

Chickenhouse creation on hold

New EPA regulations, MDE's delay in issuing discharge permits affects farmers, lenders, builders

By **Greg Latshaw**
Staff Writer

POCOMOKE CITY — In the 40 years Dale Stevens has raised chickens in Pocomoke City, he's constantly updated his farm to meet new environmental regulations.

Stevens built four state-of-the-art chickenhouses last year, but says his bid to construct another four has been held up by government red tape. He is one of many Maryland farmers who says he hasn't been able to build a new chickenhouse since February. The problem, he contends, is caused by new federal regulations and the state's slow pace of issuing permits.

"We're stuck because we'd be happy to follow the rules, but we can't follow the rules if they don't exist yet," said Stevens, 58.

Until this year, no Environmental Protection Agency regulations impacted Maryland chicken farms. That changed in February. Through its Concentrated Animal Feeding Operation rules, the EPA now has the authority to regulate chicken farms and other animal farms that have the potential to pollute U.S. waters.

For farmers seeking to build a new chickenhouse, the EPA's regulations amount to a "zero discharge policy," said Bill Satterfield, executive director

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of the Delmarva Poultry Industry Inc. It means that those farms would face stiff fines and criminal penalties if any of their farm's nutrients enter waterways, regardless of the situation that caused the runoff, he said.

"It's very hard to believe, considering that sewage (sources) and factories have something other than zero (as the standard),"

Satterfield said.

Stymieing opportunity

A 550-by-60-foot chickenhouse costs several hundred thousand dollars to build, so seven months without new projects in Maryland has socked the bottom line of companies who build them.

"It's hurt the business. We're certainly surviving, trying to focus on other things in Maryland, like retrofitting houses," said Larry Hill, owner of Peninsula Poultry Equipment in Laurel, Del.

For months, farmers have been unable to get a loan to build the houses because no lender will fork out credit for a chickenhouse that isn't authorized to have birds in it, said Kenny Bounds of Mid-Atlantic Farm Credit.

"The impact on the local economy is huge. Poultry construction crews are laid off. Building material suppliers don't sell their product and have to lay off crews," Bound said.

This week, the Maryland Department of the Environment announced it will issue a general discharge permit on Dec. 1 that might thaw the building freeze.

For farmers, the lack of such a permit has been the root of the problem. Farmers could-

n't build new chickenhouses without it, as they needed an MDE permit for any operation that might "discharge" into U.S. waterways.

The MDE has been delayed in issuing the permit because it was sued in court by Waterkeepers Alliance, a national environmental group, said Dawn Stoltzfus, an MDE spokeswoman. Furthermore, the federal government left it up to the state to determine how farmers would meet the new regulations required in the permit.

"This (permit) allows us to the move ahead," Stoltzfus said.

Same old culprit

Ninety-nine percent of the state's farmers are in compliance with existing nutrient management law, according to the Maryland Department of Agriculture. Yet, they will be required under the permit to draw up more plans: a soil conservation and water quality plan, and a comprehensive nutrient management plan.

Horacio Tablada, MDE's director of land administration, said about 480 farmers who filed for the CAFO permit in February will be eligible for the new discharge permit. This per-



mit will satisfy CAFO and Maryland's version of it, MAFO, he said.

He said MDE will be flexible for those who have tried to complete the comprehensive nutrient management plans but have been unsuccessful because of a shortage in the number of experts who can help them draft the plans.

Satterfield said he finds this encouraging for people who already have chickenhouses, but said he isn't willing to say it will free up the construction of new chickenhouses.

"No one is able to answer that question,"

Satterfield said.

For Stevens and his Pocomoke City farm, building new chickenhouses is a way to stay competitive in the marketplace.

"It's not only hurting us, it hurts a lot of people who need jobs," Stevens said.

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Learn more

Who to call for help:

- The Maryland Department of the Environment
- The Maryland Department of Agriculture
- The USDA Natural Resource Conservation Services



Daily Times photos

George Stevens uses a golf ball to "sound check" silo feed levels of one of the family's four new 40,000 capacity chickenhouses. The family, which began growing chickens in 1969, built the four before new EPA rules kicked in.



Dale Stevens checks the Rotem computer controller to his chickenhouses. The computer automatically governs the heat, ventilation and fans and relays the information to his home computer.



Times photo

Dale Stevens, right, and son, George, show two of six outdated chickenhouses on their family farm near Pocomoke City. The construction of new chickenhouses has been held up.