

# Agriculture Workgroup (AgWG)

## Meeting Summary

July 24, 2014  
11:00 AM to 3:30 PM

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### ACTIONS & DECISIONS

**DECISION:** AgWG members approved the June 19 minutes.

**ACTION:** A revised verification guidance document will be posted by COB Monday, July 28<sup>th</sup>. The AgWG will convene by webinar & conference call to achieve consensus by Friday, August 8<sup>th</sup>. If consensus cannot be reached at that time, the group will hold a vote decision based on the partnership's new governance policy.

**DECISION:** The Agriculture Workgroup approved the RI Panel Report, except for the "rotational grazing" and "animal compost structure" practices, which will be taken back to the RI panel. The "Waste storage structure" practice title was revised to "dry waste storage structure". The AgWG will review the two remaining practices on August 8<sup>th</sup> for final recommendation. Changes to the panel report will be provided to the workgroup by July 31<sup>st</sup>.

**ACTION:** Next meeting: August 8<sup>th</sup> 10:00AM-12:00PM (conference call and webinar)

**ACTION:** Emma will post the current land uses spreadsheet. Members are asked to contact the AMS and Chris Brosch with any substantive questions on the proposed agricultural land uses.

**ACTION:** The draft agricultural land uses will be provided to the Land Use Workgroup for their consideration.

**DECISION:** The Agriculture Workgroup endorsed Alisha Mulkey, MDA to replace Dana York as Maryland's representative member of the Agricultural Modeling Subcommittee. The workgroup also endorsed Virginia DEQ's request that Bill Keeling, VA-DEQ, be included as a new co-representative for Virginia on the Agricultural Modeling Subcommittee, with the understanding that Virginia's dual representation on the AMS would result in only one shared vote for subcommittee decisions.

**ACTION:** AgWG members will work together to develop the agenda topics for the next few months at the next meeting.

### MINUTES

#### 1. Welcome, Introductions and Meeting Minutes

- VA motion to approve the June 19 minutes, MD second. All in favor. Minutes are approved.

**DECISION:** AgWG members approved the June 19 minutes.

#### 2. Workgroup Governance

- NGOs object to the new partnership governance because it limits participation from non jurisdictional partners.

- Mark Dubin clarified that the intent of the governance is to encourage consensus, with voting reserved as a last resort.
- Co-chairs reviewed the list of AgWG voting members.
- In the case that there are not sufficient voting members present to pass a vote, the workgroup would try to achieve consensus or re-visit the issue at another meeting.
- VA noted that the governance requires documentation to be available 10 days before the workgroup is asked to make a decision.
- Staffer/coordinator will poll voting members in advance. Voting members can submit their vote in advance.
- If consensus is not reached on an issue, the vote would be taken at the next meeting when feasible.
- Recommend that the listed voting members or their alternatives be present for future workgroup meetings so that they know what is going on, in case an issue comes to a vote.

### **3. BMP Recommendation Timeline for 2014**

- Mark Dubin reviewed the timeline for submitting the AgWG expert panel reports this year. To meet the timeline for ensuring there are be no significant changes for what the states are reporting in annual progress, the WTWG had requested all potential changes be partnership approved by August 31st. Mark requested an extension to the WTWG timeline due to the establishment of new BMPs by several of the AgWG's expert panels in 2013. The WTWG approved extending the timeline for approved panel reports from the Cover Crops and Conservation Tillage panels to early November of this year. The Nutrient Management Panel report will be due by early October for changes to be considered in the 2014 progress report.
- The RI report is on track to meet the traditional September deadline.
  - Bill Keeling clarified that the October deadline would be the 1<sup>st</sup> of October for the NM Panel.
- What about the Nutrient Management Expert Panel?
  - Chris Brosch (Nutrient Management Panel Chair): There will not be efficiencies established in time for this year's reporting.
- Chairs: Are the Cover Crops and Conservation Tillage panels working on their recommendations?
  - Dubin: Yes.

### **4. Agricultural BMP Draft Verification Guidance**

- Mark reviewed the changes to the verification guidance document recommended by the agricultural BMP verification ad hoc team this morning.
- One change was to reference the RI guidance rather than re-stating what is already in that guidance.
- Keeling: Concern about the watermelon plots referred to as Appendix A. Has the treatment train been addressed?
  - Jeff Sweeney: If you have a list of treatment train combinations we could run that through CAST.

- This discussion will be continued.
- NGO: Recommend better structure for the alternative strategy section. The minimum expectation is option A or option B. Agree with the content. Kim Snell Zarcone will provide alternate language.
- James Davis-Martin: Recommend that there shouldn't need to be justification for the alternate when there is no justification for the 10% minimum.
  - Saacke Blunk: The ad hoc team has struggled with this. The 10% was to provide a high bar, based on what some existing State programs implement as what NRCS did previously.
  - Davis-Martin: Refer to the 10% as default, rather than minimum.
- Brosch: Request changing the language "greater than, less than, equal to" for clarity.
- NGO: Suggest clarifying the language under permitting under CAFO/non CAFO. Again, agree with the concept.
  - Say up front that it covers both state and federal programs.
- PA: Does permitting refer to operation or BMP?
  - Dubin: BMPs
- Snell Zarcone: Recommend when talking about inspection, not an inspection of the facility, it is an inspection of the BMP.
- 20% was based on 5 years of the permit inspections (so each year there would be 20% inspected)
- Dubin: Quality assurance personnel noted as "independent reviewers".
  - York: Submit your example of the conservation districts to the BMP verification panel.
- There will be no statistical method example provided as an example at this point, until the workgroup has a chance to approve the method.
- Roy Hoagland: The ad hoc team discussed a possible cap for the amount of practices making up less than 5% of the load that could be verified at the lower level. Recommend the partnership review this in 2 years.
- Chair: The ad hoc team recommends attaching a cover memo to recommend re-visiting the cap issue. Also recognizing that NRCS is doing 5% across the board, while asking jurisdictions to follow a different standard – the ad hoc recommends EPA coordinate with USDA so that we know whether that 5% has relevance to load reduction. The independent review issue is also required to be resolved before the guidance moves forward.
  - There were no other objections raised or major issues.
- Dubin: A revised document will be posted COB Monday July 28<sup>th</sup>. The AgWG will convene online and by phone to get consensus of this document. If there are significant objections we will move into a vote.
- NGO: Thanks to everyone who has helped with this process.

**ACTION:** A revised verification guidance document will be posted by COB Monday, July 28<sup>th</sup>. The AgWG will convene by webinar & conference call to achieve consensus by Friday, August 8<sup>th</sup>. If consensus cannot be reached at that time, the group will hold a vote decision based on the partnership's new governance policy.

**Working Lunch (Verification discussion continued)**

## 5. RI Technical Review Panel Recommendation Report

- Bob Ensor, Chair of the FE/RI Technical Review Panel, presented the panel's final draft recommendation report for approval by the workgroup. The review process for this report began with a presentation during the June 19<sup>th</sup> meeting, and workgroup comments were received by July 8<sup>th</sup>. The panel has responded to the workgroup's comments and is now seeking final approval of their report.
- PA: Was the “voluntarily installed”, a requirement?
  - York: This was from page 3, which gave examples, so it is not required.
- NGO: Is estimate by paces a standard?
  - Yes, for field technicians.
- Olivia Devereux: How do you avoid counting a voluntary practice twice?
  - Ensor: The conservation tracker in MD (other states will need a way to track it too).
  - York: There is a requirement on page 6 of the guidance document that states have a documentation of these practices.
  - Hoagland: Should the jurisdictions be required to have an equivalent to MD's system?
  - PA: From PA's standpoint there are 2 separate issues. Tracking is one issue. Counting the RIs is a separate issue.
  - York: This should be in the verification protocol.
  - Devereux: MD has a good system. How will the other states handle this?
    - Roy: Does the verification guidance deal with tracking?
    - It should be in the verification guidance.
    - Page 10 – states that jurisdictions will develop a methodology to determine when and how to remove data from their BMP reporting system.
  - Devereux: Note that this will be a new requirement for some states to do.
- VA: How will the efficiencies for RI practices be chosen?
  - RI efficiencies are equivalent to CBP BMPs.
  - RI defined as similar not equal?
  - Devereux: The RI documents state that the efficiencies are equivalent to CBP BMPs.
- Brosch: How do you visually determine the temperature and other non-visual components in the waste composters?
  - York: There are visual methods.
  - NGO: How can you give credit to a practice without knowing you can observe the indicators.
  - Discussion around looking at the end result. Recommend to indicate that it is based on something visible, since they are called visual indicators.

- Ensor: Recommend we remove C:N ratio, and substitute that the final product is the proper decomposition of composting.
    - Brosch: Add something that says it is going back to the waste stream.
    - York: The output is handled relative to state regulations (based on farmer interview).
- Brosch: How does the re-verification protocol work?
  - York: Lifespan was replaced with 're-verification interval'.
- Brosch: There's no requirement for fencing in regards to Precision Intensive Rotational Grazing. Doesn't seem like the RI practice should be given 100% of the credit as the NRCS practice. There will be temporal variation with this practice. Also note that no education comes with the RI practice – as it does with NRCS practices.
  - Brosch: Add any kind of structure that the animals can be rotated through.
  - Gary Moore: Really looking at the functionality.
- Taglang: Was there any discussion of liquid manure storage?
  - Ensor: the panel's decision was to focus strictly on the dry, stackable manure. Difficulties with visual inspections with the liquid manure.
  - Taglang: Recommend clarifying the title to "dry".
- Hoagland recommended that the report move forward, with the exception of precision grazing and animal waste storage practices, which will be taken back to the panel with the AgWG's recommended changes. Adjust the waste storage title to read "dry waste storage".
  - If the panel rejects the changes, these two practices will be removed.
  - Brosch: Ok with that.
  - There were no objections to approving the report with the exception of two practices.

**DECISION:** The Agriculture Workgroup approved the RI Panel Report, except for the "rotational grazing" and "animal compost structure" practices, which will be taken back to the RI panel. The "Waste storage structure" practice title was revised to "dry waste storage structure". The AgWG will review the two remaining practices on August 8<sup>th</sup> for final recommendation. Changes to the panel report will be provided to the workgroup by July 31<sup>st</sup>.

## 6. Phase 6.0 Land Use Classifications

- Chris Brosch, member of the Agricultural Modeling Subcommittee (AMS), discussed draft recommendations for land uses for the Phase 6 Watershed Model.
- VA: What about pasture acres that are also hay?
  - Brosch: It depends how they fill out the ag census. It is an issue that still needs to be resolved.
- York: AMS made this high number of divisions in the land uses to avoid having land use change BMPs.
- VA: Why were the medium intensities included?

- Brosch: There was a disparity between the crops that fit in the low category. There is a pretty significant difference between them.
- Devereux: Do any of the land uses have no nutrients?
  - Brosch: No.
- Dave Montali: If there is no degraded riparian land use, which is currently a high loaded land use, that nutrient load would go to all pasture.
  - Brosch: AMS will need to work on this once they understand the acreage of riparian corridor.
- Chris noted that the land uses can be grouped.
- VA: Where will AFO/CAFO land use fit?
  - Brosch: Impervious farmstead.
- Devereux: Note that it will be hard to get a loading rate for impervious farmstead, due to the variation.
- Dubin: We will provide at least this draft to the Land Use Workgroup, so that they can begin working on it.
- Roy motioned moving the proposal to the Land use workgroup
  - No objections were heard.
- MDA requested that the AgWG endorse Alisha Mulkey voting member to the AMS group.
  - Alisha Mulkey is being recommended to replace Dana as MD's rep.
  - There were no objections.
- VA requests that Bill Keeling be added as a member to the AMS.
  - VA: Bill and Chris would share representation of VA on AMS.

**ACTION:** Emma will post the current land uses spreadsheet. Contact AMS and Chris Brosch with any substantive questions on the proposed agricultural land uses.

**ACTION:** The draft agricultural land uses will be provided to the Land Use Workgroup.

**DECISION:** The Agriculture Workgroup endorsed Alisha Mulkey, MDA to replace Dana York as Maryland's representative member of the Agricultural Modeling Subcommittee. The workgroup also endorsed Virginia DEQ's request that Bill Keeling, VA-DEQ, be included as a new co-representative for Virginia on the Agricultural Modeling Subcommittee, with the understanding that Virginia's dual representation on the AMS would result in only one shared vote for subcommittee decisions.

## **7. Watershed Model Workplan for 2017**

- Gary Shenk, EPA Chesapeake Bay Program Office Modeling Team, provided a brief overview of the multiple development tracks that the CBPO is pursuing in developing the Phase 6.0 watershed modeling tools for release in 2017.
- This information will be made into a webpage that will hold all the Midpoint Assessment information. The webpage will be updated for all of these efforts to keep Partnership up-to-date on model development.

## **8. Agriculture Workgroup Future Planning**

- The AgWG co-chairs led a workgroup discussion focused on future agenda topics and related projects for workgroup involvement.

**ACTION:** AgWG members will work together to develop the agenda topics for the next few months at the next meeting.

## **Adjourned**

### **Participants**

Kristen Saacke Blunk (Co-Chair)	Headwaters LLC
John Rhoderick (Co-Chair)	Maryland Department of Agriculture
Mark Dubin (Coordinator)	UMD
Emma Giese, Staff	Chesapeake Research Consortium
Kim Snell-Zarcone	Conservation Pennsylvania
Mark Davis	Delaware Department of Agriculture
Bill Angstadt	Delaware Maryland Agribusiness Association
Fred Samadani	Environmental & Water Resources Management Consulting
Dana York	Green Earth Connection
Roy Hoagland	Hope Impacts
Robert Ensor	Howard County SCD
Rachel Melvin	Maryland Department of Agriculture
Greg Albrecht	New York State Department of Agriculture and Markets
Steve Taglang	Pennsylvania Department of Environmental Protection
Ted Tesler	Pennsylvania Department of Environmental Protection
Lamonte Garber	Stroud Water Research Center
Connie Musgrove	University of Maryland Center for Environmental Science
Curtis Dell	USDA Agricultural Research Service
Gary Moore	Virginia Department of Conservation and Recreation
Chris Brosch	Virginia Tech/Virginia Department of Conservation and Recreation
Andy Yost	West Virginia Department of Agriculture
Dave Montali	West Virginia Department of Environmental Protection
Teresa Koon	West Virginia Department of Environmental Protection
Alisha Mulkey	Maryland Department of Agriculture
Jason Keppler	Maryland Department of Agriculture
Steve Dressing	TetraTech
Bill Keeling	Virginia Department of Environmental Quality
Jack Frye	Chesapeake Bay Commission
Robin Pellicano	Maryland Department of Environment
Larry Towle	Delaware Department of Agriculture
Susan Marquart	USDA-NRCS
Kristen Wolf	Pennsylvania DEP
Anna Roberts	Water Stewardship
Sally Szydlowski	Water Stewardship
Charlie Wootton	Piedmont SWCD
Debbie Absher	DE Soil Conservation District