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## **EPA Environmental News**

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### **EPA Releases Report on Delaware Agriculture Programs**

**(PHILADELPHIA – August 31, 2015)** The U.S. Environmental Protection Agency announced today it has completed an evaluation of Delaware's animal agriculture regulations and programs. The assessment is one of six that the agency is conducting of state animal agriculture programs within the Chesapeake Bay Watershed.

EPA conducts periodic reviews of state programs as part of its oversight responsibilities under the Clean Water Act. This assessment looked at Delaware's implementation of federal and state regulatory programs, as well as voluntary incentive-based programs to meet the nitrogen, phosphorus and sediment pollution reduction commitments in its Watershed Implementation Plan under the Chesapeake Bay Total Maximum Daily Load or TMDL.

EPA will use the assessment along with its ongoing Chesapeake Bay TMDL evaluations to help ensure that Delaware has the programs, policies, and resources necessary to succeed with its plan to meet the Chesapeake Bay TMDL.

The assessment found that Delaware's Nutrient Management Program has broad coverage, regulating over 1,000 farms throughout the state, including both crop and livestock farms. While regulated farms are required to develop and implement nutrient management plans, farmers are not required to submit them to the Delaware Department of Agriculture (DDA) for review or approval. DDA assists farmers in getting back into compliance with their nutrient management plans, but does not take enforcement actions for noncompliance.

DDA is currently addressing several deficiencies in its data systems to improve its accounting of the number of farmers that are covered under the regulations and the level of compliance with the nutrient management regulations.

The assessment found that Delaware's Concentrated Animal Feeding Operations (CAFO) program has issued only one CAFO permit since 2010, with a backlog of approximately 440 farms that have applied for and are waiting to receive CAFO permits. Delaware has committed to register 150 CAFOs under its permit program by the end of 2015.

In addition, the assessment found that Delaware is relying heavily on voluntary agricultural cost-share programs to increase implementation of conservation practices and on better data collection efforts to document those practices that are already on the ground.

Along with the Delaware assessment, EPA also released its evaluations today of animal agriculture programs in Maryland and West Virginia. The agency issued similar reports on animal agriculture programs in New York, Pennsylvania, and Virginia earlier this year.

The reports are available at:

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

(Click on the Agriculture tab)

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### **EPA Releases Report on Maryland Agriculture Programs**

(**PHILADELPHIA** – August 31, 2015) The U.S. Environmental Protection Agency announced today it has completed an evaluation of Maryland's animal agriculture regulations and programs. The assessment, which is one of six that the agency is conducting of state animal agriculture programs within the Chesapeake Bay Watershed, found that Maryland has a robust and well-implemented state program.

EPA conducts periodic reviews of state programs as part of its oversight responsibilities under the Clean Water Act. This assessment looked at Maryland's implementation of federal and state regulatory programs, as well as voluntary incentive-based programs to meet the nitrogen, phosphorus and sediment pollution reduction commitments in its Watershed Implementation Plan under the Chesapeake Bay Total Maximum Daily Load or TMDL.

EPA will use the assessment along with its ongoing Chesapeake Bay TMDL evaluations to help ensure that Maryland has the programs, policies, and resources necessary to succeed with its plan to meet the Chesapeake Bay TMDL.

The assessment found that Maryland's Nutrient Management Program has broad coverage, regulating over 5,400 farms throughout the state, including both crop and livestock farms. In addition to requiring farmers to develop and implement nutrient management plans, the program requires agricultural conservation practices such as setbacks for nutrient applications next to streams, and livestock stream exclusion practices. Maryland also finalized the Phosphorus Management Tool regulations in June 2015 which will help farmers properly manage phosphorus, based on the latest science.

According to the assessment, Maryland's Concentrated Animal Feeding Operations (CAFO) program is well-implemented and requires permit coverage for approximately 570 farms out of about 5,400 farms regulated by the state Nutrient Management Program. The Maryland Department of the Environment issues CAFO permits, conducts regular farm visits, and takes enforcement actions and issues fines for noncompliance.

Maryland has developed an Agricultural Certainty Program to further encourage farmers to implement agricultural conservation and maintains the Maryland Agricultural Water Quality Cost Share Program which provides funding to farmers to implement required conservation practices.

In addition to the Maryland assessment, EPA also released its evaluations today of animal agriculture programs in Delaware and West Virginia. The agency issued similar reports on animal agriculture programs in New York, Pennsylvania, and Virginia earlier this year.

The reports are available at:

<http://www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/EnsuringResults.html>  
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### **EPA Releases Report on West Virginia Agriculture Programs**

**(PHILADELPHIA – August 31, 2015)** The U.S. Environmental Protection Agency announced today it has completed an evaluation of West Virginia's animal agriculture regulations and programs. The assessment, which is one of six that the agency is conducting of state animal agriculture programs in the Chesapeake Bay Watershed, found that West Virginia is relying heavily on programs with voluntary participation to increase the implementation of conservation practices to meet water quality goals.

EPA conducts periodic reviews of state programs as part of its oversight responsibilities under the Clean Water Act. This assessment looked at West

Virginia's implementation of federal and state regulatory programs, as well as voluntary incentive-based programs to meet the nitrogen, phosphorus, and sediment pollution reduction commitments in its Watershed Implementation Plan under the Chesapeake Bay Total Maximum Daily Load or TMDL.

EPA will use the assessment along with its ongoing Chesapeake Bay TMDL evaluations to help ensure that West Virginia has the programs, policies, and resources necessary to succeed with its plan to meet Bay restoration goals.

The assessment found that West Virginia's Concentrated Animal Feeding Operation (CAFO) program has only issued CAFO permits to two farms out of more than 2,600 West Virginia animal feeding operations in the Chesapeake Bay watershed. EPA will continue to work with the West Virginia Department of Environmental Protection to ensure compliance at animal feeding operations in West Virginia.

The assessment also found that though West Virginia has a nutrient management program, most nutrient management plans are voluntary under the program and are not assessed for compliance. West Virginia reports that approximately 375 farms in the Chesapeake Bay watershed have active Nutrient Management Plans and estimates that 95 percent of these are animal agriculture operations.

In addition, the assessment found that West Virginia is relying heavily on voluntary agricultural cost-share programs to encourage farmers to voluntarily implement conservation practices.

In addition to the West Virginia assessment, EPA also released its evaluations today of animal agriculture programs in Delaware and Maryland. The agency issued similar reports on animal agriculture programs in New York, Pennsylvania, and Virginia earlier this year.

The reports are available at:

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

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