



COMPLIANCE ADVISORY **UPDATE**

Making You Aware of Incentives and Compliance Assistance Opportunities

Compliance & Enforcement

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Assistance Available to Animal Farms That Must Comply with New Jersey's Water Pollution Control Strategy

What is this initiative about?

As part of a national Clean Water Action Plan, the U.S. Department of Agriculture and the U.S. Environmental Protection Agency (EPA) proposed a new strategy to help animal feeding operations improve and protect the water quality of our lakes, rivers and streams.

Since 1972, the federal Clean Water Act has identified concentrated animal feeding operations (CAFOs) as "point sources" of pollution, which are prohibited from discharging pollutants into the nation's waterways without a permit. Ongoing inspections by the New Jersey Department of Environmental Protection's (DEP) Water Compliance and Enforcement staff confirm that, in some cases, inadequate animal management practices have allowed significant pollutants to enter the state's surface and ground waters.

At the EPA's request, the DEP prepared a statewide strategy for managing and/or regulating CAFOs and other animal feeding operations to protect the quality of New Jersey's waterways. Under the statewide strategy, which complements federal clean-water efforts, the DEP administers New Jersey Pollutant Discharge Elimination System (NJPDES) regulations (*N.J.A.C. 7:14A-2.13*) requiring CAFOs and other designated animal feeding operations to obtain a permit for discharges.

The DEP issues the required permits for CAFOs, and the New Jersey Department of Agriculture takes the lead on encouraging other animal feeding operations (AFOs) to protect water quality by implementing Farm Conservation Plans. These plans are intended to limit the need for permits. Compliance assistance is an important element of the DEP's strategy.

Why would I need help?

You may need help determining if your operation is designated as a CAFO or an AFO. Any facility designated as a CAFO must obtain the NJPDES General Discharge Permit. If your facility is designated as an animal feeding operation, you are encouraged to voluntarily protect New Jersey's water resources by using best management practices prescribed for AFOs. You may need help either with meeting the mandatory requirements of a CAFO permit or with implementing voluntary best management practices for AFOs.

What compliance assistance is available?

To help small businesses comply with their environmental obligations, the DEP offers a free multimedia compliance assistance program known as "Greenstart." The program features an on-site consultation that can help determine if your operation is an animal feeding operation or a concentrated animal feeding operation and whether permitting is required. Following the on-site visit, a comprehensive report of the findings and recommendations will be sent to the animal feeding operation. If a CAFO permit is needed, DEP compliance assistance inspectors will explain the requirements of the permitting process. Greenstart extends a six-month grace period for environmental violations identified during an on-site consultation, but not considered egregious. For more information about Greenstart, visit: www.state.nj.us/dep/enforcement/factsht.html or call (609) 633-0272.

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What funding is available?

If you must obtain a CAFO permit and need help meeting the requirements or if you are interested in voluntarily implementing a Farm Conservation Plan, funding may be available through the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service, Environmental Quality Incentives Program (EQIP).

EQIP provides up to 75 percent in cost-share funds to assist producers in implementing conservation systems and addressing regulatory requirements. (Up to 90 percent in cost-share funds are available for beginner or limited-resource farmers.) EQIP funds can be used to develop Comprehensive Nutrient Management Plans to satisfy the CAFO rule's requirement for a nutrient management plan. For more information about EQIP, visit the USDA's web site at: www.nrcs.usda.gov/programs/eqip/

What guidance or training is available?

- *On-Farm Strategies to Protect Water Quality* is a New Jersey Department of Agriculture self-help guide for identifying and controlling potential pollution. To obtain a copy, contact the State Soil Conservation Committee at (609) 292-5540.
- NRCS Nutrient Management Technical Resources www.nrcs.usda.gov/technical/nutrient.html
- Comprehensive Nutrient Management Plan Training Opportunities: Visit the NRCS "Animal Feeding Operations" Web site: www.nrcs.usda.gov/programs/afop/

Whom should I contact with questions?

Bureau of Nonpoint Pollution Control (for CAFO permit questions)	609-633-7021
Water Compliance and Enforcement-Northern Field Office (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren Counties)	973-299-7592
Water Compliance and Enforcement-Central Field Office (Mercer, Middlesex, Monmouth, Ocean, and Union Counties)	609-584-4200
Water Compliance and Enforcement-Southern Field Office (Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)	856-614-3655
Greenstart	609-633-0727
NJ Department of Agriculture	609-292-5540

Where can I get more information?

Division of Water Quality General Permits
National Agriculture Compliance Assistance Center
Compliance & Enforcement - all advisories found at:

<http://www.state.nj.us/dep/dwq/gps.htm>
<http://www.epa.gov/agriculture/anafoidx.html>
<http://www.state.nj.us/dep/enforcement/>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements.