

TO: Poultry Litter Subcommittee
c/o Emma Giese

FR: Roy Hoagland
Pat Stuntz
Connie Musgrove
Kim Snell Zarcone
Olivia Devereux

Copy: Ag Work Group

DA: May 7, 2014

RE: Draft Report from the Poultry Litter Subcommittee

Per the discussion at the Ag Work Group meeting, last week, we are submitting this letter in response to the request for comments on the report and work of the Poultry Litter Subcommittee (PLS).

First, we wish to commend both the PLS and the Chesapeake Bay Program (CBP) modeling staff for their thoughtful work. The CBP has successfully established for itself a consistently high level of credibility for its fundamental foundation in science. This work on poultry litter, given the recognition of the growing problem with phosphorus pollution, is critical to ensuring the ongoing defensibility of CBP policy choices and CBP partners' TMDL implementation actions. The collaborative work of the PLS and the modeling staff is evidence of the transparent, inclusive and accurate nature of the CBP work.

Second, we urge the PLS to continue to work so that the outcome of its efforts reflects the best information available. In the words of Tim Sexton, the "facts are the facts" and we urge the PLS to ensure that the "facts" it embraces reflect the best information available. To that end, we respectfully submit that:

- 1) The PLS issue an official report inventorying consensus conclusions and non-consensus conclusions regarding its work to date. The creation of the PLS was driven by the Delaware/Glancey study on poultry waste nutrient content and volumes, with the underlying assumption that this study would likely drive new methods of calculation and new numbers showing reductions in both nutrient content and volumes. Recent analyses presented by Matt Johnston seem to indicate just the opposite in places and times (e.g., since 2005 in Delaware). The PLS needs to produce and submit to the Ag Work Group a formal, comprehensive report reflecting its work to date; the current understanding of the data it has in-hand; and its future plans, including details on peer review of any final data conclusions and recommendations. This is especially important in light of the current "buzz" within the Bay community that the work of

the PLS is being hindered and delayed by the EPA (e.g., see the letter from the Chesapeake Bay Foundation, dated April 18, 2014, to Secretary Kee, copy attached).

- 2) The PLS forego recommendations to make changes to the current model. Absent the above formal report, it is premature to embrace changes to the current model from draft and partial recommendations. Using only a portion of the currently debated data for inclusion in the current model does not appear anchored in sound science. Moreover, as discussed during the Ag Work Group meeting, doing so may well produce a conclusion fundamentally different from one produced when considering all relevant data, data which may be part of the Phase 6 Model calculations. For example, the recommendation from the PLS to use only new, and differently sourced, poultry population data at this time but not the nutrient concentration data or the litter volume data may well be problematic. It is clear from the presentation made by Matt Johnston and the PLS that there is a clear need to consider the three components of poultry waste, nutrient content, and volume together. Given the current evidence and understanding of the data and trends, incorporation of only new population data may well lead to incorrect conclusions by the industry and public that may quickly be reversed once the work of the PLS is completed and new data on litter volumes and nutrient content are incorporated.
- 3) The PLS develop a timeline for completing its work and making final recommendations to the Ag Work Group on the ways in which the Program should incorporate, manage, and utilize any proposed changes in the 6.0 version of the Model as a result of the best data and best conclusions concerning poultry populations, litter volumes, and nutrient content.