dairies run tight profitability margins and we must maintain our land base for production. Dairy milk pricing is on the world market with a commodity based pricing system. We currently get 15 cents per pound of milk. Added costs are a burden for any dairy.

We believe the setbacks suggested in the draft would be a severe economic impact to all dairies throughout the state, but especially in Western Washington. Why would the DOE want to put unequal impact and unfair expense on dairies where the milk is produced closest to the urban area?

Animals drinking in waterways:

The "C" in CAFO is for confined. The DOE should target animal facilities that are pastured, not confined, to accomplish their goals to remove animals from drinking out of waterways. There are a multitude of backyard beef herds, community supported agriculture animal herds, and unregulated large animal owners in Washington State. Do not target the dairy industry.

Soil testing:

The Dairy Nutrient Management Plan requirements that dairy farms abide by are very thorough as well as a very good management tool for the dairy farmer. Additional cost to this current plan by requiring deeper soil tests would be a financial burden. A point to consider on this topic is the number of fields Western Washington dairies have in comparison to Eastern Washington dairies. Western Washington dairies typically manage many, smaller fields compared to Eastern Washington dairies, where the fields are fewer yet are very large. Western Washington dairies would have many more soil samples taken every year compared to Eastern Washington dairies. Additional soil testing would be a burden for dairy farmers, especially Western Washington dairies.

Costs:

What are the cost of paper work for a draft like this? One full time person for one small dairy? Another employee to hire? Any increased burden of paperwork for a family farm is noticed and unwanted.

The Future:

Our farm is run by 5<sup>th</sup> generation family members. We have a tradition, not an obligation, to dairy farm in Washington State. If this draft, or one similar, were to be implemented, please let us know first so we can sell or move our dairy cows. Our broker's cell: 425-577-3926

Sincerely,

Steve Keller