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To: [Jennings, Jonathan \(ECY\)](#)
Cc: info@whatcomfamilyfarmers.org
Subject: CAFO Draft comments
Date: Friday, October 02, 2015 11:47:08 AM
Attachments: [Washington Department of Ecology 10-02-15 10.docx](#)

Please see attached letter.
Jerry Van Dellen
Van Dellen Farms llc

c/o Jon Jennings

I would like to address the proposed draft for changes to the CAFO General Permit.

We have laws that state that we cannot, and should not, pollute. The previous permit approached from that viewpoint, coupled with the acceptable conditions when discharges could occur.

While the permit is applied statewide, the realities of the differences between East and West, and various sub-regions, suggests that a blanket approach is not going to fix more water quality concerns. As a West side dairy, we've been under the microscope for more than 20 years. We as Whatcom County farmers have stepped up and tried to clean up our act. Testing shows this.

As a farm located on the Nooksack upriver from Everson, I was very concerned in these 20+ years. But then I found that "We don't even test above Everson." Since then, the one exception is Anderson Creek, which does have high counts, But NO DAIRIES!

The previous permit stated "RCW 90.48.010, requires the "...use of all known, available, and REASONABLE methods by industries and others to prevent and control the pollution of the waters of the State of Washington.""

The Draft permit now has shifted from "Do Not Pollute, Within these Exceptions." To "You are polluting, even though we haven't shown you are, and you need to make unreasonable changes, in spite of improving test results, and BEST management practices.

Demanding a liner in lagoons that have not been shown to leak is Unreasonable. Refer back to that pesky law, if a lagoon is shown to be leaking, then it should be fixed.

Requiring deeper soil testing is Unreasonable because it has not been shown that the current program is not addressing the control of pollution. If somebody has tests that are out of line and going higher, then there already are Best management plans to work toward fixing it. Then there is that Law again. Show that they are actually polluting.

Please consider that the previous CAFO Permit did work as planned. Changing to the proposed Draft swings the pendulum in a direction that is not needed, Given the improvements made, and decline in the presence of the West side Dairy Industry.

Thank You.

Jerry Van Dellen

Van Dellen Farms llc.

Everson, WA