



# Dairy CARES Report

November 2008

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## State dairies still lead in protecting water

The U.S. Environmental Protection Agency this month published final federal water quality protection regulations for permitting large livestock operations (called Concentrated Animal Feeding Operations or CAFOs), quietly ending – at least for now – what has been a five-year legal battle between environmental groups, agriculture and EPA over what the rule should and should not do.

The so-called “CAFO Rule” sets national standards for issuing pollution prevention permits to those livestock operations that need them. What does this landmark rule mean for California dairies? The short answer is, not much. California already leads the nation with the toughest water quality permitting regulations for dairies, aimed at protecting not only surface waters – as the new federal rule does – but also at protection of our underground water resources.

Most importantly, California dairies are not allowed to discharge runoff to surface waters. The only exception is stormwater (rainfall) that falls on farmland and subsequently runs into ditches etc. during storms. Even then, the discharge is only permitted if the land is managed under a “nutrient management plan.” Other off-property runoff, whether it is irrigation water, stormwater that has fallen on corrals, etc., are already strictly prohibited under California law.

California law also goes much further than federal law. For example, in May 2007, the Central Valley Regional Water Quality Control Board – covering more than 80 percent of the state’s dairy industry – adopted new regulations for dairies. Other regions, such as the North Coast, also face state laws that prohibit discharge from the dairies except from farmland or open grazing land that is managed under a nutrient management plan.

The new Central Valley regulations require all dairies to adopt a Nutrient Management Plan to protect groundwater, and to demonstrate that the dairy is designed and operated to prevent or contain runoff. The regulations include extensive inspection and record-keeping requirements, and environmental monitoring, including sampling and testing soil and well water.

It’s important to recognize that these state requirements already in place go far beyond the new requirements just adopted by the federal government. California dairy families are complying with the tougher state rules in good faith though the costs are high: According to the state, costs for the average dairy family are a minimum of \$30,000 per year.

For most dairies, keeping in compliance with the tough state regulation will be enough to meet the requirements of the federal rules. Producers should watch their trade association or UC Cooperative Extension newsletters for advice as more is learned about the interplay between the state and federal rules. Producers can also learn more about the CAFO Rule at <http://cfpub.epa.gov/npdes/afo/cafofinalrule.cfm>

It is also important that California citizens recognize the important contribution dairy families across the state continue to make to environmental protection. Dairy families here operate not only under the nation's toughest water quality regulations, but also the most comprehensive air quality and land use regulations. Consumers of California dairy products can continue to rest assured that the California dairy families who produce those products are meeting the highest standards for quality and environmental stewardship.

*CARES is a statewide coalition supporting economic and environmental sustainability for California's dairy industry. CARES members include the Alliance of Western Milk Producers, Bank of the West, Bar 20 Dairy Farms, California Dairies Inc., California Dairy Campaign, California Farm Bureau Federation, Dairy Farmers of America-California, Dairy Institute of California, Hilmar Cheese Co., HP Hood, Joseph Gallo Farms, Land O' Lakes, Milk Producers Council, Turlock Dairy & Refrigeration, Western United Dairymen, and others. For information about CARES, visit our web site at [www.dairycares.com](http://www.dairycares.com), write [dairycares@aol.com](mailto:dairycares@aol.com) or call 916-441-3318.*