



TO: The Honorable Kerry Donovan, Chair
Agriculture & Natural Resources Committee

The Honorable Karen McCormick, Chair
Rural Affairs & Agriculture Committee

FROM: Colorado Department of Public Health and Environment
Environmental Agriculture Program

DATE: March 31, 2022

SUBJECT: Environmental Agriculture Program Annual Report

Reporting Requirement

Colorado Revised Statute, §25-8-502(1.7)(a), requires the Department of Public Health and Environment to report on or before March 31 of each year to a joint session of the senate and house agricultural committees on the water quality protection activities of the Environmental Agriculture Program ("Program"). The report must include information on the number of permits processed, the number of inspections conducted, the number of enforcement actions taken, and the costs associated with all program activities during the preceding year.

Program Duties

The Program administers state and federal air and water quality requirements specific to animal feeding operations in Colorado. 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, ("AFOs").

The Program assures compliance with:

- State-only odor and water quality discharge requirements specific to HCSFOs;
- Federally-delegated water quality requirements applicable to large CAFOs; and
- State-only best management practices for small AFOs.

In addition, the Program:

- Writes discharge and odor emissions permits;
- Conducts compliance inspections;
- Develops and implements regulations and policies, and provides technical assistance;
- Responds to complaints; and
- Obtains compliance through enforcement proceedings as necessary.



A summary of the Program’s Fiscal Year 2022 budget and 2021 performance metrics are provided below.

Budget		
Funding		
Revenues from fees	\$482,690 (water)	\$55,841 (air)
CAFO General Fund	\$101,507	
Total Funding	\$640,038	
Expenses		
4.2 FTE, operating, indirect, etc.	\$595,452 (water)	\$56,574 (air)
Total Expenses	\$652,026	
Regulated Community		
Unpermitted (Registered) CAFOs	112	
Permitted CAFOs	99	
Permitted HCSFOs	9 water	70 air
Permit Processing		
New CAFO Permits Issued	2	
CAFO Permit Renewals	4*	
CAFO Permit Amendments	2	
New HCSFO Permits Issued	0	
HCSFO Permit Renewals	0	
HCSFO Permit Amendments	1	
Inspections		
CAFOs/AFOs	42	
HCSFOs (water/odor)	93	
Enforcement		
Compliance Advisories	4	
New Formal Enforcement Actions	1	
Complaints		
AFO	6	
CAFO	9	
HCSFO (odor)	0	

*Renewed in December 2021 under General CAFO Permit COA-934000 which became effective January 11, 2022



Other Significant Program Activities

Outreach, Training and Technical Assistance - Due to COVID related in-person gathering restrictions, the program developed the first Environmental Agriculture Program Annual Report in lieu of the traditional annual meeting with stakeholders held each February. The annual report includes metrics, statistics, and analysis related to compliance, inspections, enforcement, and complaints typically discussed during the annual meeting as well information related to the current fiscal year budget, program accomplishments and areas of programmatic emphasis going forward. The annual report was well received and will be used in conjunction with the annual meeting once in-person meetings can recommence.

Program staff also met with the Colorado Livestock Association's Natural Resource Committee in October 2021. This is annual meeting is a forum to discuss pertinent agriculture-related issues, to provide program updates, and to address producer's questions and concerns. This year's meeting primarily centered on the CAFO General Discharge Permit renewal but also included updates on mortality management and the use of incinerators, impacts from the Environmental Protection Agency's (EPA) ozone non-attainment designation, and supply chain issues still affecting the industry as a result of the COVID pandemic.

EPA staff accompanied the program on two inspections during inspection year 2021 and determined that the implemented practices, processes, and findings are appropriate and in line with federal regulatory requirements.

Nitrogen Concerns in Rocky Mountain National Park (RMNP) - During 2021, the program continued participation in the RMNP Agricultural Subcommittee's quarterly meetings to address elevated levels of nitrogen in the park. Work continued in the core strategic areas of research, monitoring, and outreach to promote voluntary ammonia emissions reductions in the Front Range agricultural community.

Program Staffing - Staffing for the Environmental Agriculture Program remained consistent through 2021. Staff continues to improve work processes that provide timely and exceptional customer service to the regulated community and to the citizens of Colorado.

For additional information or questions:

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