



Washington State Dairy Federation

DEPARTMENT OF ECOLOGY

SEP 21 2015

WATER QUALITY PROGRAM

September 4, 2015

CAFO DRAFT PERMIT ACTION NEEDED BY SEPTEMBER 18

Overview

1. Ecology Issues DRAFT CAFO Permit

Previously, we alerted you that Department of Ecology has issued a DRAFT CAFO Permit. Ecology says it has ***“determined that if the CAFO has a lagoon that does not have a double geomembrane liner with a leak detection system between the liner layers that it is discharging to groundwater.”*** That means almost every livestock operation with a manure lagoon would need a CAFO permit.

2. Dairy Federation Response

Washington State Dairy Federation assembled 22 experts to share their review of the draft permit. The Dairy Federation and others will submit detailed comments and suggested revisions to this draft. As written, the draft will put a number of farms out of business and will interfere with the success of the Department of Agriculture’s Dairy Nutrient Management Program. WSDF has also engaged legal counsel to answer some of the technical legal questions on this draft.

3. Producer Responses are Needed No Later than September 18

Here are a few questions we hope you can answer and submit as comments.

1. The current draft prohibits spreading manure within 100 feet of waterways, wetlands, or conveyances to waters of the state on any fields that do not have permanent vegetative cover. (example is corn fields.) **What is the impact on your farm** in terms of lost acres to spread manure on, lost feed production, extra fertilizer bills to fertilize that 100 feet of farmland?
2. **What is the impact if you cannot spread within 35 feet of any waters of the state on permanent vegetative ground (i.e. grass or alfalfa)?**
3. **What are the costs to your farm** from current draft language prohibiting any animals, including grazing livestock from coming in contact with “waters of the state”? Reminder – Washington State Department of Ecology considers “waters of the state to include wetlands, even those converted prior to 1985 (Prior converted wetlands or farmland as determined by NRCS is not “waters of the US” under federal Law). The draft says if you graze or farm land that was historically a wetland you must fence it off including a 35-foot buffer from those “waters of the state.”

4. This draft requires each field on your farm must be soil tested at least in the spring and fall to 3 feet. Recent quotes indicate cost will be in the \$300-500/field. How much would this cost- (We see little if any value but huge cost in this testing regime)?
5. There are a multitude of rules this permit – including engineering plans for all construction or modification of your manure system. What are the costs in bureaucracy and paperwork to your farm?
6. If forced to adopt this permit, would you consider leaving dairy farming? yes

my son wants to take over our farm if forced to adopt this he could never

4. How to Comment

Email: jonathan.jennings@ecy.wa.gov -- or -- FAX: (360) 407-6426 -- or --

Mail: Washington Department of Ecology
 c/o Jon Jennings
 PO Box 47696
 Olympia, WA 98504-7696

make it. Im 70 years old. have hope for him.

Please also email a copy of your comments to Washington State Dairy Federation, sending to WSDF@msn.com

but this would kill a nice family farm

5. Keep in Mind:

- a. It is a first draft and Ecology staff wants and expect comments on the permit.
- b. Comments are due by September 18th.
- c. It is a terrible draft that needs as many comments submitted by dairy farmers, cattle ranchers, cattle feeders, and others.
- d. This is the first step in the fight to get this permit functional and voluntary.

Ned Newman

The Federation is developing a comprehensive comment letter to submit. If you would like a copy – contact the Federation office at 360-482-3485 or Jay at wsdf@msn.com.

Please remember: We need as many producers to comment as possible.

Dan Wood

Jay Gordon

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