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# Obtaining permits for livestock operations

J.A. Moore

There are many factors that go into your decision to expand or build a new livestock facility . . . the site, size, and design of the facilities . . . your talks with your lending agency . . . projected animal numbers, feeds and feeding . . . marketing . . . they seem to go on and on.

Finally, after much discussion, soul-searching, and trying to look to the future, you decide to take the step. The project gets underway, and soon someone says, "Did you get your permits?"

Unfortunately, it's been all too difficult to find out what you need and where to go to get the necessary permits. Our purpose in this publication is to identify the permits you'll need and the places you can get assistance.

## Department of Environmental Quality

Several years ago, the State of Oregon's Department of Environmental Quality (DEQ) issued a general permit to cover all existing confined animal feeding operations (CAFO) facilities that are in compliance with the standards and rules.

This permit includes any CAFO with a wastewater disposal system that has no direct discharge of pollutants to waters of the State. A waste-water disposal system is one that collects, handles, treats, and disposes of liquid waste and/or liquid manure. (If you don't have a wastewater disposal system, you don't need to apply.)

To be covered by the general permit, a CAFO operator must request coverage and register the facilities on forms provided by the Oregon Department of Agriculture (ODA).

Another type is the Water Pollution Control Facilities (WPCF) permit. You'll need a WPCF permit if your operation fits into one of the following two categories:

1. You've had existing waste-management problems, and you're now required to obtain a WPCF permit until the problem has been corrected.
2. Yours is a new CAFO, and DEQ now requires operators of all new CAFO's to obtain individual WPCF permits.

New CAFO facilities aren't eligible for coverage by the general permit until there is at least 1 year of successful operation after construction is completed.

You must have the WPCF permit before you begin construction. Plans for the water pollution control facilities must be approved by DEQ *before* you begin construction. Pollution control tax credits may be available (contact DEQ). You can send an application for a WPCF permit to either DEQ or ODA.

Any CAFO facility that has a direct discharge to surface waters is not eligible for coverage by the general permit. This type of operation must obtain an individual National Pollutant Discharge Elimination System (NPDES) permit. The DEQ issues

these permits; send your application to their office.

**Fee structure.** The current fee structure is as follows:

General permit	
One-time filing fee	\$ 50.00
WPCF and NPDES permit	
Filing fee	\$ 50.00
Application processing fee	\$300.00
Compliance determination fee (an annual fee)	\$125.00

## Water Resources Department

**T**he Oregon Water Resources Department (WRD) issue permits that may be required on a livestock operation. The permits of concern are in three areas—water use, water storage, and dam safety.

In operations where the beneficial use of water, wastewater, or effluent is the primary purpose (such as irrigating crop lands), a water use permit is required. If any of these operations has a storage facility, a permit must also be obtained for this storage.

However, when the effluent use and storage facility is part of a manure management system, no permits are required. The important difference is that on the livestock operation the primary purpose of the system is to collect, store, and properly dispose of the livestock waste and wastewater.

James A. Moore, Extension agricultural engineer, Oregon State University.



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**Application for permit**

Examination fee, \$200

**Recording Fees****Irrigation**

\$100 for first 10 acres

\$2 for each acre in excess of 10

**Power**

\$1 for each theoretical horsepower to and including 100 thp

20¢ for each thp in excess of 100

**Storage**

\$100 for first 50 acre-feet

25¢ for each acre-foot in excess of 50

**Domestic**

\$125 for first cubic foot per second (cfs) or fraction

\$60 for each additional cfs or fraction

For any other purpose including (but not limited to) municipal

\$100 for first cfs or fraction thereof

\$50 for each additional cfs or fraction

**Transfer of water right**

Examination fee, \$50

**Recording fees**Place of use (irrigation) for *each* receiving landowner

\$30 for first 10 acres

\$1 for each acre in excess of 10

Place of use (not irrigation), \$100

Point of diversion, \$35

**Examining an application for exchange of water, \$250**

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Figure 1.—Partial fee schedule, State of Oregon Water Resources Department, effective September 28, 1987

This type of facility is quite common in livestock operations as part of the manure management system. The effluent should be disposed of on crop lands at rates that don't overload either the hydraulic capability of the soil or the nutrient needs of the crop.

Any dam structure, whether for clean water or wastewater, comes under the jurisdiction of the Oregon dam safety program. A pond, storage or treatment lagoon, or structure must be reviewed if it involves a dam or dike 10 feet or more in height, or if it impounds 9.2 acre-feet or more water, or both.

The plans and specifications for the project must be prepared by an Oregon-licensed engineer. Both private consulting engineers and the Soil Conservation Service (SCS) can provide this service. These plans and specifications must then be submitted to the WRD for approval. Figure 1 shows part of the WRD fee schedule.

**Local permits**

City and county building permits may be required, depending on the nature and location of your new facilities. In most cases, an agricultural building will not require a county building permit. The structure must be used only for agricultural activities. However, you are required

to go to the county building permit department and fill out the agricultural deferral form.

In a number of counties, the city building department or environmental section of the county public health department will require a permit if you intend to drill a new well on this site. They'll also be involved if the facility will have a toilet or waste disposal system that requires a septic tank and drain field trench system.

A call to your county public health department and, where appropriate, city building department will inform you of the local permit requirements and their costs.

**For further information**

If you have any questions about these permits, write or call your local OSU Extension agent, or the appropriate agency:

Oregon Department of Agriculture  
Soil and Water Conservation  
Division  
635 Capitol St. NE  
Salem, OR 97310-0110  
phone (503) 378-3810

Water Resources Department  
Applications/Permit Section  
3859 Portland Rd. NE  
Salem, OR 97310  
phone (503) 378-3066

Department of Environmental  
Quality  
Industrial Waste Section  
811 SW Sixth Ave.  
Portland, OR 97204-1334  
phone (503) 229-5696

Extension Agricultural Engineer  
Oregon State University  
Corvallis, OR 97331-3906  
phone (503) 754-4021

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