PHILADELPHIA – 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.

CBF statement on EPA assessment of Maryland, Delaware and West Virginia progress on reducing pollution

ANNAPOLIS—Will Baker, President of the Chesapeake Bay Foundation (CBF), issued this statement following the release today by the U.S. Environmental Protection Agency (EPA) of assessments of pollution reduction efforts in animal agriculture in Maryland, Delaware, and West Virginia:

“Agriculture is the leading source of pollution fouling our waterways and the Bay, and it is the least expensive to prevent. Restoring good water quality will depend on significantly reducing pollution from animal agriculture. EPA’s assessments reveal that progress is inconsistent and, overall, inadequate.

‘Maryland clearly remains a leader in reducing pollution from farms. Most of the state’s farmers deserve praise. At the same time, one third of Maryland farmers aren’t complying with state regulations regarding nutrient management.

‘West Virginia and Delaware lag behind significantly, as does Pennsylvania which was covered under a prior EPA report. For example, West Virginia only requires nutrient management plans for a small percentage of its farms. Delaware’s program has broad coverage, but farmers are not required to submit their plans to the state for approval.

“The EPA report looks backward. We also must look forward. We are concerned with the surge in construction of mega-poultry houses in Maryland, Delaware, and elsewhere. The states must determine how they will handle the massive increase in chicken manure from these factory operations in ways that do not harm the environment. If they do not, EPA must intervene.

“The EPA must also step up its enforcement of the Clean Water Act provisions that apply to large scale, concentrated animal feeding operations. Programs in West Virginia and Delaware were falling far behind in issuing permits to these facilities. The pollution in the Chesapeake Bay is a regional issue, and only EPA is charged with taking a regional view. The EPA must hold all states accountable to the commitments each made as part of the Chesapeake Clean Water Blueprint.

“We look forward to working with Governor Hogan to maintain and improve the strong programs in Maryland that have produced cleaner water from cleaner farms. All farms must comply with the law. Furthermore, Maryland must also ensure full compliance with recent changes to its nutrient management program, namely restrictions on manure application due to phosphorus and mandatory application stream setbacks from streams. These are necessary for Maryland to stay on track with its Blueprint commitments.”