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## Archived Publication

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EPA promulgated regulations for Concentrated Animal Feeding Operations (CAFOs) in February 12, 2003 that expanded the number of operations covered by the CAFO regulations and included requirements to address the land application of manure from CAFOs. The rule became effective on April 14, 2003. NPDES-authorized states were required to modify their programs by February 2005 and develop state technical standards for nutrient management. On February 28, 2005, in response to litigation brought by various organizations, the Second Circuit court issued its decision in *Waterkeeper Alliance et al. v. EPA*, 399 F.3d 486 (2d Cir. 2005). EPA has updated the CAFO rule to reflect the changes requested by the Court. Visit [www.epa.gov/npdes/caforule](http://www.epa.gov/npdes/caforule) to view the 2008 CAFO Final Rule and supporting documents.



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## CHAPTER 8: ADDITIONAL RESOURCES

### A. USDA Funding Programs for CAFOs

The 2002 Farm Bill offers several voluntary conservation programs that can be used by livestock and poultry producers to help them comply with the revised CAFO rules. Under the 1996 Act, a producer who owned or operated a large confined livestock operation was not eligible for cost-share payments to construct an animal waste management facility. The 2002 Act removed that prohibition. In addition, the 2002 Act states that 60 percent of the funds made available for cost-share and incentive payments are to be targeted at practices related to livestock production rather than the 50 percent that was specified in the 1996 Act. NRCS provides technical assistance to CAFO operators through conservation planning, design, and implementation. Producers also may obtain assistance from technical service providers. Financial assistance to implement practices and systems is available through the following:

*Environmental Quality Incentives Program (EQIP)* provides up to 75 percent (up to 90 percent for beginning or limited resource farmers or ranchers) in cost-share funds to construct certain conservation practices, such as grassed waterways, filter strips, manure management facilities, capping abandoned wells, and other practices important to improving and maintaining the health of natural resources in the area. EQIP funds can be used to develop CNMPs, which generally will satisfy the CAFO rules nutrient management plan requirement. At least 60 percent of EQIP financial assistance funds are required by statute to be used on a nationwide basis for livestock and poultry operations, both confined and grazing. All livestock producers can receive EQIP cost-share for waste storage facilities regardless of the size of the operation but only if they implement a CNMP. Each EQIP contract has a payment limitation of \$450,000 per individual or entity for the period from fiscal year 2002 - fiscal year 2007.

USDA's National Funding Allocation Process is used to distribute program funds to the States and Territories. The national funding priorities for EQIP under the 2002 Farm Bill are as follows:

- Reductions of nonpoint source pollution, such as nutrients, sediment, pesticides, or excess salinity in impaired watersheds consistent with TMDLs where available, as well as the reduction of ground water contamination and the conservation of ground and water resources;
- Reduction of emissions, such as particulate matter, nitrogen oxides, volatile organic compounds, and ozone precursors and depleters that contribute to air quality impairment violations of National Ambient Air Quality Standards;
- Reduction in soil erosion and sedimentation from unacceptable levels on agricultural land; and
- Promotion of at-risk species habitat conservation.

Local work groups are used by NRCS at the state level to implement these national priorities. These local work groups—convened by local conservation districts—conduct a conservation needs assessment and, based on these assessments, develop proposals for priority areas. These proposals are submitted to the NRCS State Conservationist, who selects those areas within the state based on the recommendations from the State Technical Committee.

The local work groups are made up of representatives from conservation district board members and key staff; NRCS; Farm Service Agency (FSA); FSA county committees and key staffs; the Cooperative State Research, Education, and Extension Service; and other federal, state, and local agencies interested in natural resource conservation. Their recommendations go to the NRCS-designated conservationist for the local area and then to the State Conservationist, who sets priorities with the advice of the State Technical Committee. The

recommendations are integrated into regional and national strategic plans. These strategic plans provide a basis for funding decisions.

*Agricultural Management Assistance Program (AMA)* provides cost-share funds to assist producers in implementing conservation systems and addressing regulatory requirements. Program funds may be used by CAFO operators to develop and implement a CNMP. AMA funding is limited to producers in the following 15 states: Connecticut, Delaware, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Utah, Vermont, West Virginia, and Wyoming.

*Conservation Reserve Program (CRP)* provides participants with rental payments and cost-share assistance to take agricultural land out of production. Environmentally desirable land devoted to certain conservation practices including riparian buffers, wetland buffers, and filter strips may be enrolled in CRP at any time under continuous sign-up. Offers are automatically accepted provided the land and producer meet certain eligibility requirements. Offers for continuous sign-up are not subject to competitive bidding. Continuous sign-up contracts are 10 to 15 years in duration.

*Other Farm Bill Programs:* Other conservation programs may support CAFO operators in their efforts to implement a well-rounded conservation plan. These programs include

- Conservation Reserve Enhancement Program (CREP);
- Wetlands Reserve Program (WRP); and
- Wildlife Habitat Improvement Program (WHIP).

In addition to financial assistance programs under the 2002 Farm Bill, there may be state and local cost share programs available to support CAFO operators. Permit writers should determine whether such programs exist within the state or region for which they are responsible.

The information presented in this section was obtained from the following USDA Web site, which summarizes funding opportunities for animal feeding operations:  
<http://www.nrcs.usda.gov/programs/afo/2003pdf/CAFO%20Rule%20Fact%20Sheet.pdf>.

## **B. USDA and EPA Livestock and Poultry Environmental Stewardship Curriculum**

The Livestock and Poultry Environmental Stewardship (LPES) curriculum is a nationally developed and regionally piloted training program. The curriculum was developed by a national team of more than 30 experts from 15 land-grant universities, USDA's NRCS, and USDA's Agricultural Research Service (ARS) who prepared, peer reviewed, and pilot tested the LPES curriculum with assistance from Mid-West Plan Service (MWPS) and guidance from EPA's National Agriculture Compliance Center (Ag Center). The LPES curriculum development effort was funded by a grant from the EPA's Ag Center with program oversight through the USDA. The goal of the LPES program is to provide producers, industry stakeholders, and educators with access to the latest science-based information. Instructional materials are available for each of the 26 lessons that make up the curriculum. This material can be ordered from the MWPS, which is an organization of extension and research agricultural engineers from 12 universities plus representatives of the USDA (<http://www.mwps.org>).

## **C. EPA Programs and Information**

### **Unified National Strategy for Animal Feeding Operations**

*U.S. Department of Agriculture/U.S. Environmental Protection Agency Unified National Strategy for Animal Feeding Operations*, March 9, 1999.  
<http://www.epa.gov/npdes/pubs/finafost.pdf>

### **CAFO Final Rule Web Page**

This Web site provides access to the text of the rule and preamble, outreach brochures, supporting documents, and guidance documents.

<http://www.epa.gov/npdes/caforule>

### **Clean Water Act Section 319 Nonpoint Source Management Program**

EPA Office of Wetlands, Oceans and Watersheds, Clean Water Act Section 319

<http://www.epa.gov/owow/nps/cwact.html>

### **EMS Resources**

This Web site provides information and resources related to Environmental Management Systems (EMSs) for businesses, associations, the public, and state and federal agencies.

<http://www.epa.gov/ems>

### **EPA's Position Statement on Environmental Management Systems (May 15, 2002)**

[http://www.epa.gov/ems/policy/EMS\\_PositionStatementFinal.pdf](http://www.epa.gov/ems/policy/EMS_PositionStatementFinal.pdf)

### **NPDES Permit Writers' Manual**

*U.S. EPA NPDES Permit Writers' Manual*, EPA 833-B-96-003, December 1, 1996.

To download individual chapters or the entire document, go to EPA's NPDES Permit Writers' Manual page at [http://cfpub.epa.gov/npdes/writermanual.cfm?program\\_id=45](http://cfpub.epa.gov/npdes/writermanual.cfm?program_id=45).

### **NPDES Permit Program Basics**

This Web site provides basic permitting tools and information.

[http://cfpub.epa.gov/npdes/home.cfm?program\\_id=45](http://cfpub.epa.gov/npdes/home.cfm?program_id=45).

### **National Agriculture Compliance Assistance Center (Ag Center)**

<http://www.epa.gov/agriculture/>

### **National Management Measures to Control Nonpoint Source Pollution from Agriculture**

EPA 841-B-03-004, 2003

Includes information on the selection and implementation of BMPs to control the contribution of pollutants to surface water.

<http://www.epa.gov/owow/nps/agmm/index.html>

### **Permit Compliance System**

<http://www.epa.gov/compliance/planning/data/water/pcssys.html>

### **Source Water Protection Programs**

EPA Office of Groundwater and Drinking Water, Source Water Protection

<http://www.epa.gov/safewater/protect.html>

### **TMDL Programs**

EPA Office of Wetlands, Oceans and Watersheds, TMDL Program

<http://www.epa.gov/OWOW/tmdl/index.html>

**USDA and EPA Livestock and Poultry Environmental Stewardship Curriculum**

<http://www.lpes.org/>

**United Egg Producers voluntary EMS program**

EPA Project XL, United Egg Producers.

<http://www.epa.gov/projectxl/uep/>

**D. USDA Programs and Information**

**2002 Farm Bill**

USDA's online gateway to information about the 2002 Farm Bill.

<http://www.usda.gov/farbill/index.html>

**Cooperative Extension Service Agents and Specialists**

Directory of State Extension Service Directors and Administrators.

<http://www.reeusda.gov/hrd/statedir.htm>

**Land Grant Universities**

This CSREES web site provides directory of land grant universities. Click on a state to link to a list of land-grant university web sites.

<http://www.reeusda.gov/1700/statepartners/usa.htm>

**NRCS Nutrient Management Technical Practice Standard 590**

USDA NRCS Nutrient Management Technical Resources, Code 590.

<http://www.nrcs.usda.gov/technical/ECS/nutrient/590.html>

**NRCS Nutrient Management Technical Resources**

This Web site provides computer-based tools to facilitate the development and implementation of NMPs.

<http://www.nrcs.usda.gov/technical/nutrient.html>

**State NRCS Field Office Technical Guidance**

Click on the map to find available technical guidance for states and counties.

<http://www.nrcs.usda.gov/technical/efotg/>

**State Technical Standards for Nutrient Management**

Use these links to NRCS State offices to search for state nutrient management standards.

<http://www.nrcs.usda.gov/about/organization/regions.html#stat>

**Financial & Technical Assistance Available to Concentrated Animal Feeding Operation Owners and Operators**

Downloadable pdf document from USDA/NRCS (2003).

<http://www.nrcs.usda.gov/programs/afo/2003pdf/CAFO%20Rule%20Fact%20Sheet.pdf>

**USDA Agricultural Research Service**

<http://www.ars.usda.gov>

**USDA Cooperative State Research, Education, and Extension Service**

<http://www.reeusda.gov/>

**USDA Farm Service Agency**

<http://www.fsa.usda.gov/>

**USDA Farm Service Agency, Conservation Reserve Program**

<http://www.fsa.usda.gov/dafp/cepd/crp.htm>

**USDA Farm Service Agency, Conservation Reserve Enhancement Program**

<http://www.fsa.usda.gov/dafp/cepd/crep.htm>

**USDA Natural Resources Conservation Service (NRCS)**

<http://www.nrcs.usda.gov>

**USDA NRCS Conservation Programs**

Environmental Quality Incentives Program, Agricultural Management Assistance Program, Wetlands Reserve Program, Wildlife Habitat Incentives Program.

<http://www.nrcs.usda.gov/programs/>

**USDA NRCS's CNMP Technical Guidance**

*Draft Comprehensive Nutrient Management Planning Technical Guidance, National Planning Procedures Handbook, Subpart E, Parts 600.50-600.54 and Subpart F, Part 600.75.*

[http://www.nrcs.usda.gov/programs/afo/cnmp\\_guide\\_index.html](http://www.nrcs.usda.gov/programs/afo/cnmp_guide_index.html)

**USDA National Nutrient Management Policy**

*NRCS Online Directives Management System, General Manual, Title 190, Part 402 - Nutrient Management, May 1999.*

<http://www.nrcs.usda.gov/technical/ecs/nutrient/gm-190.html>

**E. Associations and Trade Groups**

**American Society of Agronomy (ASA)**

<http://www.agronomy.org/>

**Certified Crop Advisors (CCA)**

<http://www.agronomy.org/cca/>

**Certified Professional Agronomists (CPAg)**

<http://www.agronomy.org/certification/agronomy.html>

**Certified Professional Crop Scientists (CPCSc)**

<http://www.agronomy.org/certification/crops.html>

**Certified Professional Soil Scientists (CPSSc)**

<http://www.agronomy.org/certification/soils.html>

**ISO 14001**

This Web site provides information on ISO 14001 and other standards from the International Standards Organization.

<http://www.iso.org/iso/en/ISOOnline.frontpage>

**National Alliance of Independent Crop Consultants (NAICC)**

<http://www.naicc.org/>

**National Association of Conservation Districts (NACD)**

<http://www.nacdnet.org>

**National Association of State Departments of Agriculture (NASDA)**

<http://www.nasda.org>

**National Cattleman's Beef Association (NCBA)**

<http://www.beef.org>

National Center for Manure and Animal Waste Management

[http://www.cals.ncsu.edu/waste\\_mgt/natlcenter/center.htm](http://www.cals.ncsu.edu/waste_mgt/natlcenter/center.htm)

**National Milk Producers Federation (NMPF)**

<http://www.nmpf.org>

**National Pork Producers Council (NPPC)**

<http://www.nppc.org>

**National Turkey Federation (NTF)**

<http://www.turkeyfed.org>

**SERA-17**

<http://www.soil.ncsu.edu/sera17>

**United States Poultry and Egg Association**

<http://www.poultryegg.org>