

Dairy Nutrient Management Program



AG & Water Quality Meeting

October 23, 2014

Ginny Prest
WSDA Dairy Nutrient Management
Program Manager



DNMP Mission

- ▶ Protect water quality from livestock nutrient discharges
- ▶ Help maintain a healthy agricultural business climate



Program must

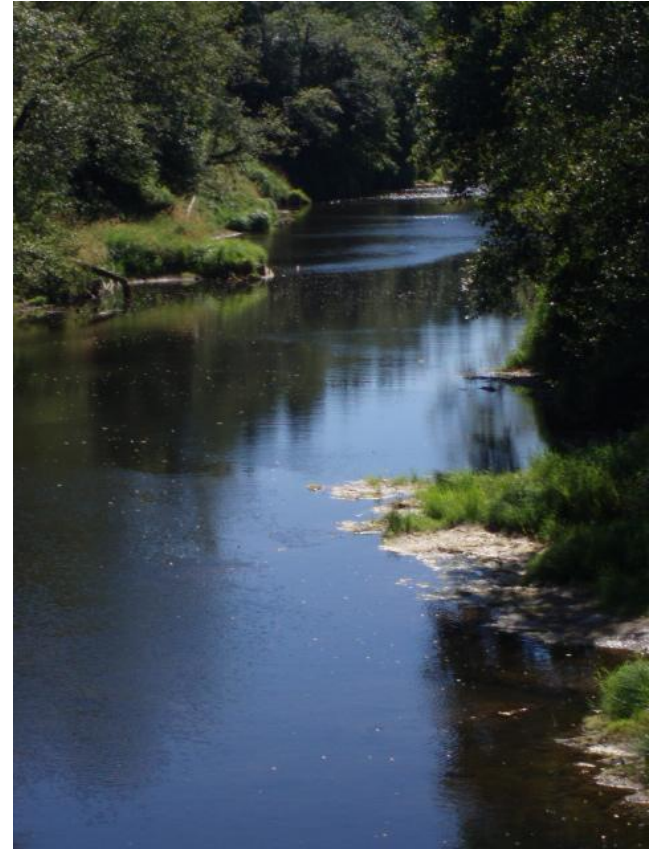
- Dairy Nutrient Management Act - 90.64 RCW (DNMA)
 - Program includes an inspection program to
 - Survey for evidence of violations;
 - Identify corrective actions for actual or imminent discharges that violate or could violate the state's water quality standards;
 - Monitor the development and implementation of dairy nutrient management plans; and
 - Identify dairy producers who would benefit from technical assistance programs.

Authorities

Livestock/Manure	Routine Inspections	Complaint Responses	Informal Enforcement	Formal Enforcement	CAFO Permit Administration
Non-permitted dairies <i>WSDA Lead, Chapter 90.64 RCW</i>	WSDA	WSDA	WSDA	WSDA <i>If discharge, coordinate per MOU</i>	Ecology <i>Determines if permit is required per MOU</i>
Permitted CAFOs, dairy and non-dairy <i>Ecology Lead, Chapter 90.48 RCW</i>	WSDA <i>Established by MOU</i>	WSDA <i>Established by MOU</i>	WSDA <i>Coordinated per MOU</i>	Ecology/WSDA <i>Coordinate per MOU</i>	Ecology <i>WSDA assists per MOU</i>
Non-permitted other AFOs and CAFOs <i>Ecology Lead, Chapter 90.48 RCW</i>	N/A	Ecology	Ecology	Ecology	Ecology
Non-AFOs - Pasture, Rangeland or Small Livestock <i>Ecology Lead, Chapter 90.48 RCW</i>	N/A	Ecology	Ecology	Ecology	N/A
Manure complaints when the responsible party is uncertain <i>WSDA lead for initial response and to determine if dairy is responsible per MOU</i>	WSDA will handle follow up if dairy is responsible Ecology may handle follow up with any non-dairy party				

Dairies Must

- Dairy Nutrient Management Act - 90.64 RCW
 - All licensed dairies required to
 - Register
 - Develop Nutrient Management Plan
 - Prevent Discharges
 - Maintain Records

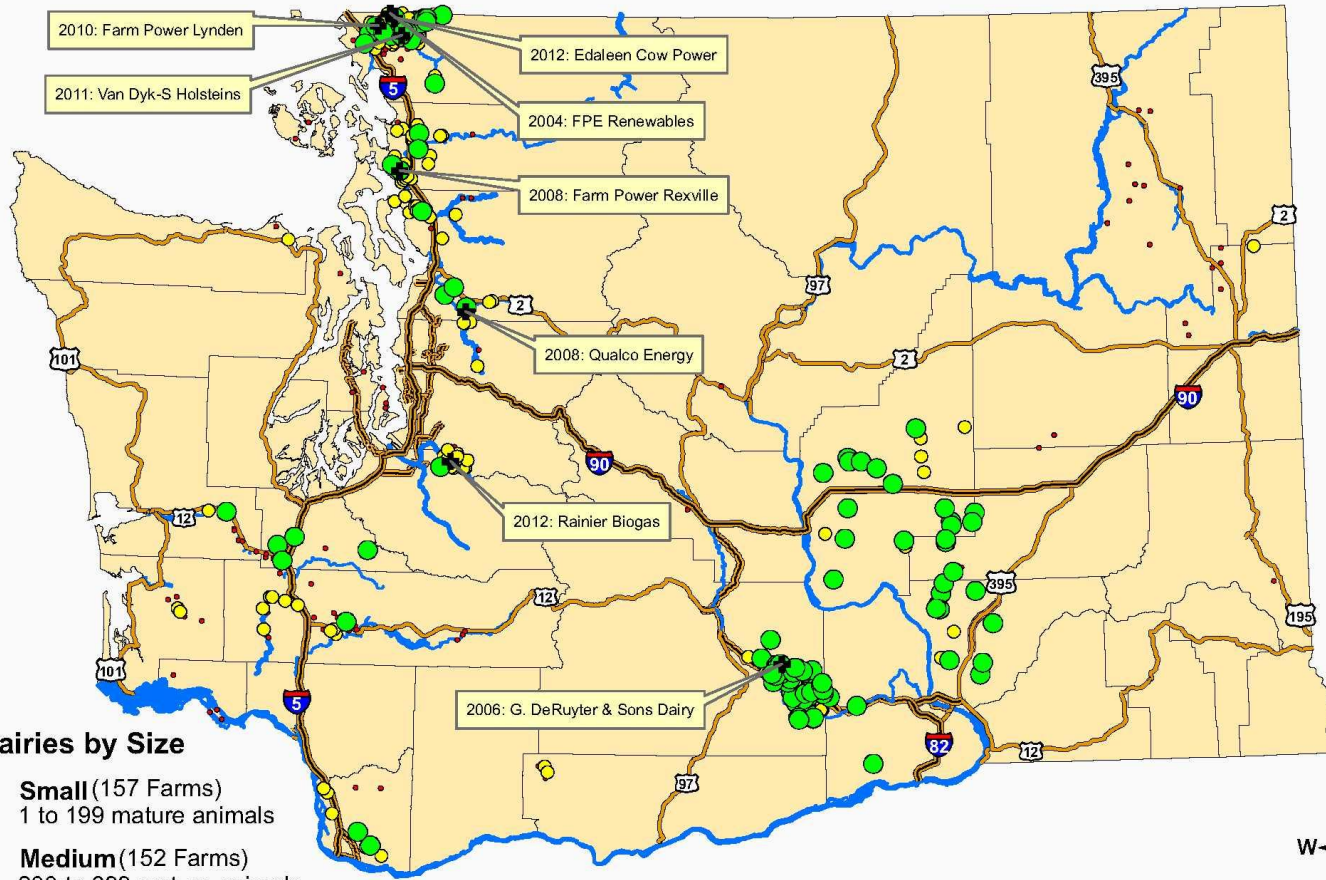


All other AFOs Must

- Water Pollution Control Act - 90.48 RCW
 - All animal feeding operations (AFOs) required to
 - Operate in way that there is not a discharge to waters of the state

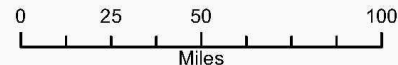
Where we do our work

Washington Cow Dairies and Digesters, April 2014



Dairies by Size

- **Small** (157 Farms)
1 to 199 mature animals
- **Medium** (152 Farms)
200 to 699 mature animals
- **Large** (106 Farms)
700 or more mature animals
- ✚ **Dairy Digesters**
(Year Operational: Name)



Source: WSDA Dairy Nutrient Management Program, 2012 Registration

How we do our work

- Clear guidance, education, and technical assistance
- Equitable enforcement of state and federal water quality laws
- Good communication with industry, related agencies, and other stakeholders



Inspections



- ▶ Facility condition
 - Collection and conveyance
 - Clean water diversion
 - Curbing to keep manure in

Inspections



- ▶ Lagoons
- Maintain Capacity
- Dike Condition
- Manage Solids



Inspections

- ▶ Records
 - Soil Analysis
 - Nutrient Analysis
 - Nutrient Transfers
 - Applications
 - Irrigation



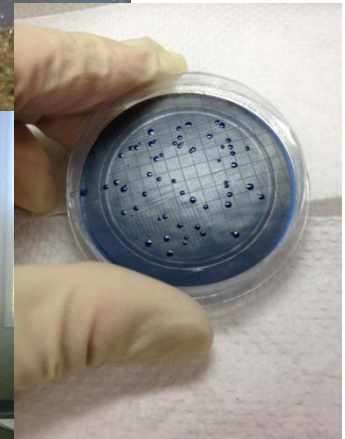
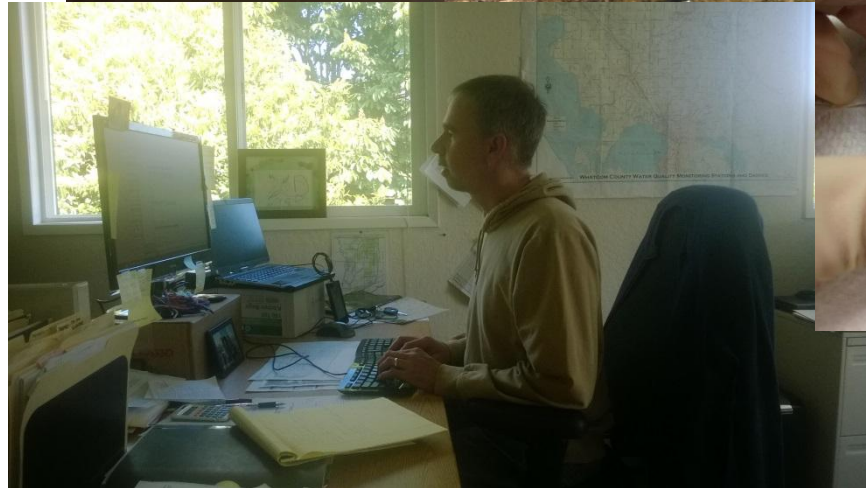
Investigations

- ▶ Complaints from citizens, other agencies, or surveillance
- ▶ Meet with producers to identify the problem and find a solution



Investigation

- Review Records
- Collect Samples
- Take Pictures
- Work with stakeholders
- Write recommendation for enforcement



Enforcement



- ▶ Potential to Pollute
 - Regulatory technical Assistance Required
 - Warning Letter (103)
 - Notice of Correction (24)
- ▶ Discharge
 - Notice of Correction (16)
 - Immediate Action Order (1)
 - Notice of Penalty (8)

Enforcement Stats 2013- to present

~Potential to pollute 46% recordkeeping, 23% lagoon, %24 field conditions/setbacks during grazing/land applications

~Discharge ~20% equipment malfunction, 28% lagoon, 48% field conditions/setbacks during land applications

Potential to pollute

Element (example)	Significant Potential to Pollute	Potential to Pollute	Low Potential to Pollute
Target (water body)	X	X	X
Source (manure, silage leachate, process water)	X	X	X
Conveyance (slope, field conditions, preferential pathways)	X	X	
Physical Barrier (berms, vegetated strip, cover crop) OR Operational Barrier (setbacks, timing - weather)		X	X

Matrix assumes a target water body and a source of pollution. Lack of either constitutes no potential.

The results

Approximately 95% of issues addressed through informal enforcement (Warning Letter, Notice of Correction), resulting in compliance. A small percentage proceed to formal enforcement (Notice of Civil Penalty)

Most Penalties include a settlement process

- Reduction in penalty
- Required to adopt specific management practices
- Required not to discharge
- If management practices not adopted or if a discharge occurs within 36 months, then collect the entire penalty





**Any
questions?**

Ginny Prest

Dairy Nutrient Management Program

vprest@agr.wa.gov

P: 360-902-2894 C: 360-529-7422

Nutrient Management Training for Dairy Producers

Created to help producers better understand what are the requirements, benefits, and value of nutrient management, and how to make the elements of their Dairy Nutrient Management Plan work for them.

This voluntary training event will lead you through the topics of regulations, nutrient cycling, crop production, agronomic rate calculation, economics, manure risk management, and available real-time manure management tools.

- ▶ **When:** Thursday, January 8, 2015 **When:** Thursday, January 15, 2015
Where: Ten Mile Grange, Lynden **Where:** Snipes Brewery, Sunnyside

Free lunch

Sponsors: Whatcom Conservation District

Contact: Nichole Embertson (360) 354-2035 x 126