



# Environmental Agriculture Program

Newsletter Issue No. 9 - Fall 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.

## IMPORTANT DATES

**February 18, 2016**  
Ag Program Annual Meeting

**March 31, 2016**  
Annual Reports Due (permitted facilities)

## HOLIDAY SCHEDULE

The State Offices will be closed for the following holidays:

**November 11, 2015**  
Veterans Day

**November 26, 2015**  
Thanksgiving Day

**December 25, 2015**  
Christmas Day

**January 1, 2016**  
New Years Day

## Welcome!

Welcome to the fall 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.

## New Inspection Year

The time has come once again for the Ag Program to begin facility inspections for the 2016 inspection year. If your facility is scheduled to be inspected this year, you will receive a call from our contractor, Tetra Tech Inc., about two weeks ahead of time to find a convenient time for your inspection. We encourage all operators to be present and available during the inspection process. Operators can often answer questions and provide information that consultants cannot, which helps reduce the number of corrective actions that appear on final inspection reports.

This year has brought some personnel changes to Tetra Tech. CAFO inspector Erin Kress left Tetra Tech and Sirese Jacobson has been hired as her replacement. Sirese recently earned her master's degree in Environmental Science from Indiana University-Bloomington. Her educational background and experience includes water quality sampling and analysis, data analysis, and reporting in the areas of agricultural BMP effects on water quality physical and chemical parameters, effects of dissolved organic matter on aquatic ecosystems, and assessments of stream channel stability, stream bank erosion, and stream morphology. Sirese is fluent in Spanish and likes hiking and enjoying the outdoors. Please give Sirese a warm welcome if you have the pleasure of working with her in the field.



Sirese Jacobson

## Lessons from the 2015 Discharge Events

**Record Keeping! Record Keeping! Record Keeping!**

One of the biggest lessons learned from the rain events during the spring of 2015 is the importance of record keeping! Although you have heard us say this

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

## **KEEP IN TOUCH**

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[www.colorado.gov/cdphe/cafos](http://www.colorado.gov/cdphe/cafos)



before, proper record keeping will often determine if a discharge that occurred during a precipitation event was in compliance with regulatory provisions. Because of the excellent record keeping demonstrated by producers, only one of the 28 facilities that reported having a discharge lacked the necessary records to demonstrate compliance with the regulations. Keep up the exceptional work! If you ever have questions regarding the necessary documentation and/or records required to be kept and made available at the time of a discharge, please don't hesitate to contact the Ag Program.

### **Reminders**

#### **Soil and Wastewater Sampling**

Planning on making any fall manure and/or wastewater applications? If so, please remember that soil and wastewater sampling should be completed prior to any land application to properly manage nutrients for your next cropping year.

#### **Winter Storage Volumes**

Sediment loading and increased runoff from the spring rains coupled with a late harvest has resulted in several producers having to store more wastewater in their impoundments than normal. If you have concerns about the amount of wastewater in your impoundments heading into winter, please call the Ag Program and let us know. Together we may be able to come up with creative management solutions to get you by until conditions allow for land application.

#### **Annual Reports**

Just a reminder that the annual reports for permitted facilities will be due March 31, 2016. Please keep the annual report and necessary documentation in mind as you gather data from this year and prepare for the next cropping year. If you having trouble completing the annual report for your facility, please give us a call and an Ag Program staff member will be glad to answer any questions you may have or come out for a site visit to assist you.

### **Ag Program Annual Meeting**

#### **NEW LOCATION - SAVE THE DATE!**

The annual Ag Program stakeholder meeting is scheduled for February 18, 2016. This year the meeting will be held at the Daniels Fund Building in Cherry Creek. For more information on the facility and location, please click the image below or visit [danielsfund.org](http://danielsfund.org).



### **Regulations and Legal Issues**

#### **Waters of the US Rule Update**

The fate of the final rule is still uncertain and the debate surrounding it is far from over. Recently the 6th Circuit Federal Court of Appeals issued a nationwide stay on the new rule in order to determine the appropriate court to review the challenges to the rule changes. Once the 6th Circuit Court determines which court has jurisdiction over the case, the stay will still be effective in Colorado. 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.

### **Animal Agriculture Legal update Webinar**

Dr Shannon L. Ferrell, an associate professor of Agricultural Law at Oklahoma State University conducted a webinar regarding recent legal developments in animal agriculture. In particular, legal decisions involving the Resource Conservation and Recovery Act (RCRA), the Clean Air Act and the Clean Water Act and their potential impact on animal production across the U.S. are discussed. The presentation is available for viewing or download at the following website:

[Legal Rulings in Animal Agriculture:  
An Environmental Law Update](#)

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### **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.

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