Chad Herring, NC Farm Families
Public Hearing on Digester Permit
April 5, 2022

Good evening. My name is Chad Herring, and I am a third-generation family farmer from Mount Olive. I also serve as executive director of North Carolina Farm Families, and I’m proud to represent thousands of family farmers across our state.

Farmers like me believe in protecting our environment by taking care of our water, air and land. Generating renewable natural gas on pig farms is one way that we can contribute to reducing greenhouse gas emissions. Reducing those harmful emissions is a goal that we all share — the State of North Carolina and the Environmental Protection Agency have both highlighted the need to reduce greenhouse gases and promoted the benefits of generating biogas.

Generating renewable natural gas on farms is a positive step forward — for our farmers, for our community, and for our environment. It reduces emissions, reduces odors, and reduces the potential for flooding — and everyone can agree that those three things are beneficial.

These systems help make our farms more sustainable, and farmers who are thinking about investing in a digester system need a predictable and consistent permitting process.

The draft general permit takes appropriate measures to ensure that digester systems are tested and safe before beginning operation. Please do not add unreasonable and unnecessary conditions like the ones being proposed here tonight. Thank you.

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Good evening. My name is Will Hendrick and I'm with the North Carolina Conservation Network.

First, I want to thank DEQ for heeding the procedural advice of the EJEAB by providing advance notice of hearings, holding hearings in person, holding them in impacted communities, providing interpretation & translation services, and extending the comment period.

However, I'm disappointed that DEQ, when drafting the permits themselves, ignored the substantive advice from the same Board. Environmental justice demands not only equitable inclusion in the decision making process, but also agency decisions that acknowledge and address the disparate impact of pollution on communities of color and low income. And, as Governor Cooper has stated in a recent executive order, it is imperative, even as we strive to reduce greenhouse gas emissions, that we do so in a way that incorporates environmental justice and equity considerations.

I also want to address two more things DEQ is ignoring. First, DEQ is ignoring the fact that there is technology—indeed even technology compatible with biogas production—that can better protect our environment and public health. For instance, covering a lagoon doesn't increase the nitrogen content in animal waste, but it changes the amount of nitrogen present in its inorganic form, elevating the threat to waters and neighbors posed by mismanagement of an even more potent waste stream. As such, I'm disappointed by the failure of the permit to respond to the increased threat of ammonium discharges and nitrate pollution of groundwaters posed by covering lagoons without requiring components like nitrification-denitrification basins to mitigate these impacts. DEQ should require technology that reduces threats, rather than blessing technology that increases them. The technology exists to continue farming, but stop harming, and DEQ should require its use.

I'm also discouraged that DEQ continues to ignore harm by requiring absolutely no monitoring of groundwater or surface waters absent a self-reported spill. The agency is at best assuming, and at worst willfully overlooking, the impacts, individually and cumulatively, of permitted operations. In court, you're arguing that there are no impacts, because the permit is supposed to prevent them and you conduct an annual inspection to ensure compliance. But that's like saying my car isn't leaking oil, or indeed that no car on the road is leaking oil, because everyone got their car inspected last year. If you don't look, you don't know and you shouldn't claim otherwise. I suppose that's an imperfect analogy though; no court has found that my car is harming property rights, but 5 juries have reached that conclusion about DEQ-permitted swine operations. And the EPA hasn't lamented the disparate impact of my driving on vulnerable North Carolinians, but the agency has expressed grave concern about the disparate impacts of permitted operations that you're continuing to ignore. This permit should require monitoring to ensure and evaluate compliance with the non-discharge requirement on which your unchecked assumptions rest.

After all, ultimately it doesn't matter if you enable community participation through these public hearings if, at the end of the day, you ignore what you hear and continue ignoring harm that you have the power to prevent.
My name is David White, I live at 320 Pennsylvania Ave. in Winston-Salem. I am a former board vice-president and board member of the Yadkin Riverkeeper.

I am a conservationist. I believe in the careful management of our natural resources in partnership and cooperation with government, land owners and the companies who reside here and provide jobs for our citizens.

I am also an active year-round paddler on the Yadkin River and a vocal advocate for keeping the river and its lakes clean for increasing recreational use and the economic benefits that brings.

However, when I see issues which potentially could affect the Yadkin River watershed, particularly drinking water and recreational uses of the river and lakes, I believe it is my responsibility to speak up and that’s why I’m here today.

I am patently against creating a new general permit for farm digester systems. On the surface it sounds like a real solution to the problem of animal waste produced by farming, in particular dairy farms: turn manure into usable energy.

Unfortunately, as a solution for manure management, digester systems are hardly a simple or complete solution, but rather one
step in an insufficient and fallible process. In the end, you still have a lagoon or cesspool full of manure.

For digester systems to be at all effective they require scale — or a large operation — larger than most of the current dairy farms in our watershed. In effect, this would encourage more Concentrated Animal Feeding Operations (CAFOs) which in turn would create more animal waste and potentially more nutrient and bacteria pollution in the South Yadkin River watershed.

The larger farms are more likely to build giant, unlined pits to store liquid manure. These giant cesspools release methane, carbon dioxide, and other noxious gases that can be fatal to humans and animals. They are also vulnerable to structural failures and extreme weather events, which can cause storage pits to overflow or leak. And “capping” these cesspools is simply not an acceptable management option either, particularly under a general permit as proposed tonight.

There are reasonable alternatives to farm digestive systems such as small-scale sewage/wastewater treatment plants. These systems can be cost-effective and address the issue of manure management.

I am NOT anti-farmer or anti-business or anti-growth. Quite the contrary. But I do welcome common-sense solutions that address the continuing issue of water quality. We simply can’t sit back while we unwittingly create another ecological disaster like the Duke Energy coal ash ponds. Thank you.
My name is Alec Linton and I work for Brock Equipment Company located in Bailey and Calypso, NC. We are a family owned and operated business that, between these two stores, specializes in providing and servicing irrigation equipment to farmers across the state and is also a part of the RNG project.

The RNG project is an exciting opportunity for Brock Equipment since we get to partner with farmers to implement new and innovative technology right here in our state. Farmers are excited for innovation. If you don’t believe me, go to your local farm show and watch them check out the latest equipment and technology. The innovation in RNG is no different. Since getting involved in RNG it has been an absolute joy seeing the excitement and hopefulness that these farmers show in the opportunity this project provides to better our farms and communities.

With that said, I believe in the work our farmers do on a daily basis. I believe in the technology and benefit of projects like RNG that help us manage our farms, protect the environment, and better our communities. It is frustrating to see people choose to bash and discredit farmer’s efforts for progress. This is not only counterproductive, but it hurts family farms and family businesses like Brock Equipment. There are those that say they don’t want to put anyone out of business, but that is exactly what they’re doing.

Growing up, I lived next to a hog farm. I work on these farms every week and I see the hard work, passion, and dedication this industry has and I’m proud to be a part of it. At the end of the day, these communities are our communities. We live in them, work in them, and we care about them. I’m grateful to work in this industry and to live in these communities.

From all the employees and their families here at Brock Equipment, thank you for your time.
1. My name is Joe Morris, resident of Rowan County, property owner on the South Yadkin River. Small acreage (18 acres) in the South Yadkin / Beaver Dam Creek sub basin, which flows into Second Creek, a short distance upstream of the confluence of the South Yadkin and the Yadkin Rivers – the location of the water intake facility for the Salisbury Rowan Utility Department on Hannah Ferry Road. I serve as a volunteer on the BOD of the Yadkin Riverkeeper.
   a. My farmstead is on a drinking water well. The well is 280’ deep and located less than 300’ from the South Yadkin River.
   b. On February 6, 2020, we experienced very high water that brought the water level within inches of a structure on my property and overtopped my neighbors well-head, setting off a process of disinfectant and a period without drinking water for his family.
   c. I am concerned about the level of unhealthy bacteria currently in the river and the frequency of e-coli measurements indicating conditions unsafe for recreational activities.
   d. I observe many fishermen across from our property who are catching fish for consumption, feeding their families with fish from these waters.

2. I am pro-farmer, pro-rural life-style and pro-river, these are not mutually exclusive, but for them to sustain, both independent from and dependent on one another, will require a balance of communication, cooperation and to some extent compromise. Of the three, we cannot afford to compromise the river any more. It is polluted. We are a rapidly growing population, which relies entirely on farmers for food and inherently requires rural land on which to produce food for human consumption.
   a. The river provides essential drinking water to innumerable communities in the Yadkin River Basin. It is imperative that we review, and fully understand the implications of the proposed bio-gas capture technology for what its promise might be (the laudable intent to reduce greenhouse gases), and the areas where the technology comes up short.
   b. Simply covering animal waste pools will not improve the issues at hand with water quality, especially the bacteria and nutrients finding their way into the river after every rain event.
   c. The notion of a single, system-wide permit process will alleviate pressure on farmers, which a noble pursuit, but will lump high-performing practitioners with those who may occasionally catch a bad break, or, sad to say, may just cut corners. I can imagine this will cause problems in the future.

3. Finally, I’d like to say that there are better ways to go about this.
   a. Increased monitoring of ground water and surface water in the basin is a beginning.
   b. Providing adequate resources to farmers to build and operate micro- waste water treatment plants to create affluent that is cleaner than the river is now exists as technology. Yes, it is expensive. But we cannot simply not afford not to do it.
   c. Thank you for the opportunity to comment.
RiverPark at Cooleemee Falls, colloquially known as “The Bullhole” is an 80-acre public park that sits astride the South Yadkin in northern Rowan County and in the town of Cooleemee. While we want you to clearly understand that RiverPark supports the farming community – as I myself own farmland – we have concerns that from a park perspective, and to safeguard the water quality and health of nearby residents, the permitting requirements should include surface and groundwater monitoring and limits for nutrients and bacteria. There is already excessive sedimentation, nutrient overload, and high fecal coliform bacteria (FCB) in the South Yadkin watershed from existing agriculture activities. Not doing so would harm economic development in the watershed around outdoor recreation, particularly in the case of RiverPark.

- The town of Cooleemee, as well as Rowan and Davie counties, has invested over one million dollars in redeveloping a historic mill site as a regional water recreation location. Continuing our improvements, we have just received a $250,000 appropriation from the State for further development.
- RiverPark at Cooleemee Falls has clearly become a regional destination park. Visitors regularly travel from Winston-Salem, Greensboro, High Point, Stanly County, Raleigh, Durham, Chapel Hill, Monroe, Lincolnton, Gastonia, Belmont, Fort Mill, and South Carolina. Out of state visitors are frequent.
- While I have been advised that the South Yadkin is classified as a Class-C or ‘secondary contact recreation’ watershed, Riverpark is actually Class-B ‘primary contact recreation.’ Visitors to the park can exceed 400 per day on a summer weekend. Most of these visitors find themselves in the river enjoying the falls, slides and tubing.
- In 2020, the Development Finance Initiative of the UNC School of Government presented to Davie County the outcomes of the feasibility study for the Cooleemee Mill and RiverPark. The bottom line of this study indicated that economic development in the Cooleemee area would not occur without the continued development of RiverPark.
- Yadkin Riverkeeper regularly tests our river water during the summer season. We have discovered that when the water reaches 3’ above normal at the Foster Road measuring station located 8 miles upstream, we are guaranteed to have an e. coli problem at the park. This has become such a concern that we have requested grant funding for a method to warn park visitors of unsafe river conditions. No one wants to swim in a dirty river!
- The type of “Development” being discussed here does not support economic development around outdoor recreation and could possibly make it non-viable. Again, no one wants to swim in a dirty river. We should be looking to improve the situation, not implementing practices that can increase the risk.
- There is nothing else like RiverPark in our region. You really ought to come visit some time!

Respectfully submitted,

Addison Davis, President
About RiverPark

• 80-acre nature park in northern Rowan County and the Town of Cooleemee that sits astride the South Yadkin River.

• *RP operates as a 501(c)(3) nonprofit, managed by a volunteer board of directors.*

• Opened in 2003, “The Bull Hole” earned its name some 200 years ago.

• The Visitor Experience includes swimming, hiking, picnicking, kayaking and canoeing, fishing and shelter rental.

• 2021 saw the implementation of full-time staff.
About RiverPark
RiverPark Board of Directors

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- Ron Bivins
  Davie County Commission
- Carolyn Moser
  Davie County Tourism
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  Town of Cooleemee Commission
- Jonathan Vizard
  RiverPark Manager
- TBD
  Rowan County Commission
- TBD
  Rowan Tourism Development
- Brian Williams
  At Large
  Davie
- Ashley Honbarrier
  Rowan County Parks & Rec.
- Aaron Thies
  Cooleemee Town Clerk
We continue to be discovered!

- Today, RiverPark hosts peak days of over 400 people in the park
- Visitors continue to come from throughout the region
- Growth is expected to continue with park improvements