



## SUSTAINABLE AGRICULTURE COALITION

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### **FOR IMMEDIATE RELEASE**

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### **CAFO rule, EQIP rule - double whammy**

Washington, DC -- The Sustainable Agriculture Coalition charged that the final Clean Water Act regulation for large-scale concentrated animal feeding operations, published by EPA in today's Federal Register, and the proposed rule for the Environmental Quality Incentives Program (EQIP), published by USDA in Monday's Federal Register, together seriously weaken efforts by rural communities deal with water pollution from animal factory operations.

"EPA has handed animal factories a license to pollute instead of fashioning a permit to prevent and control pollution," said Martha Noble, senior policy analyst for the Coalition. "Meanwhile, USDA proposes to hand CAFOs access to taxpayer subsidies to expand and consolidate."

The EPA rule comes in response to a lawsuit filed to force the agency to implement and enforce a 30-year old provision to regulate CAFOs as a point source of pollution. Due to a failure to implement and enforce the old rule, a majority of CAFOs in the country continue to operate to this day without permits. In finalizing the new rule, EPA stepped back from Clinton Administration proposals to include enforceable measures for animal waste runoff into streams and to co-permit the large meat and poultry processing companies which effectively control production through contracts. The rule also perpetuates a major loophole which allows permitted facilities to discharge waste during large storm events, and fails to address air deposition of pollutants into water bodies.

"The revised regulation's failure to include enforceable federal measures to prevent animal factory waste from running off the land where it is applied is a huge step backwards," said Noble. "Federal courts have clearly recognized that EPA has the legal duty to control animal factory waste runoff from land application sites. Yet the revised regulation has no enforceable federal measures for dealing with land applications - it merely requires CAFO operators to write up a nutrient plan which they can keep to themselves and ignore. EPA has actually provided animal factory operators with a significant new shield against Clean Water Act enforcement by setting up this empty shell of a land application plan."

The USDA proposed rule for EQIP, a program funded at \$5.8 billion over the life of the 2002 Farm Bill, would specifically prohibit the Natural Resource Conservation Service from taking cost into account when allocating EQIP funds to farms. The proposed rule also places no prohibition on using EQIP funds to subsidize CAFO expansion or even new CAFO development, which would have the effect of increasing environmental degradation while lowering livestock prices to the detriment of family farmers and ranchers. The proposal also removes from the 1996 EQIP rule the requirement that producers develop conservation plans to guide EQIP funding.

"Combined with the ill-considered decision of Congress to allow individual farming operations as much as \$450,000 each in EQIP funds, the USDA decision to take cost out of the cost/benefit equation virtually guarantees that CAFOs and other large, capital-intensive operations will gobble up a big helping of EQIP money," said Noble. "USDA should make major revisions in its proposal to stop this abuse and give a fair chance to farmers and ranchers who raise animals in sustainable production systems that are designed

to avoid environmental degradation. Without revisions, the EQIP proposed rule could give hundreds of millions of dollars in public funds to pay for even more CAFO waste lagoons, effluent sprayfields, and other flawed technology that EPA failed to control under the weak CAFO rule. As a result, the government is placing the majority of producers at a disadvantage with large-scale CAFOs and imposing on taxpayers the costs of cleaning up drinking water and recreational waters polluted by CAFOs."

The Coalition, which represents farm, conservation, and rural groups, is calling on farmers and other rural citizens across the country to respond to the proposed EQIP rule and urge USDA to address its shortcomings.