

Agriculture Workgroup (AgWG)

January 21st, 2016

10:00 AM – 12:00 PM

Call Summary

Meeting materials: <http://www.chesapeakebay.net/calendar/event/23290/>

Actions and Decisions:

ACTION: The Nutrient Management Task Force will hold a meeting in the coming weeks with the state jurisdictions in order to field questions and concerns, and receive feedback from the states.

DECISION: The AgWG approved the final Phase 6.0 Ag Land Use Loading Ratios Report.

DECISION: The AgWG approved a finalized and prioritized Tier 3 BMP list for future BMP Expert Panels, and agreed that the Ditch BMP efforts are the highest current priority. The second priority is animal mortality, and the third priority is vegetative and environmental buffers. Mark Dubin and Lindsey Gordon will work towards getting approval on these proposed BMPs and their prioritization from the WQGIT.

ACTION: The AgWG will convene an EPEG to assess whether the poultry and non-poultry mortality BMPs should be combined into one expert BMP panel, or separated out into two panels.

ACTION: Chris Brosch and Clint Gill will be soliciting comments on the scope and proposed expert panel members for the pre-proposal of the Phase 6 Ditch BMPs, including additional information on the type of expertise the panel is hoping to solicit. The AgWG should direct comments to Chris Brosch (chris.brosch@state.de.us) and Clint Gill (clint.gill@state.de.us) by no later than February 10th, 2016.

ACTION: The AgWG and Interested Parties should send all nominations for the chair and vice-chair positions to Mark Dubin (mdubin@chesapeakebay.net) and Lindsey Gordon (Gordon.lindsey@epa.gov) by no later than COB January 31st.

10:00 **Welcome, introductions, review meeting minutes** Workgroup Chairs
Meeting minutes from the December AgWG meeting were approved.

10:05 **Phase 5.3.2 Nutrient Management Task Force Update** Workgroup Chairs, Kelly Shenk

- Kelly Shenk updated the AgWG on the status of the Nutrient Management Task Force. They are still waiting for a re-submission of the crosswalk document from West Virginia, but hope to have that very soon. The Task Force is also working on gathering acreage compliance values from each of the states.
- The AgWG can expect to see a final methodology for acreage adjustments from the EPA during the February quarterly meeting.
- Alisha Mulkey: Regarding Tier 2, the options are to report Tier 2 N, P, or a combination of both. When you're asking for additional clarification, you're talking about acres for just Tier 2 P?

- Shenk: Right – for just the tier 2 P.
- Chris Brosch: For Delaware, it's hard to estimate the total domain of available acres because that's more of a modeling question than a real-world question. There is a history of model acre estimates not matching the state supplied estimates. It would be inappropriate for us to provide a total domain of available acres because it's inconsequential when it comes to the model.
 - Rhoderick: Great point. Like Chris says, they're doing a percentage of the model acres, whereas other states may be reporting program acres. And so we may need another column where the state declares what their domain of acres is versus what the model declares their domain is.
 - Tim Sexton: I agree wholeheartedly.
 - Brosch: At least in my state, the domain of Nutrient Management is the entire suite of agricultural acres. It's an easy calculation, and an easy fix to provide a percentage rather than an acreage.
 - Sweeney: For active NM – the plans cover so many acres. So if you're saying it's 100% compliance, then that number should be the same as the total domain of available acres. If you want to use in the first column the estimated domain from the model, you can, but just explain what you are using.
- Tim Sexton raised the issue of how states should handle the issue of manured acres versus inorganic fertilizer acres.
- Alisha Mulkey echoed Tim's concerns that there are farmers who actively manage Phosphorous, but don't categorize themselves as part of the high-risk category, and that they should be reported. She noted that the tracking level is beginning to get too detailed so that the jurisdictions cannot adequately address what's being asked of them by the Task Force.
- Lindsay Thompson questioned why the Nutrient Management Task Force meetings were not open to the broader AgWG. Kristen Saacke Blunk replied that by using the current set-up of the NMTF reporting back to the AgWG, the group can more efficiently complete their work.
- John Rhoderick: What I'm understanding is that the states are providing succinct rational explanations of why what the TF is working on may not be feasible.
- Chris Brosch offered to sit-in on the panel meetings to provide expert knowledge on the Phase 5.3.2 Nutrient Management Panel Report.
- The Task Force will convene a meeting with the state jurisdictions to field questions and concerns in advance of the February AgWG Quarterly meeting.

ACTION: The Nutrient Management Task Force will hold a meeting in the coming weeks with the state jurisdictions in order to field questions and concerns, and receive feedback from the states.

10:20 **Approval of Phase 6.0 Ag Land Use Loading Ratios Report**
Jack Meisinger

Tom Jordan, Gene Yagow,

- Bill Angstadt: Where does this loading ratio fit? Does it happen after Scenario Builder, or during the simulation of the regression model? Where are these ratios used in the model?
 - Sweeney: They are only used for the land use calibration of the Phase 6 model.

- Angstadt: So we're going to compare the nutrient targets to the outputs of Scenario Builder? And to SPARROW to look at sensitivity of nutrient targets coming from these ratios versus Scenario Builder versus SPARROW?
- Sweeney: The product of the model would be the loads, and you could make a comparison between that and these targets.
- John Rhoderick and Mark Dubin briefly reviewed the process of the report thus far.
- Bill Angstadt introduced a motion for the AgWG to approve the report, with the condition that the AgWG will be able to see the output numbers from the model to review.

DECISION: The AgWG approved the final Phase 6.0 Ag Land Use Loading Ratios Report.

10:40 **Discussion of AgWG BMP Panel Prioritization**

Workgroup Chairs, Mark Dubin

- Mark Dubin asked the AgWG to review the list of potential Tier 3 BMPs in order to double check whether there are additional BMPs that jurisdictions would like to suggest to the AgWG.
- Steve Taglang: I just want to say that we're in the process of re-developing our Bay efforts, and with the change of administration last year, we may or may not want to add to this list at some point in time and I know there are opportunities to do that on-going.
 - Ann Swanson: Do you have any sense of the types of BMPs you're thinking about?
 - Taglang: I don't know at this time, but it will likely be an effort of ours moving forward. This is just a notice I'm giving to Mark.
- Tim Sexton: Obviously these BMPs won't make the April cut-off for inclusion in the model. How would we get them implemented once the calibration is done?
 - Dubin: New BMPs are always available to be added to the modeling tools and NEIEN, but the WQGIT decided to freeze new inputs to the modeling tools on a 2-year basis.
 - Sweeney: If you have records of any implementation for the BMPs on this list, you should submit it now so that when they are incorporated into the model, you won't have to do any additional work. Of course there might be slight changes based on how the BMP is represented in the model.
 - Brosch: This is the first time we've been told that BMPs that are not approved should be in NEIEN.
 - Matt Johnston: We have 2 deadlines for state submission this year. If we can have an indication from these panels of what the basic structure of the BMP will be, then that would be really useful for us.
 - Rhoderick: These BMPs are part of the current WIPs, so states would potentially have an efficiency for them, and why can't they be applied to 5.3.2?
 - Sweeney: I think some of these can. Some groups are still working on Phase 5, and it would be applicable to Phase 6.
 - Johnston: The 3 BMPs you're referring to are not eligible for the 2017 milestone period because the WQGIT decided to freeze everything.
 - Rhoderick: And that's what's so problematic, because you're potentially taking about 8 BMPs that are in the WIPs and denying credit for those.
- Brosch: So this list is only important for the priority and not extent, then I move that we approve it.

- John Rhoderick noted that most of the BMPs are MD/DE-centric, and some can be condensed into one BMP.
- Kristen Saacke Blunk: Could we combine some of them into a broader mortality management category?
 - Mark Dubin: That would be my recommendation. It would also be a multi-state BMP.
 - Brosch: I want to add that mortality management is already in the model. This would only be enhancing something that already exists.
 - Rhoderick: So we would really have 4 BMPs from this list: Vegetative/environmental buffers, Tax Ditch BMPs, Non-poultry mortality composters, and Poultry mortality management.
- Dubin suggested identifying BMPs that are part of the state Phase II WIPs and marking those as higher priority.
- Kristen Saacke Blunk suggested tasking an EPEG with vetting whether the poultry and non-poultry mortality BMPs should be separate or combined panel. She also cautioned against launching too many panels, and asked the AgWG to keep in mind the capacity to carry-on multiple panels at one time.

DECISION: The AgWG approved a finalized and prioritized Tier 3 BMP list for future BMP Expert Panels, and agreed that the Ditch BMP efforts are the highest current priority. The second priority is animal mortality, and the third priority is vegetative and environmental buffers. Mark Dubin and Lindsey Gordon will work towards getting approval on these proposed BMPs and their prioritization from the WQGIT.

ACTION: The AgWG will convene an EPEG to assess whether the poultry and non-poultry mortality BMPs should be combined into one expert BMP panel, or separated out into two panels.

11:00 Pre-Proposal for Phase 6 Ditch BMPs

Chris Brosch, Clint Gill

- Chris Brosch and Clint Gill presented a preliminary concept for a Phase 6 Drainage Ditch BMPs panel. The concept outlines the resources and procedures to support the coordination of a new expert panel to evaluate several Tier 3 BMPs on the AgWG prioritization list. A complete proposal will be presented during the February quarterly workgroup meeting for discussion and action.
- John Rhoderick: I thought hydromodification would be on this list?
 - Brosch: This is a proposal that MD and DE put together very last minute. Luckily we could get it to the partnership for approval. So the nature of this pre-proposal is to capture all of those practices, and it is something that we could add.
- Kristen Saacke Blunk: Is this pre-proposal intended to fulfill the process we had developed to convene an EPEG to scope out the practices and expertise needed?
 - Brosch: It's intended to replace the EPEG. We skipped that step because we've already outlined the scope of the work, and it's just a 2-state issue. We can take comment, and that's the point of today's discussion.
 - Saacke Blunk: Are we risking anything from the fact that DE and MD at the state-agency level have a strong, vested interest in the outcome of this panel?
 - Brosch: The support staff that the agencies at the state would provide is purely coordinating expertise. The literature review that DDA would perform would be

presented to the experts for them to interpret and provide final recommendation. Regarding the Bay Program: the experts run the show, we just give them the tools to make the recommendation.

- Lindsay Thompson: I completely understand Kristen's concern here, but I think that having the partnership set up as it is, with all of these levels of review and approval, I don't foresee any problems with who is coordinating the panel. DE and MD are taking the initiative to provide resources to a resource-strapped group, so I think we should forgive those concerns based on the other levels of review.
 - Saacke Blunk: I'm just concerned about the precedent this might set for states to launch their own panels.
 - Brosch: The EPEGs were a separate process that I don't think were ever codified in the BMP protocol. This pre-proposal was put together on the order of 2 weeks, so I think there's a significant advantage of this pre-proposal simply because it's more efficient.
- Mark Dubin suggested that he help work with DE and MD to finalize the scope of work, and then to bring that back before the AgWG during the February Quarterly meeting for further approval of the scope of work and proposed membership.
- Brosch re-iterated that the proposed panel is seeking comments, and that the AgWG can submit any suggestions or modifications to the pre-proposal, to be discussed again during the February AgWG meeting.
- Saacke Blunk: Would it be possible to remove the panel expert list, and instead insert a list of qualifications and expertise category list that will be needed by this panel.
- Ann Swanson: There have been very valid points made, but if you would be willing to identify the attributes that you're looking for so that the AgWG could send out a notice, or post it, asking for representation on this panel.
- Saacke Blunk: Why not list the expertise you're looking for, and explain how the individuals you've identified fill those needs?
- Rhoderick: Between now and the next AgWG meeting, Chris Brosch and Clint Gill will collect comments from the AgWG on the scope and panel membership of this pre-proposal, and perhaps Chris and Clint can help clarify what kind of expertise they are looking for on this panel. Then we can re-distribute and post the pre-proposal.

ACTION: Chris Brosch and Clint Gill will be soliciting comments on the scope and proposed expert panel members for the pre-proposal of the Phase 6 Ditch BMPs, including additional information on the type of expertise the panel is hoping to solicit. The AgWG should direct comments to Chris Brosch (chris.brosch@state.de.us) and Clint Gill (clint.gill@state.de.us) by no later than February 10th, 2016.

11:10 **Update on the Ag Modeling Subcommittee Review**

Matt Johnston, Curt Dell

- Matt Johnston and Curt Dell updated the AgWG on the AMS review process and schedule, the outcomes of the AMS webinar held on January 14th, as well as upcoming meetings and webinars during the review process.
- Matt reminded everyone that if they have comments on the documentation, to please specify the page numbers of the documentation they are referring to.
- Rhoderick: If we're giving comments back in April, how will those comments be incorporated into the 'new April' version?
 - Johnston: You probably won't see any changes for SB in April. We're trying to get changes made in time for the June-run. If there are more comments after

that first deadline, that would push back the comment changes to the October-run.

- Dubin: We also need to have a conversation with Gary Shenk and the Watershed Modeling Team during this review process, and we'll be looking for that during the AgWG's next meeting in February.
- Sweeney: There is also a pretty extensive STAC review of SB and the watershed model as well, and those reviews will begin very soon.
- Meisinger: Has STAC named the review team that's participating in this?
 - Johnston: That's more of a Gary or Rich question. It's my understanding they wanted the documentation in December, so they were waiting on us.

11:30 AgWG Chair Nominations Discussion

Workgroup Chairs, Mark Dubin

- Kristen Saacke Blunk, John Rhoderick, and Mark Dubin discussed the process of selecting new AgWG chairs. The AgWG hopes to confirm the new chairs during the February 17-18, 2016 quarterly meeting.

ACTION: The AgWG and Interested Parties should send all nominations for the chair and vice-chair positions to Mark Dubin (mdubin@chesapeakebay.net) and Lindsey Gordon (Gordon.lindsey@epa.gov) by no later than COB January 31st.

11:45 Locations of 2016 quarterly meetings, Upcoming Decision Items Mark Dubin, Lindsey Gordon

- Mark Dubin and Lindsey Gordon updated the AgWG on the proposed locations of the next two quarterly meetings. February's meeting will be held in Dover, DE at the offices of the DDA. Information on this meeting will be posted to the calendar event page: <http://www.chesapeakebay.net/calendar/event/23291/>
- The May quarterly meeting is tentatively scheduled at the Thorpewood conference location in Thurmont, MD.

11:55 Wrap-Up/Review of Action and Decision Items Workgroup Chairs/Mark Dubin/Lindsey Gordon

12:00 Adjourn

Participants:

Ron Ohrel, Mid-Atlantic Dairy Association
Lindsey Gordon, CRC Staff
Mark Dubin, UMD, AgWG Coordinator
John Rhoderick, MDA, AgWG Co-Chair
Kristen Saacke Blunk, Headwaters LLC, AgWG Co-Chair
Tim Sexton, VA DEQ
Jenn Volk, UD
Ron Korcak, USDA
Bill Chain, CBF
Marilyn Hershey, Ar Joy Farms
Tim Garcia, NRCS
Kim Snell-Zarccone, Conservation PA

Greg Albrecht, NYS
Alisha Mulkey, MDA
Kelly Shenk, EPA
Bill Angstadt, Angstadt Consulting
Robin Pellicano, MDE
Bobby Long, VA DEQ
Jack Meisinger, USDA NRCS
Fred Samadani, Environmental and Water Resources Mgmt. Consulting
Chris Brosch, DDA
Ann Swanson, CBC
Marel King, CBC
Jim Cropper, Northeast Pasture Consortium
Paul Bredwell, US Poultry and Ag
Jeff Sweeney, US EPA
Gene Yagow, VT
Lauren Torres, DDA
Lindsay Thompson, DE/MD Agribusiness Association
Steve Taglang, PA DEP
Clint Gill, DDA
Susan Marquart, USDA NRCS
Tom Jordan, SERC