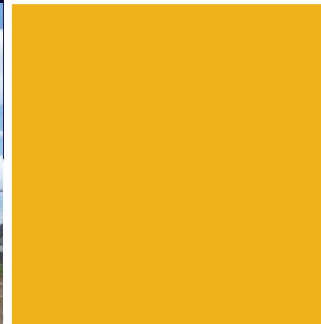


# EPA Animal Agriculture Program Assessments

Summary of MD, DE, and WV Reports



**Kelly Shenk, EPA Region III, Agricultural Advisor**  
**[shenk.kelly@epa.gov](mailto:shenk.kelly@epa.gov)**  
**410.267.5728**



# EPA Animal Agriculture Program Assessments

- VA, PA, and NY assessments published March 2015.
- WV, MD, and DE assessments published August 31, 2015.

Link:

<http://www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/EnsuringResults.html>

Click Agriculture Tab

# Acknowledgments

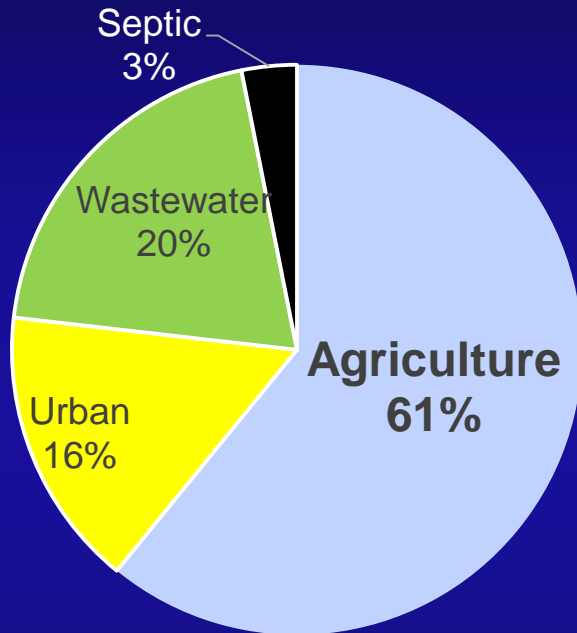
- EPA Region III CAFO Team:
  - David McGuigan
  - Mark Zolandz
  - Kyle Zieba

# Authority

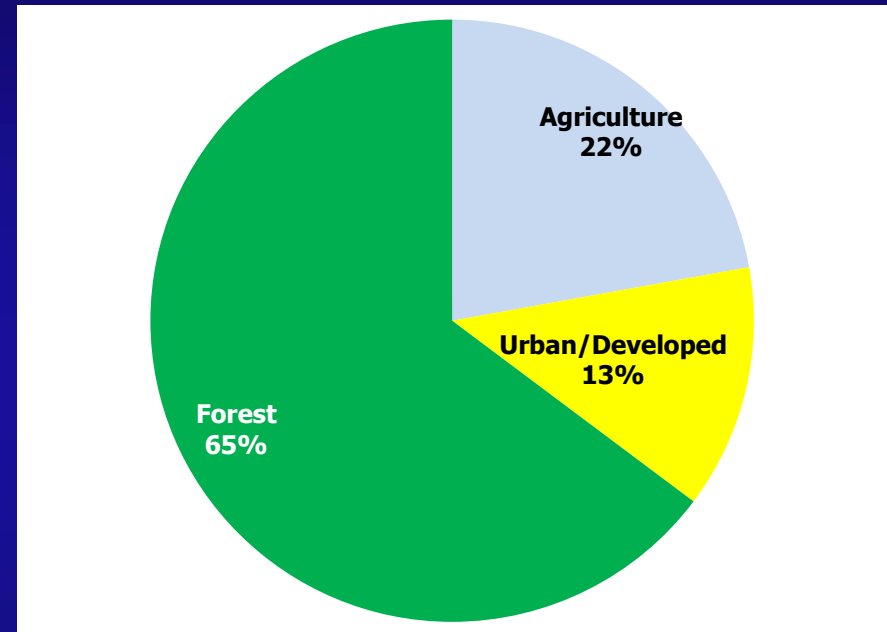
- EPA conducts periodic reviews of state programs as part of its oversight responsibilities under the Clean Water Act.
- Satisfies EPA commitment made in the “CBF Settlement Agreement”

# Agriculture is a Big Part of the Bay Solution

Relative N Reductions for TMDL



Chesapeake Watershed Land Use



*For the Chesapeake Bay TMDL, states are looking to agriculture to achieve roughly 2/3 of the necessary nutrient reductions.*

*Why? Big land use, “cost-effective”*  
Strong State Programs are Critical

# What we Evaluated

- Regulatory and voluntary animal agriculture programs
- Universe of operations covered
- Staffing and funding
- Data management
- Agency communication
- On-the-ground implementation
- Alignment with TMDL WIP practices

# Assessments Based On:

- Questionnaire response from state agency.
- Interviews with state agency staff.
- File Reviews.

# MARYLAND

- MD Department of Agriculture, MD Department of the Environment
- Programs Evaluated:
  - Nutrient Management Program
  - CAFO/MAFO Program
  - Agricultural Certainty Program



# MD – Nutrient Management Program

- Broad coverage.
- High priority practices.
- Annual compliance checks (assessed 14%) – includes field reviews.
- Enforcement actions and fines.
- 99% submitted initial NMPs, 98% annual reports.
- 2014 compliance rate: 66%

# MD – CAFO & Other Programs

- **CAFO Program**

- MDE issues permits, regular farm visits, and takes enforcement actions/fines for non-compliance.
- Regulates 11% of animal operations (>500 permits)

- **Phosphorus Management Tool**

- Brings latest science to farmers for P management.

- **Ag Certainty Program** – further incentives

- **Funding**

- MD Ag Cost Share Program – targeted

# DELAWARE

- DE Department of Agriculture, DE Department of Natural Resources and Environmental Control
- Programs Evaluated:
  - Nutrient Management Program
  - CAFO Permit Program

# DE – CAFO Program

- CAFO Program: DE developing 3 general permits:
  - Poultry with no land application
  - Poultry with land application areas
  - Non-poultry operations
- DE commits to issue first GP and register 150 CAFOs under the permit by 2015.

# DE – Nutrient Management Program

- Broad coverage.
- NMPs not required to be submitted to DDA.
- Annual Compliance Checks: 8% assessed.
- Enforcement & fines: technical assistance in lieu of enforcement actions for noncompliance.
- DE is making improvements to data management to better quantify regulated universe and compliance.
- Heavy reliance on voluntary programs to achieve TMDL goals. Targeted, sufficient \$\$ is essential.

# **WEST VIRGINIA**

- **WV Department of Agriculture, WV  
Department of Environmental Protection**
- **Programs Evaluated:**
  - **Nutrient Management Program**
  - **CAFO Program**

# WV – Topline Findings

- **CAFO program:** 2 CAFO permits.
- **Nutrient management program**
  - Compliance assessments are conducted on the 2 permitted CAFOs.
  - WV reports 375 farms have active NMPs in CB watershed.
- **Voluntary Programs**
  - Heavy reliance on voluntary programs to achieve TMDL goals. Targeted and sufficient funding is essential.

# Utility of Ag Assessments

- EPA will use the assessments along with its ongoing CB TMDL evaluations to ensure states have the programs, policies, and resources necessary to succeed.
  - What's working well and why?
  - What is not working well and why?
  - How can state programs be strengthened?
- Strong state agricultural programs are essential for the Bay restoration. We are all in this together.



# Utility of Ag Assessments for AGWG

- Best Practices “Report”
  - What makes a successful ag program?
  - Share state approaches
- Nutrient Management Plan Compliance
  - Status of state compliance assessment program
  - Scope of program (record-keeping, field checks)
  - Compliance levels versus reported levels

# For more information

**Kelly Shenk, EPA Region III, Agricultural Advisor**  
**[shenk.kelly@epa.gov](mailto:shenk.kelly@epa.gov)**  
**410.267.5728**

