

April 10, 2026

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Washington Department of Ecology  
**Submitted Via:** <https://ecology.commentinput.com/>

**RE: Washington Farm Bureau Early Feedback on Concentrated Animal Feeding Operation  
General Permits**

Washington Farm Bureau (WFB) is the state’s largest agricultural advocacy organization representing the social and economic interests of farm and ranch families at the local, state, and national levels. This letter is in response to the Washington Department of Ecology’s (Ecology) request for early feedback regarding the general permit for Concentrated Animal Feeding Operations (CAFOs).

Small farms across Washington often rely on larger operations and CAFOs as a key market for their livestock. When regulations reduce capacity for those operations, the impacts extend throughout the entire food chain and agricultural ecosystem. As these connections break down, agricultural grazing lands are more likely to be taken out of production, despite meeting the highest and best use<sup>1</sup> definition for those lands. Adding new permit requirements without funding support will increase costs and lead to further loss of farmland in production, weakening what is the second largest industry in the state.

Washington lost 824,443 acres of farmland between 2017 and 2022<sup>2</sup>, additional regulatory pressure could accelerate that trend. At the same time, the national cattle herd is at its lowest level since 1951<sup>3</sup>, yet Washington is well positioned to help meet demand due to its topography, infrastructure and location. Policies that add uncertainty or limit production capacity work against that opportunity and make it harder for producers to stay on the land.

The CAFO permit continues to create uncertainty by relying on agency discretion to determine when an operation must obtain coverage. Potential CAFOs may be identified through third-party complaints, observations, or proximity to water, without clear objective triggers. This makes it difficult for operators to plan and exposes them to unpredictable and potentially significant costs, which disproportionately affects smaller operations.

In addition, the permit applies broad regulatory thresholds across Washington’s highly variable landscape without clear scientific support. Dividing the state into “wet” and “dry” regions based

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<sup>1</sup> Revised Code of Washington. (n.d.). *Growth Management Act—Agricultural resource lands*. Washington State Legislature. <https://app.leg.wa.gov/rcw/default.aspx?cite=36.70A>

<sup>2</sup> USDA National Agricultural Statistics Service. (2024). *2022 Census of Agriculture: Washington State Profile*. U.S. Department of Agriculture. [https://www.nass.usda.gov/Publications/AgCensus/2022/Full\\_Report/Volume\\_1,\\_Chapter\\_1\\_State\\_Level/Washington/](https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1,_Chapter_1_State_Level/Washington/)

<sup>3</sup> U.S. Department of Agriculture, National Agricultural Statistics Service. (2026, January 30). *Cattle* (ISSN: 1948-9099). <https://esmis.nal.usda.gov/sites/default/release-files/795748/cat10126.pdf>

on a 25-inch precipitation threshold does not reflect differences in soils, irrigation, or groundwater movement. Research shows that nutrient transport depends on site-specific conditions such as soil type and water flow pathways, not precipitation alone.<sup>4</sup>

Federal conservation programs administered by the Natural Resources Conservation Service are voluntary and designed to incentivize conservation practices beyond regulatory requirements, meaning practices that become mandatory under state permits may no longer qualify for cost-share funding<sup>5, 6</sup>. This could limit funding opportunities to overextended state run programs and further shifts the cost burden to the operator. Permanently removing land from production results in a lifetime of production loss while also requiring the operator to bear the full cost of implementation including site preparation, installation and ongoing maintenance for the life of the buffer.

WFB requests that Ecology carefully consider the general CAFO permit, how it duplicates mandated reporting already established in the Dairy Nutrient Management Program and far exceeds federal standards of the same permit. We stand ready to engage in meaningful conversation and encourage frequent open communication. Thank you for your consideration.

Sincerely,  
/s/  
Caleb Gwerder  
Governmental Affairs Director  
Washington Farm Bureau

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<sup>4</sup> U.S. Environmental Protection Agency. (2003). *National management measures to control nonpoint source pollution from agriculture* (EPA 841-B-03-004).

<sup>5</sup> Natural Resources Conservation Service. (n.d.). *7 CFR § 1466.6—Environmental Quality Incentives Program (EQIP): Program requirements*. U.S. Department of Agriculture. <https://www.law.cornell.edu/cfr/text/7/1466.6>

<sup>6</sup> Natural Resources Conservation Service. (n.d.). *Ranking criteria for NRCS conservation programs*. U.S. Department of Agriculture. <https://www.nrcs.usda.gov/resources/guides-and-instructions/ranking-criteria-for-nrcs-programs>