

**CDPHE ENVIRONMENTAL AGRICULTURE PROGRAM BRIEFING
TO THE JOINT AGRICULTURE COMMITTEE
MARCH 13, 2013, 7:30 A.M., HCR 107**

GOOD MORNING MADAM CHAIR, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. MY NAME IS PHYLLIS WOODFORD AND I AM THE PROGRAM MANAGER OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S ENVIRONMENTAL AGRICULTURE PROGRAM.

I AM HERE TODAY TO PROVIDE YOU WITH A REPORT ON THE ACTIVITIES OF THE DEPARTMENT'S ENVIRONMENTAL AGRICULTURE PROGRAM AS REQUIRED BY COLORADO REVISED STATUTE, 25-8-502(1)(H). THIS SECTION OF THE STATUTE REQUIRES THE DEPARTMENT TO REPORT ANNUALLY TO THE JOINT SENATE AND HOUSE AGRICULTURE COMMITTEE ON THE PROGRAM ACTIVITIES AND THE COSTS ASSOCIATED WITH THESE ACTIVITIES DURING THE PRECEDING YEAR.

FIRST, IN WAY OF BACKGROUND, THE ENVIRONMENTAL AGRICULTURE PROGRAM ADMINISTERS STATE AND FEDERAL REQUIREMENTS SPECIFIC TO COLORADO LIVESTOCK, OR ANIMAL FEEDING OPERATIONS. INCLUDED UNDER THE UMBRELLA OF ANIMAL FEEDING OPERATIONS ARE LARGE CONCENTRATED ANIMAL FEEDING OPERATIONS "CAFOs", HOUSED COMMERCIAL SWINE FEEDING OPERATIONS "HCSFOs" AND SMALLER ANIMAL FEEDING OPERATIONS, OR "AFOs".

SPECIFIC TO HOUSED COMMERCIAL SWINE AND CONCENTRATED ANIMAL FEEDING OPERATIONS, THE PROGRAM DRAFTS PERMITS AND CONDUCTS INSPECTIONS OF THESE FACILITIES. IN ADDITION, FOR THESE FACILITIES, AND FOR ALL ANIMAL FEEDING OPERATIONS, THE PROGRAM PROVIDES COMPLIANCE ASSISTANCE, CONDUCTS RULEMAKING AND OTHER REGULATORY-RELATED ACTIVITIES, RESPONDS TO COMPLAINTS, AND WHEN NECESSARY, CONDUCTS ENFORCEMENT.

COLORADO HAS 277 KNOWN CAFOs, INCLUDING 10 HCSFO OWNERS THAT OPERATE 93 FARMS. OF THE 277 FARMS, 70 OF THE CAFOs HOLD PERMITS,

114 OF THE CAFOs ARE REGISTERED WITH THE STATE, AND HCSFOs HOLD 12 WATER QUALITY AND 71 AIR QUALITY (ODOR) PERMITS. THIS UNIVERSE OF CAFOs SUPPORTS THE ENVIRONMENTAL AGRICULTURE PROGRAM'S 3.3 (WATER) FTE AND ONE ½ (AIR) FTE THROUGH ANNUAL AND PERMIT PROCESSING FEES.

TOGETHER, IN 2012, THESE OPERATIONS GENERATED JUST OVER \$492,000 (\$492,317) IN REVENUE, (AIR & WATER FEES) THAT COVERED THE FOLLOWING PROGRAM ACTIVITIES THROUGHOUT THE YEAR, AT A COST OF APPROXIMATELY \$456,000 (\$455,529):

- THE SALARY OF 3.8 FTE AT A COST OF \$314,345, TO CONDUCT PROGRAM WORK, INCLUDING:
 - RENEWING 24 OF 70 CAFO PERMITS AND ISSUING TWO NEW HCSFO PERMITS.
 - COMPLETING TWO PERMIT AMENDMENTS FOR HCSFOs.
 - COMPLETING ONE RULEMAKING TO CONFORM STATE REGULATIONS TO FEDERAL CHANGES.
 - INITIATING TWO OTHER RULEMAKINGS TO CLEAN UP STATE-ONLY AIR AND WATER QUALITY CONTROL REGULATIONS.
 - ISSUING 85 (INFORMAL) COMPLIANCE ADVISORIES TO CAFOs, DOWN FROM 121 IN 2011.
 - ISSUING 21 (INFORMAL) COMPLIANCE ADVISORIES TO HCSFOs.
 - WORKING WITH 114 REGISTERED CAFOs USING AN INFORMAL ENFORCEMENT APPROACH TO ADDRESS NUTRIENT MANAGEMENT REQUIREMENTS. TO DATE, WE HAVE 105 FACILITIES IN FULL COMPLIANCE AND NINE THAT ARE UNDER ENFORCEABLE COMPLIANCE SCHEDULES – WITH 100% COMPLIANCE ANTICIPATED BY THE END OF 2013, WITHOUT FORMAL ENFORCEMENT AND MONETARY PENALTIES.
 - ADDRESSING COMPLAINTS ASSOCIATED WITH:
 - 5 HCSFOs, DOWN FROM 12 LAST YEAR;

- 10 CAFOs, DOWN FROM 14; AND,
- 14 AFOs, DOWN FROM 21.
- CONDUCTING 534 WATER AND AIR/ODOR INSPECTIONS AT HOUSED COMMERCIAL SWINE FEEDING OPERATIONS AT A COST OF \$57,213 (WATER - \$42,334) (AIR - \$14,879).
- THAT LEAVES \$83,971 IN EXPENSES THAT WENT TO COVER OPERATING AND DEPARTMENT INDIRECT COSTS.
- ONE LAST SERVICE PERFORMED IN 2012 WAS THE COMPLETION OF 57 SURFACE AND GROUNDWATER PROTECTION INSPECTIONS AT CONCENTRATED ANIMAL FEEDING OPERATIONS. THESE INSPECTIONS WERE COVERED BY GENERAL FUNDS AT A COST OF \$99,538.

DURING 2012, THE PROGRAM ALSO RECEIVED SOME FEDERAL FUNDS, MAINLY FOR SOME PERSONAL SERVICES (I.E., SALARY), THAT WAS USED TO CONDUCT ACTIVITIES RELATED TO ISSUES SUCH AS NITROGEN DEPOSITION IN ROCKY MOUNTAIN NATIONAL PARK, AND TO WORK ACROSS OTHER ENVIRONMENTAL DIVISIONS TO ADDRESS AGRICULTURAL ISSUES THAT THE INDUSTRY SEEKS PROGRAM ASSISTANCE OR SUPPORT, LIKE WITH THE PERMITTING OF A BIO-ENERGY PROJECT OR WITH COMPOSTING OR POTENTIAL ALTERNATIVES FOR THE BENEFICIAL USE OF ANIMAL WASTE.

REGARDLESS OF THE ACTIVITY, THE ENVIRONMENTAL AGRICULTURE PROGRAM IS COMPRISED OF HARDWORKING INDIVIDUALS THAT STRIVE TO PROVIDE TIMELY AND EXCEPTIONAL CUSTOMER SERVICE TO THE REGULATED COMMUNITY AND TO THE CITIZENS OF COLORADO. I CAN ASSURE YOU, THIS GOOD WORK WILL CONTINUE INTO 2013 AND BEYOND.

THANK YOU FOR YOUR TIME TODAY AND I AM GLAD TO ANSWER ANY QUESTIONS YOU MAY HAVE.