

# New York State Department of Environmental Conservation

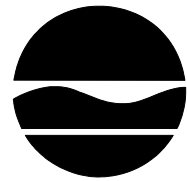
## Division of Water

Bureau of Water Permits, 4<sup>th</sup> Floor

625 Broadway, Albany, New York 12233-3505

Phone: (518) 402-8111 • FAX: (518) 402-9029

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



### Fact Sheet No. 1 New York State CAFO Permit Program Benefits

1. The permit provides some protection from citizen suits filed under the Clean Water Act.
2. The permit allows for discharges in the event of a 25 year 24 hour storm. Without the permit, it is not legal to discharge, regardless of the storm intensity.
3. You have a response when neighbors question your practices. If you are operating in compliance with a CAFO Permit, your manure management practices are likely to be found to be sound agricultural practices and therefore protected from private nuisance lawsuits under Agriculture & Markets Law.
4. Knowing that you are operating your farm in a manner that minimizes its impact on the environment, following a CAFO plan demonstrates your good stewardship of our natural resources. Also, following a CAFO plan reduces the risk of violating a water quality standard.
5. DEC uses their discretion when evaluating water quality violations. They tend to be more interested in compliance than punitive action when farms are properly operating according to a CNMP.
6. Some lending institutions require a CAFO permit, when the farm is regulated, in order to obtain a loan.
7. The resale value of your facilities may be affected depending on if they meet the requirements of a CAFO Permit if selling to another farm.
8. Some Federal and State grants require a Comprehensive Nutrient Management Plan (CNMP) in order to be eligible for funding, and in other programs your chances of obtaining funding may be increased by having the CNMP. The CNMP is all that is needed to obtain a CAFO permit. You must implement the CNMP and keep it up to date, in addition to paying permit fees and filing appropriate paperwork when you have a permit.
9. Having a CAFO permit is good business planning that will allow expansion when needed. The farm business will be more sustainable in the future with a CAFO permit.
10. There are significant savings in fertilizer costs by some farms when they adopt the nutrient

management requirements of a CAFO plan. This can be done by utilizing the nutrients in the manure without importing as much from off the farm. There may be other benefits related to herd health and operating efficiency depending on the farm.

11. If Green Power, such as electric generation from an anaerobic digester, or CO2 trading becomes popular, the CNMP needed for the CAFO permit may be required to certify that the farm is “green.”

**When allowed, benefits of not obtaining or maintaining permit coverage:**

1. Avoiding the annual \$50 permit fee.
2. Avoiding the filing of the annual compliance report.
3. Technically you do not have to hire a Certified CNMP Planner, but maintaining your “no discharge” status may be difficult without one.