

TO: Town Board, Dryden
FROM: Craig Schutt
Date: June 13, 2017
RE: Resolution forwarded from the City of Ithaca regarding CAFO Permit reviews

I would like to address the Town Board on the subject of the resolution forwarded by the City of Ithaca, and, the City requesting the Town to adopt the resolution requesting public access and review of CAFO (Confined Animal Feeding Operations) Permits.

To begin I feel I should explain my unique qualifications on this subject. It was during my tenure as District Manager of Tomkins County Soil and Water Conservation District (SWCD) that the CAFO permit was established through the USEPA and in New York through the New York Department of Environmental Conservation (DEC). SWCDs statewide were designated as the local contacts for the CAFO program. I was chosen as the SWCD representative to serve on a multidisciplinary state-wide task force to assist in the establishment and rule making for the NYS program. The committee was comprised of a diverse group of professionals including USDA NRCS (Natural Resources Conservation Service), NYS DEC Division of Water, NYS Agriculture and Markets (Division of Soil and Water), all on the public side. Representation from the private sector included specialized agricultural consultants, agricultural engineers and farmers. The group met regularly for many months discussing and often times disagreeing, but in the end, consensus was reached and NY adopted a strict program for permitting of CAFOs in NYS.

One of the major tenets of the program was the development of certified planners to be hired by individual CAFO farms and develop a Comprehensive Nutrient Management Plan specific to that individual farm. Certified Planners can come from both the private or public sector but all had to meet strict standards of education and training to obtain certification, and with that a continuing education and recertification component was created to maintain an individuals certified planner status. When I say the certification process is rigorous I speak from experience. I completed many of the steps toward certification but in the end chose not to complete the process to certification.

Let me now get to the resolution. I believe the background information I have provided above illustrates the complexity of the CAFO Permit program. The fact is I have only provided a brief overview. The facts are this scale of dairy farms are a highly regulated industry with many safeguards to protect water quality. The resolution specifically refers to manure storage facilities. Truth is most storages in the Town of Dryden are concrete lined, protection from any leaching into ground water, and if not lined, under CAFO regulations any unlined storage has to be inspected annually by an ag engineer and be certified safe. As for the comparison of pounds of waste created by a cow and a family of four. Seriously how can these be compared. Looks like apples to oranges, not apples to apples. I do not see how this is even pertinent to the discussion. The spreading of manure from a CAFO operation is extremely regulated. As part of its CNMP soil tests are required on all acres the farm is utilizing for crop production on a frequent and regular basis. From these soil tests it is determined nutrient

content in the soil and in turn determines what and how much of any amendments (fertilizer) is needed to grow the crop intended for that land for the coming growing season. Many times the stored manure meets all, or most, of the nutrient needs of that crop and vastly diminishes the use of chemical fertilizers being spread on the land. Because of manure storages farmers can preserve the nutrients that manure provides and spread it at a time when it will provide the most benefit to the crop. The farm is required, by its permit, to document where it spreads all of its manure and how much is spread on every field. Another requirement of the CNMP is incorporation into the soil of that stored manure must be done within 48 hrs. of spreading. This requirement greatly reduces the chance for runoff into streams and other waterbodies.

I would like to address another point in this resolution that illustrates some of the misinformation contained within it. The resolution states that the City of Ithaca is concerned with its water supply and specifically mentions Sixmile Creek. As a point of accuracy, Sixmile Creek Watershed has no CAFO farms, none. Fall Creek, water supply for Cornell University, does have some CAFO operations within its watershed. A few in the Town of Dryden and a few more further upstream. I believe all are in compliance with their permits and many have invested literally hundreds of thousands of dollars to insure they are meeting the permit regulations. I question who these municipalities would have review a CAFO plan. Who would be qualified to interpret and pass judgement on one of these voluminous plans? An individual plan is a very large binder full of maps, calculations and all other pertinent information to that individual farm. The

farmers have invested thousands of dollars to have their plan developed by a certified planner and pay thousands each year to have the plan reviewed and updated annually, another requirement of the permit. NYS DEC regularly inspects every CAFO, going through the plan to insure all documentation required is included and inspects the facilities, including manure storages and farm practices. I speak from experience on the DEC inspections. County SWCDs are invited by DEC to attend and participate in these inspections. I personally represented Tompkins County SWCD on some of these inspections and from my experience those are extensive and all encompassing. But, the fact remains if anyone not familiar with farming, and the CAFO program would be unable to reasonably evaluate the plan and the farm practices

My hope is the Town Board will consider my personal knowledge and experiences with the CAFO permit and program. I have only hit on a few of the highlights of the program but I believe it illustrates the complexity of this issue. I personally, my personal opinion, it would be ill-advised for the Town Board to sign on to this resolution. Dryden's Comprehensive Plan states that the Town is a farm friendly town. This is not a farm friendly resolution, so please if you truly support the Comprehensive Plan and agriculture within the town show it by not supporting this action.

Thank you for the opportunity to comment on this issue. If any of you have questions or need further clarification on the CAFO permit program I am ready and willing to discuss it with you.

Craig Schutt