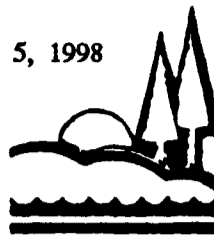


LANCASTER CONSERVATION DISTRICT

Sept. 5, 1998



DEAR FARM OPERATOR,

Is your farm a Concentrated Animal Operation (CAO)?

If so, you need to act soon in order to be in compliance with Pennsylvania's Nutrient Management Act (also known as Act 6).

On Oct. 1, 1997, Pennsylvania's regulations for the Nutrient Management Act went into effect. Under this law, operators of farms fitting the definition of a "CAO" are to develop, submit, and implement an approved Act 6 Nutrient Management Plan. The law states that operators of CAOs are to submit these nutrient management plans to the county conservation district for approval by Oct. 1, 1998.

A CAO is defined as a farm having an animal density of greater than 2,000 pounds of live animal weight per acre of owned and rented land used for manure application.

The purpose of this letter is to remind producers about this law and to offer assistance to affected farmers in complying with the law.

On this page is a "Nutrient Management Information Form." This form is to be completed and returned to the Lancaster County Conservation District by Oct. 1, 1998.

By filling out this form, you will be helping to demonstrate the agricultural industry's support for water quality improvement programs, while at the same time assuring that you are in compliance with this law.

If you operate a CAO, supplying this information will document your farm's intent to comply with this law. This information sheet will be used by the county conservation district to support you and your efforts to comply with the Nutrient Management Act.

If your farm is not a CAO, this information will document your lower animal density and demonstrate that you are not mandated at this time to participate under the law.

Owners of CAOs not in compliance, and who indicate no intent to comply with the law, may face financial penalties by the commonwealth of Pennsylvania.

The farm community was very active in the development of the Nutrient Management Act program. This program has been designed with the understanding that the agricultural community will come forward to comply as they are required.

It is important that the agricultural community be responsive in fulfilling its responsibilities under this law. If this law is found to be unsuccessful in getting farmers to participate, a more aggressive approach may be imposed by the federal or state government to address manure and fertilizer practices associated with animal agriculture.

Please note that, while many farmers have developed and implemented nutrient management plans in the past, only those plans written by a certified nutrient management specialist after Oct. 1, 1997, that were made to meet Act 6 standards, and were approved by a conservation district, will bring a farming operation into compliance with Pennsylvania's Nutrient Management Act.

Farmers with existing plans are urged to have their plans reviewed and updated to meet Act 6 standards.

There are no religious exemptions provided under Act 6.

If you have any questions or need assistance, please contact Kevin Seibert or Ben Ehrhart, nutrient management specialists, at the Lancaster County Conservation District.

The conservation district is available to assist and support you in any way that we can, in your efforts to comply with this law.

We will gladly assist you with your animal density calculation, provide you with the names of certified nutrient management planners, help you to obtain any available cost-share for plan development and implementation, and help you in understanding the requirements of the law and any other aspects of the program.

We are sincerely interested in seeing this program be a success in protecting our local water quality, and in protecting the reputation of the agricultural community as it demonstrates that it is responsive to participating in efforts to protect our water resources.

Thank you in advance for your efforts in complying with the Nutrient Management Act.

Yours for a better environment,

KEVIN SEIBERT
Nutrient Management Specialist

BEN EHRHART
Nutrient Management Specialist

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Calculate Your Farm's Livestock Density

VERNON ACHENBACH JR.
Lancaster Farming Staff
HARRISBURG (Dauphin Co.) — Pennsylvania's livestock farmers need to know whether their operations are considered "concentrated animal operations" (CAO) under the state Nutrient Management Act, in order to be sure to file a mandatory nutrient management plan before the Oct. 1 deadline.

The law requires existing CAOs to file a plan by that date or face possible penalties.

Also, in order to receive 75-percent cost sharing for plan development, the determination of being a CAO or not is necessary.

Because the nature of the real world is that it most often doesn't fit well into neat, easy descriptions, it has become necessary to develop some tool for calculating how much manure pollution-potential a livestock operation has.

That tool is a calculation of "animal density" used as an indicator of manure pollution potential,

Under the state Nutrient Management Act, those livestock operations that have more than 2 "Animal Equivalent Units" (AEUs) per acre of land available to receive manure are CAOs — considered potentially environmentally risky operations, and thus required to develop and file a nutrient management plan.

Simply, a management plan describes the farm operation and how the manure is to be managed to prevent pollution of surrounding ground and surface water.

Deciding whether a livestock operation falls within the definition of being a CAO is a little more tricky, because a farmer, consultant, or official has to calculate the farm's AEUs, and the acreage of land available.

The easiest of the two to figure out is the number of acres of land available to receive manure. It has to be cropland, hay land or pastureland. It can not be forestland or farmstead (lawn area around farmhouse and buildings).

That land must also be under direct control of the farm operator.

Calculating AEUs is not really all that difficult, but does require some use of factual data from the operation.

AEUs are determined based on the farm's annual livestock production.

To determine number of AEUs, take the number of animals per species, multiply it by the average weight of those animals in pounds, divide by 1,000 pounds (one AEU), multiply it by the number of days the animals are actually on the farm producing manure, then divided by 365 (days).

Total AEUs for each type of animal = (number of animals) x (average animal weight in pounds) ÷ 1,000 x (number of average animal production days per year) ÷ 365

Conservation Districts Remind Farmers

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the law has given existing high-density operations one year to submit plans for approval.

Under the law, those farms requiring plans are those with a calculated "animal equivalent unit per acre" density of more than "2."

In Pennsylvania, an animal equivalent unit (AEU) is 1,000 pounds, liveweight, of any livestock. Therefore any farm with more than 2,000 pounds of animals per acre of land that can receive manure as a crop nutrient and soil amendment must file an official plan.

Just because a farm has a nutrient management plan doesn't mean it is an official nutrient management plan.

Those plans created under the Chesapeake Bay Program, through local municipal requirements, or to satisfy a lender's requirements, do not count.

An official plan needs to be made.

However, if a livestock operation has an existing plan, the cost for conversion into an official plan shouldn't cost much.

To help farmers do their own calculations to determine if their operation is required to have a plan, conservation districts can either do the calculations for farmers (based on information provided by the farm operator), or provide worksheets for the farmer to do the calculations for themselves.

Penn State Extension offices should be able to provide help as well, if not the worksheets.

The calculations are designed to provide a reasonable estimate of the water pollution potential from animal manure production, based on the number and sizes of animals being raised.

Since the raising of animals implies that the animals will grow over time, the calculations take into account groupings of animals on the farm and the average weights.

For example, if an 100-acre farm has 200 cattle, that doesn't mean it has 2 AEUs, but it could. It depends on the typical animal weight on the farm.

If the example farm typically had 200 1,200-pound beef cattle on feed, it would definitely be interpreted to be greater than 2 AEUs per acre.

For situations where a variety of species exist, each species should be handled separately to gain estimates of animal weight; the same holds true within species for the subgroupings, such as with farrowing sows and feeder pigs.

The reminder to existing CAOs about filing a nutrient management plan is being made because of the upcoming deadline and because Pennsylvania's nutrient management plan is being challenged by federal regulations by the U.S. Environmental Protection Agency.

The U.S. EPA has its own national strategy for pushing states into adopting nutrient management laws and practices. There are some differences between what Pennsylvania law is, and what the EPA has been pushing.

Instead of using the term CAO, the EPA instead calls high-density livestock operations "CAFO's, which stands for "concentrated animal feeding operation."

Instead of calculating animal equivalent units the same way, the federal unit is different.

Pennsylvania's proposal to comply with the EPA CAFO strategy has been available to the general public for more than a month, and the original comment deadline was extended until mid-October.

One of the main thrusts of the Pennsylvania CAFO-compliance proposal is to issue NPDES (National Pollution Discharge Elimination System) permits.

The permits have been required for various work, especially earth moving activities that disturb 5 acres or more.

However, the NPDES aspect of the proposal is somewhat strange, because farming operations have always been considered non-point discharge sources of nutrients, and NPDES permits were created for point-source operations (i.e. those with pipes discharging waste water into streams, etc.)

As part of the proposal, a modified NPDES permit would be required for all Pennsylvania farms requiring a nutrient management plan.

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