

How will the CAFO General Permit Impact Connecticut Dairy and Livestock Farmers?

- **Short History of Environmental Regulations - UConn**
- **Overview of the General Permit - DEEP**
- **What role does NRCS play in helping farms comply with the Permit?**
- **What role can/will CT Department of Ag play in the process?**
- **What assistance is available to help farms comply? - Anyone**
- **Panel Discussion**
- **What challenges will your farm face?**
 - Jim Smith, Cushman Farm
 - Cricket Jacquier, Laurelbrook Farm
 - Ben Freund, Freund Farm/Canaan View Dairy
 - Brandon Gudeman, Oakridge Dairy
- **Questions and Discussion**

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A Short History of Water Quality Regulations

April 27, 2023

Rivers and Harbors Act 1899 (33 USC 402)

Section 9

That **it shall not be lawful to construct or commence the construction of any bridge, dam, dike, or causeway over or in any port, roadstead, haven, harbor, canal, navigable river, or other navigable water of the United States** until the consent of Congress to the building of such structures shall have been obtained and until the plans for the same shall have been submitted to and approved by the Chief of Engineers and by the Secretary of the Army: Provided, that such structures may be built under authority of the legislature of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and **plans thereof are submitted to and approved by the Chief of Engineers and by the Secretary of the Army** before construction is commenced: and provided further, That when plans for any bridge or other structure have been approved by the Chief of Engineers and by the Secretary of the Army; it shall not be lawful to deviate from such plans either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of the Army.

Rivers and Harbors Act 1899 (33 USC 402)

Section 10

That the creation of any obstruction not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States is hereby prohibited; and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines, or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of the Army; and **it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of, any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of Army prior to beginning the same. (33 USC 403)**

Rivers and Harbors Act 1899 (33 USC 402)

Section 13

That it shall not be lawful to throw, discharge, or deposit, or cause, suffer, or procure to be thrown, discharged, or deposited either from or out of any ship, barge, or other floating craft of any kind, or from the shore, wharf, manufacturing establishment, or mill of any kind, and refuse matter of any kind or description whatever other than that flowing from streets and sewers and passing therefrom in a liquid state, into any navigable water of the United States, or into any tributary of any navigable water

from which the same shall float or be washed into such navigable water; and it shall not be lawful to deposit, or cause, suffer, or procure to be deposited material of any kind in any place on the bank of any navigable water, or on the bank of any tributary of any navigable water, where the same shall be liable to be washed into such navigable water, either by ordinary or high tides, or by storms or floods, or otherwise, whereby navigation shall or may be impeded or obstructed: Provided, That nothing herein contained shall extend to, apply to, or prohibit the operations in connection with the improvement of navigable waters or construction of public works, considered necessary and proper by the United States officers supervising such improvement or public work: And provided further, That the Secretary of War, whenever in the judgment of the Chief of Engineers anchorage and navigation will not be injured thereby, may permit the deposit of any material above mentioned in navigable waters, within limits to be defined and under conditions to be prescribed by him, provided application is made to him prior to depositing such material; and whenever any permit is so granted the conditions thereof shall be strictly complied with, and any violation thereof shall be unlawful.

Federal Water Quality Act 1965

- Established Water Pollution Control Administration within the Department of the Interior
- Treated water quality as an environmental concern for the first time, rather than just a human health concern.
- This act mandated states to protect water quality

Federal Clean Waters Restoration Act 1966

Provided funding for waste water treatment plants to treat sewage before discharge into rivers

1970 President Nixon petitions Congress for approval to reorganize federal pollution agencies into the US Environmental Protection Agency

Public Act 827 Creates the CT Department of Environmental Protection 1971

Tasked with “management, protection and preservation of the air, water, land, wildlife and other natural resources of the state, according to the constitutions of Connecticut and the United States.”

Federal Water Pollution Control Act 1972

National Pollution Discharge Elimination System(NPDES) permit process to control point discharges (pipes)

CT Economic Enforcement Act 1973

Introduced the concept of Total Maximum Daily Loads (TMDLs) to define how much pollution a water body could tolerate from all sources

1984 CT wells contaminated by ethylene dibromide used on tobacco

DEP establishes a groundwater program coordinator to help municipalities develop groundwater protection strategies.

1989 USDA Water Quality Program Plan

Required USDA to cooperate with state agencies to develop and implement coordinated and cooperative programs to respond to agricultural nonpoint pollution.

In CT this led to a committee representing CT DEP, CT Association of Conservation Districts, CT Council on Soil and Water Conservation, CT Clean Water Coalition, CT Department of Agriculture, University of CT, Water Utilities, CT Farm Bureau, USDA SCS (NRCS), USDA ASCS (FSA), CT Agricultural Experiment Station, and farmers working together to create in 1993 the

“Manual of Best Management Practices for Agriculture.”

1999 EPA creates the CAFO General Permit

2023 CT requires farms to Register for the
CAFO General Permit

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UConn Extension - 1376 Storrs Road, Storrs, CT 06269-4134
s.uconn.edu/extension | extension@uconn.edu | 860-486-9228

