

3 groups seek better regulation of dairies

Runoff hurting rivers, environmentalists say

By Steve Patterson
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Arguing that cow manure is damaging the health of Florida rivers, environmental groups yesterday said they'll sue Florida's environmental agency to create a new system for regulating large dairies.

Three groups filed a complaint saying the state Department of Environmental Protection is breaking the federal Clean Water Act. By law, the complaint gives DEP 30 days to change or be sued in state court.

The groups want new permitting regulations for 35 dairies with more than 700 mature cattle. Those include three in Northeast Florida: M&M Dairy and Pine Grove Dairy in Jacksonville and Wisteria Dairy in Green Cove Springs.

The groups want DEP to regulate the amount of chemicals from manure that runs off the dairies in rainwater and drains into creeks and rivers.

Large dairies are "destroying our waterways, contaminating drinking water and threatening public health," said Melanie Flynn, a lawyer with the Washington-based Natural Resources Defense Council. Flynn filed the complaint in the name of three groups: Save Our Suwannee, a group concerned about the Suwannee River; ManaSota 88, a Tampa-area group; and the Conservation Alliance of St. Lucie County.

Dairies: Florida behind schedule on inspections

From Page B-1

Handling waste from large animal farms has been a contentious issue in several other states, with concerns expressed about hog and chicken farms as well as cattle. The U.S. Environmental Protection Agency labeled the subject a national priority in 1998, which propelled DEP to develop a plan for reviewing the 240 dairies statewide.

The state told EPA it would know by 2004 how many dairies needed to get clean-water permits through a complicated federal process called the National Pollution Discharge Elimination

System. But the state is behind schedule and won't make that target without changing its inspection system, which currently has one inspector, said Jerry Brooks, a DEP deputy director.

Dairy owners are worried new regulations could be inflexible and unrealistic, said Doug Moore, whose family has operated M&M in North Jacksonville since 1921.

"You can't say that this is the [one] way to handle manure on a farm. We've all got different numbers, different soils," said Moore, who is the president of a trade group, the Sunshine State Milk Producers. "What works on

one guy's farm in South Florida doesn't work somewhere else."

Moore said he trucks a lot of manure to an 800-acre farm in Putnam County for use as fertilizer, and barbers a lot of it to fill-dirt companies that mix manure with sand for use at construction sites. But he said other farmers can't do that because they're in areas where less building is being done.

DEP has examined about 20 of the 35 largest dairies, said Lucia Ross, an agency spokeswoman. The state began requiring permits from new dairies starting in 1999.

Dairies, chicken farms and row-crop farms near the

Suwannee have been blamed for an increase in nitrates, a chemical fertilizer which can cause large amounts of algae and change a river's natural balance of plants and aquatic life. State regulators and the area's water management district have worked on voluntary programs to get farms to cut nitrate releases.

Out of 45 dairies in Suwannee basin, about 31 have developed management plans to control runoff from manure, Brooks said. He said those plans cost dairy farmers about \$230,000 apiece, but that a lot of that money has been recouped from federal funds set up to help such projects.