



Environmental Agriculture Program

Newsletter Issue No. 8 - Summer 2015



Useful Links

- ▶ [Regulations](#)
- ▶ [Forms](#)
- ▶ [Contacts](#)
- ▶ [Guidance and Policies](#)

[Click here to find your local health agency](#)

INSPECTION RESPONSES

Inspection Responses are due no later than 120 days after receipt of final inspection report.

HOLIDAY SCHEDULE

The State Offices will be closed for the following holiday:

September 7, 2015
Labor Day

Click here for the [Technical Assistance Contact Map](#) by county

KEEP IN TOUCH

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Welcome!

Welcome to the summer 2015 issue of the Environmental Agriculture Program's quarterly newsletter. We offer news, updates, insights and trainings through this newsletter. Our hope is to foster understanding and cooperation between the Ag Program and the community we serve.

After Unprecedented Precipitation, Colorado is Officially Drought Free

As all of you are probably very aware, Colorado has seen an unprecedented amount of rain this year. The month of May was the wettest on record in Colorado. Some producers received an entire year of precipitation (17 inches) in less than 10 days!

In addition, it's still 'monsoon season' in Colorado, which typically runs from June to August/September, so there is still the possibility of additional precipitation events.

2015 Discharge Events

While the rain was falling in May and June, our staff spent countless hours watching weather maps, reading precipitation totals, and calling facilities in the areas most likely to be impacted. Two of our staff members are now prohibited from checking the weather when spending time with their significant others outside of work.

Though you'll never hear the agricultural community (or the Ag Program) curse the rain in Colorado, it has presented a lot of challenges for our regulated facilities. From May 11 to June 12, the Ag Program visited 32 facilities in northeastern Colorado to meet with producers, assess site conditions, discuss current and future challenges, review records, provide compliance assistance, and to talk about site-specific options.

These site visits were not intended to find violations or 'catch' facilities doing something wrong, but to provide compliance assistance in an emergency situation. Site visits and face-to-face meetings with producers were crucial to the Ag Program's understanding of the severity of the situation, the difficulties facing individual facilities, and the limited options available.

To date, there have been 28 reported discharges. The overwhelming majority of those were from

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On the Web:
www.colorado.gov/cdphe/cafos



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facilities that were in compliance with regulatory requirements and notified the Ag Program of the events. A small handful were the result of mismanagement of the production area, were unpermitted discharges to waters of the US, or were not reported by the facility but resulted in complaints that were submitted to the Ag Program.

We have been very impressed with how our regulated facilities have managed their operations under very difficult conditions. We would like to thank all of the operators and their consultants who contacted us before, during and after discharges and gave us the opportunity to visit with them and see first-hand how their facilities were impacted.

Ongoing Challenges

The heavy precipitation events from the spring have had a lasting impact on many facilities, and a complete recovery from this events will take time.

Full Impoundments:

The heavy precipitation that fell earlier this year has filled impoundments across the state with not just water, but sediment. This can diminish the capacity of an impoundment to retain runoff from the design storm event.

Keep this in mind when pumping and inspecting impoundments. Sediment removal may be required to make sure that an impoundment has adequate volume for capturing runoff.

If you have concerns about impoundment storage capacity at your facility, please contact your Ag Program representative.

Damage to Production Area Infrastructure:

For many facilities, the heavy rains have caused significant damage to structures like clean water diversions and wastewater conveyances.

Any deficiencies or damage to these structures must be repaired within 30 days of being identified UNLESS the factors preventing repairs are documented. If there has been damage to production area infrastructure at your facility that cannot be addressed in 30 days, make sure that your facility records include the complicating factors (wet conditions, equipment availability, etc).

Reminders

Record Keeping:

Be sure to maintain accurate records of land application events and daily/weekly inspections. This information is part of the requirements for a legal discharge.

Contact the Ag Program:

Please contact the Ag Program representative for your county if you have any questions or concerns or if there has been a discharge.

We have been working with producers on an individual basis to determine what options are available. We don't always have an answer, but we can provide guidance and exercise regulatory discretion under certain circumstances.

Waters of the US Rule Update

The EPA and US Army Corps of Engineers published the final rule defining 'waters of the US' after more

than 400 stakeholder meetings and one million public comments. The rule is set to become effective on August 28, 2015.

The fate of the final rule is still uncertain and the debate surrounding it is far from over. Colorado is one of at least 28 states and dozens of private companies, trade associations, advocacy groups and environmental coalitions that have filed lawsuits challenging the rule.

Some parties are calling the rule 'burdensome federal overreach' while others allege that last minute exemptions added to the rule will remove safeguards for waters used for drinking, recreation, fisheries, and wildlife.

Happy 100th Birthday, Rocky Mountain National Park!

This year will mark the 100th anniversary of Rocky Mountain National Park, which was created on September 4, 1915. The park is celebrating their 100th year with special events through September (you can find the schedule on their [website](#)).

Though the park may seem far away, air emissions of nitrogen from agricultural, industrial, and urban sources have contributed to increased nitrogen deposition at the the park, which is impacting vulnerable high mountain ecosystems. CDPHE has been working with Colorado's agricultural producers, the Environmental Protection Agency, and the National Park Service on the [Rocky Mountain National Park Initiative](#) to assess and address nitrogen deposition at the park.

The [RMNP Agricultural Subcommittee](#) was formed in 2006 to bring agriculture's voice to the discussion of nitrogen deposition at the park and to help producers voluntarily reduce ammonia emissions. The subcommittee meets quarterly and the next meeting is tentatively scheduled for November 12.

If you haven't already, please consider signing up to receive notifications from the [RMNP Early Warning System](#). The EWS issues weather-based alerts that give producers the opportunity to strategically apply management practices to reduce ammonia emissions. Warnings are issued when an upslope event is expected to transport nitrogen from northeastern Colorado to the park. Below are links to additional information on managing ammonia emissions:

[Ag BMPs: Helping to Reduce Nitrogen Deposition Impacts at Rocky Mountain National Park](#)

[CSU Ammonia BMPs for Livestock Operations](#)

Questions? Concerns?

Do you have an idea for a newsletter article? Do you have a complaint or questions or concerns regarding regulatory compliance, inspections, or enforcement? Please contact us at the email or phone numbers listed above and we will be glad to assist you.
