

Agriculture Workgroup (AgWG)

September 16th – 17th

DRAFT Call Summary

Meeting materials: <http://www.chesapeakebay.net/calendar/event/22592/>

ACTIONS & DECISIONS:

DECISION: Workgroup members were asked to approve the governance protocol for AgWG membership. Consensus was reached to approve a single Tier membership voting process, where membership is comprised of 8 signatory members, with 12 members drawn from 5 unique categories of interest groups, one being “Conservation/Environmental NGOs”.

ACTION: The co-chairs and coordinator will re-draft the governance protocol with changes reflecting the decisions that were made, and will distribute to the AgWG and then present this governance to the WQGIT for review and approval.

DECISION: The AgWG came to consensus on a motion to approve the Agriculture Modeling Subcommittee’s procedure and modifications for the beta version of Scenario Builder, so that this may pass on to the WQGIT for review and approval.

ACTION: Ted Tesler, Tim Sexton, and industry liaison to coordinate on providing data on before and after effects of swine phytase to Pennsylvania and the AgWG for the Swine Phytase Project.

DECISION: The workgroup reached consensus on supporting the effort of Pennsylvania and Delaware to continue their fall reporting cover crop transect survey data of 2015 progress.

DECISION: The AgWG obtained a consensus opinion to support the proposal to develop and implement a new "Plan B" regional poultry data collection effort at the state level between the academic, agency, and industry partners in the absence of available support from USDA-NASS.

ACTION: Rachel Rhodes and Maryland representatives will review the agricultural land use target loading rates, and provide feedback in order to determine whether consensus can be reached to approve the group’s rates for nitrogen, phosphorous, and sediment. Rhodes and Maryland will distribute their comments to the AgWG by Thursday, September 24.

DECISION: The AgWG reached consensus to provide affirmation of the recommendations on land use loading rates presented by Tom Jordan, Gene Yagow, Gopal Bhat, and Jack Meisinger, where these recommendations would then move to the Modeling Workgroup for a beta test. This consensus and approval is contingent upon any state needing to further consider the information to provide their consensus by Thursday, September 24.

ACTION: The AgWG will revise the proposal and charge for a subcommittee tasked with investigating how jurisdictions will report NM, taking into consideration the request from the WQGIT to revise language surrounding compliance rates. Ann Swanson, Kelly Shenk, and Marcia Fox volunteered to aid in

the revision of the charge. This revised subcommittee charge will be presented to the WQGIT for review and approval at the September 28th WQGIT conference call.

DECISION: The decommissioning of the Phase 5.3.2 Nutrient Management Expert Panel has been tabled until the next meeting because consensus could not be reached.

September 16th 10:00AM-4:30PM

10:00 **Welcome, introductions, review meeting minutes** Workgroup Co- Chairs
Minutes were approved, with a motion from Tim Sexton and second motion from Lindsay Thompson.

10:10 **Agriculture Workgroup Governance** Workgroup Co-Chairs

- John Rhoderick briefed everyone on the Agriculture Workgroup's proposed governance structure for membership, providing two options of membership and the process for making decisions.
- Kristen Saacke Blunk: I was expecting the industry may or may not want an official designation, but that option would be available for them. So we selected those industries that would be more impacted from our work, and offered them the option to be more included and have a voice at the table.
- Mark Dubin: The industry felt that this was the only place where they could have a voice, so moving forward we're working closely with industry sectors for Phase 6, and we will have more engagement with them than we've had in the past.
- Marel King: I would say we should focus on regional and state associations, as opposed to national ones.
- Ann Swanson: If we decide that we want a corn grower representative from one of the 6 watershed states, then we should state it, and not have "for instance, national", because if it's there then it's fair game and I think it's important for us to get input from the industry from our watershed. My experience is that often it's very different from national associations.
- Lindsay Thompson: I want to echo Marel's perspective. Maybe add a caveat that if a representative isn't nominated from each of these groups, that an alternative can be considered.
- Tom Simpson: It seems to me that we are not including enough membership from the scientific community.
 - Dubin: You have an academic representative on there too.
 - Thompson: In some circumstances, the CBF has more of a scientific representative too.
 - Saacke Blunk: Regarding the science, this group has been advised by fantastic science, which has occurred through a lot of panels and sub-groups. So, while it's great to have scientists here, I also think the best use of their time is when we can call them in to surgically address the things that have to be addressed, as opposed to tying them up with two day meetings. We have to be clear about what it is that we need.
 - Saacke Blunk: This is not suggesting that the consensus-identified members are not going to be heavily advised by scientists who come in for these meetings.
- Jim Baird: Is there an optics issue with this much industry representation on the AgWG, from the outside (WQGIT, others) that may suggest we've been co-opted. I just want to raise this point,

that I fully agree with this plan, but where are we in terms with relationships with other parts of the bay program?

- Thompson: I understand your concern, Jim. I think that as part of the CBP, it's a partnership and I would be willing to defend the fact that the AgWG is the place for these agricultural groups to have input. The partnership includes so many different spheres, and if we're going to be inclusive of those agricultural partners, this is the place to do it. Also just to note, there aren't any agribusiness representatives on this list. Moving forward, I think a lot of our data collection will come from a representative of that as well.
- Baird: I think it's important to be ready for that, and I agree with you. Agribusiness is different from a lot of the other groups.
- Dubin: It's in our mission statement. Some of these industries may ask representation from an association.
- Rhoderick: I've heard a couple of suggestions for other inclusions. Are we trying to keep ourselves at 20? And is that including in addition a chair and vice chair?
 - Dubin: That is an addition.
- Kelly Shenk: That doesn't preclude the option of having a national group, so if there's a group that's a good fit, then great. I'm wondering if we have one state representative for the farm bureau, then we might ask them to be the point person for all the other farm bureaus. I don't think any of this precludes the issue that we're trying to deal with is how to get linked in without getting sucked in. I think webinars and modeling workshops are still going to be another way to get more agriculture input than monthly basis meetings.
- Dubin: These also have alternatives, so it's really 42 people potentially. It doesn't preclude anyone from coming to a meeting. It just means they won't be polled, but they can certainly come to the meeting.
- Baird: Maybe not so much as individual representatives, but as groups of commodity organizations, where they will have a vote, but they need to decide how they are going to do that. It would be great to get people to come without feeling like they don't have to come *every* time.
- Glenn Carpenter: Participating in these meetings has been valuable for me to bring this information back to my organization. I think it's important that I and others remain part of the group whether officially or solely participatory.
 - Dubin: Glenn would you consider giving that position to someone else? Just becoming a member of the group?
 - Saacke Blunk: You meant to someone other than USDA?
- Steve Taglang: The USDA needs to be at this table, so you can't really give their slot away.
 - Saacke Blunk: The challenge with that is I suspect it's the same for NRCS.
- Rhoderick: Are we precluded from having two slots, one for ARS and one for NRCS?
 - Carpenter: We have a new CB coordinator, Tim Garcia, who has just joined the MD state staff. I think Tim would be the one that should represent NRCS in a voting role if there is one. Still not sure I agree that we should vote. I think NRCS largely sees the TMDL as a state and EPA issue and we're glad to be there to provide technical assistance and advice, but not make decisions.
 - Saacke Blunk: So for all of our signatories, we're in this era where we're not voting, and we have to move away from that language. We're looking for these people to be a part of a consensus building process for recommendation to the partnership. Polling is only a device through which we get an idea of the extent to which we have consensus. I would

suggest that whether it's ARS or NRCS, we recognize the individuals don't represent the whole agency, but is there a way for USDA to empower an individual to be a part of a consensus process, knowing that you're not voting, you're helping to advise a process?

- Dubin: let's leave it open until Tim Garcia can get on board with us.
- Ann Swanson: None of us can actually represent our entire organization or state. But what we're empowered to do is use our best professional judgement at this level and participate in building a consensus. In building consensus, you need balance of opinion. If you don't have USDA participating, then you would be skewing that balance.
- Baird: Maybe the "abstain" function does have a role in this process. It's also really important to bring in the role of the non-poll-able people in the room, because there are a lot more than these 20. It's really important to describe the role of these other people in the protocol, to note that what they say is just as valuable as anyone else in building consensus.
 - Saacke Blunk: When I read the options again, I had hoped the consensus building process would happen with who is in the room and on the line. If we have consensus, the entities that may not be a part of that 20 have informed this consensus. Only in a non-consensus situation, would we have to do a poll with the 20 representatives.
- Shenk: I don't really like the polls as the first way to get at an issue. I'd rather hear how everyone's thinking about it. I think we should be careful about relying on that as the first way to gauge opinion.
 - Jeremy Hanson: Clarification on the process: the GIT won't always be the next body up working on consensus issues. I think a larger discussion that the GIT and other WGs have to have, is when we're working towards consensus, there's a difference between being able to live with something, and just not liking something because of personal or other issues.
- Baird: The CBF is the only org that is named, except for USDA and NRCS, otherwise it's all potential organizations for representing a constituency. As another non-profit, I would ask the group to reflect on that. So I would consider not naming a specific group.
 - Rhoderick: Motion to add one more NGO slot on the member list?
 - Lindsay: I think that the word "environmental" doesn't describe exactly the NGOs that we're looking for. Maybe more of a "conservation-environmental" because I think there's an important distinction here.
 - Ann Swanson: When you change it to two, your natural inclination is to start counting and grouping. So maybe let's think about that for a minute, because if you end up doing two conservation organizations, which I agree with, it could open up a can of worms.
 - Kim Snell-Zarcone: I do think it's appropriate to have one person designated from the CBF. It's unfortunate that it hasn't been engaged in the past NMP meetings. That said, change the terminology to whatever you want, but I just have a level of frustration with the whole process.
 - Dubin: Please note that we've been asked to do this by the upper level mgmt. of the Bay Partnership.
 - Snell-Zarcone: It just seems to be stacked against organizations with true environmental undertones, and assumes jurisdictions won't be inclined to do more than EPA tells them to do. And some of the industry and farm bureau representatives may say nothing is possible. So when you put that public pressure on them in this form, and make them have a vote and count that, and hold them publicly to that vote, I think votes don't necessarily become more for the greater good.

- Thompson: I don't agree with statement, that it's stacked against the environment, because that has the undertone that the agricultural organizations or industry organizations don't have what is best for the environment in mind. But I come here as a representative of many different groups. And remember that we're not voting, we're building consensus.
- Dubin: I agree with Jim, that we should not use the word vote. We don't vote and we don't make policy; that's sent up to the higher bodies in the CBPartnership.
- Baird: So then let's look at the process, because that's where we would tweak it.
- Saacke Blunk: One thing we might consider doing, regarding the NGO representative and moving away from counts of individuals, is to have 12 at-large members where they aren't drawn from 12 distinct categories. So we have agriculture industry, business, environmental/conservation NGOs, and then do it in a way where we have 4-5 categories so we have latitude to pull across to get up to 12 members.
 - Swanson: I agree with this.
 - Rhoderick: But then how do you go out and get 5 slots from business or industry. Who will come up with those slots?
 - Swanson: Participation seems to self-select to some degree. So you could send out a community letter to all of the groups you've identified, and you say that you're looking for 12 members and are seeking nominations.
 - Baird: And you could provide criteria for those positions.
 - Andy Yost also provided consensus.
 - Tim Sexton supported categories without specifics, and that groups could sort out their members on their own.
 - Snell-Zarcone: We need to remember that it's maybe more important to have members who are engaged versus members just to say they're members.
 - King: I think that's how the WQGIT made their call for at-large members.
- Saacke Blunk: For the at-large members that we would identify, similar to what we have on the AgWG webpage, the categories of interests that we know are needed for this (Academic, LGU, scientist, ag industrial, ag business, envi/cons interest, federal agency partners outside EPA, and cons district partners at whatever level they deem they have enthused nominees), that we would set up a series of categories so that across those categories, there may be expertise that is filling the gaps that we have. The WQGIT call for at large members is a model that we can use. The idea is for signatories, plus at large members up to 12 within a series of categories that would represent a range of agricultural and environmental interests across the bay.
 - Motion put forward by Lindsay Thompson. Motion approved.
- Rhoderick: The next discussion piece is the *process* of membership. If consensus is reached with all participants, then the motion is approved. If consensus is not reached, then the decision would move to members exclusively.
 - Saacke Blunk: If you have an opinion that has to be expressed, then your alternate must participate at the time of the meeting. No dissenting opinions would be accepted either after/before the meeting for the decision.
- Rhoderick: Would we prefer 1- or 2-tier polling?
 - Dell: I think 2-tier polling makes more sense in this case.
 - King: The WQGIT considered this same question, and decided that everyone who is a member is equal, with the understanding that if it becomes a problem, then they'll revisit the decision making process.
 - Tom Simpson, Ann Swansonm and Jim Baird supported the 1-tier system.

- Shenk: I worry that everything will end up with the mgmt. board if we aren't careful.
- Thompson: I would hate to have a bias towards the signatories as opposed to equal membership across the board.
- Rhoderick: Can everyone live with Option 1- a single tier consensus? 20 members, equal share. And that we would still seek consensus with all participants, and if there is not consensus, then it would go to the members specifically.
 - No dissenting opinions.
- Rhoderick: Can everyone live with Option 2?
 - Saacke Blunk: I express discomfort with this option.
- Rhoderick: Given the nonconsensus on Option 2, and the apparent Consensus on option 1 (single tier set-up), do we have consensus on Option 1? Caveated with the option to re-visit this structure is open should it not work efficiently.
 - Steve Taglang: I can live with Option 1, but I can also live with Option 2.
 - Marel King expressed concern of the participants not being able to come to a meeting and voice an opinion.
 - Mark Dubin suggested allowing those participants to distribute their position on an issue beforehand, where it could be posted and go on the public record.
 - Jim Baird expressed concern that members would miss meetings more frequently and opinions would be documented solely online.
 - Ann Swanson noted that there are preventative measures in place.

DECISION: Consensus was reached on membership portion of the governance protocol, where there would be 5 categories of interests to be represented in the AgWG to create a total of 12 at-large members, in addition to the co-chairs and 8 signatory members. Alternates would also be nominated.

ACTION: The co-chairs and coordinator will re-draft the governance protocol with changes reflecting the decisions that were made, and will distribute to the AgWG and then present this governance to the WQGIT for review and approval.

11:00 Agriculture Modeling Subcommittee Recommendations Curt Dell/Matt Johnston

- Curt Dell and Matt Johnston presented on a series of Phase 6.0 modeling tool recommendations and methodologies.
- Question on March 2016 evaluation of beta version of Phase 6.0. Response explained that this will lead into final version of Phase 6.0 in October 2016 adjustments for recommendation by the AgWG.
- Beta Phase 6.0 recommendations will be focused on the Scenario Builder model which will not change significantly between beta and final version except for workgroup recommended changes.
- Concerns were raised with the limited ability of incorporating new manure concentration data after October 2016. This could be evaluated for changing the timeline trend, but not the original equation as part of the calibrated models.
- Question on the use of excreted vs. as applied manure in the model. Response indicated that the model will continue using as applied where there is available data, but will continue to rely on as excreted where as applied is not available.
- Question on aluminum additive with poultry, and how it affects ammonia emission factors. Response: A new BMP expert panel will address this interchange within the models as part of their charge, and will be presented later today.

- Mineralization factors are by state recommendation or by default watershed values.
- Question on using the watershed fertilizer values versus state level data if it is available. Response states that the present recommendation represents best known dataset at this time.
- Question on how the transport of manure is factored for fertilizer sales. Response that transport needs to be tracked and reported to occur, otherwise it will stay in the county of production in the model.
- Question if non-agricultural fertilizer sales are being used by the Urban Workgroup. Response: not at this time, as this is more of a land base loading representation versus a nutrient input process for agriculture.
- Feeding area space data has been obtained from MDA, but can incorporate state specific values if available.
- Matt Johnston provided an explanation of the application curves based on a farm example.

12:00 **Break for lunch**

1:00 **Agriculture Modeling Subcommittee Cont.** Curt Dell/Matt Johnston

- Results from Scenario Builder to be posted on the AgWG website by Matt Johnston.
- John Rhoderick: Motion to approve the procedure and modifications for the beta version of Scenario Builder, so it may pass on to the WQGIT.
 - Motion passed.

DECISION: The AgWG came to consensus on a motion to approve the Agriculture Modeling Subcommittee's procedure and modifications for the beta version of Scenario Builder, so that this may pass on to the WQGIT for review and approval.

2:00 **Animal Waste Management Systems Phase 6 Panel** Shawn Hawkins/Jeremy Hanson

- Shawn Hawkins discussed the proposed panel charges and membership for the new Phase 6.0 Animal Waste Management Systems Expert Panel.
- John Rhoderick: Is there any equine expertise on your panel?
 - Hawkins: The only person I know of is myself, designing several composting systems in my state. In the scope of work, there was not an emphasis on equine animal waste experience.
 - Doug Hamilton noted on Adobe Connect that he has also had experience working with equine, in the context of fairgrounds, racetracks, and small farms.
 - Jeremy Hanson noted that the consideration of equine was in the initial charge of this panel, and as such should be under the purview of this panel moving forward.
- This panel still requires one more CV, CI and commitment form before the membership can be presented to the AgWG. They are currently waiting to hear back from Bill Brown, a proposed member, in order to resolve this issue.
 - Jeremy Hanson would like to allow 2 weeks to receive comments on proposed membership, which would then allow the AgWG to review membership in October.
 - Ann Swanson: I would like equine management to be explicitly considered in this panel.

2:30 **Manure Injection Phase 6 Panel** Curt Dell

- Curt Dell provided a preliminary overview of the Phase 6.0 Manure Injection Panel's first meeting, and how they plan to address the panel charge.
- Jeremy Hanson suggested changing definition language to reflect "organic nutrient source".

- Rachel Rhodes inquired about timing with high and low disturbance incorporation.
 - Dell: Our timing suggests 24 hours. With high disturbance, if you only incorporated but it was 7 days after, you wouldn't get any credit. So you have to add the timing. For low disturbance, we'll work with the Conservation Tillage Panel to determine low disturbance, considering timing as well.
- Tom Simpson and Steve Dressing inquired about definition of conventional tillage being used as a baseline for the high/low disturbance tillage.

3:00 Manure Treatment Technology Panel Doug Hamilton/Jeremy Hanson

- Doug Hamilton discussed the current status of the Manure Treatment Technology Panel, the structure of the developing report, and a timeline for when the partnership would receive recommendations.
- Concerns were raised over the consideration of sediment in this panel's work, as it is stated specifically in the charge.

3:30 Nutrient Management Phase 6 Panel Frank Coale

- Frank Coale provided an update on the first meeting of the Phase 6 Nutrient Management Panel, the panel's timeline, and their proposed structure for recommendations on reduction efficiencies.
- Jack Meisinger reminded the panel that baselines will need to be determined for each major time step in the model.
- Concerns voiced about the responsibility of the states to gather the correct data for percent acreages following the standard core practices.
 - States may be able to work with industry groups to get the data. This is an issue that needs further discussion.
- Kelly Shenk voiced concern about using the term "consequence" to describe the result of following/not following core nutrient management practices.
- Jack Meisinger asked whether the baseline condition would include a nutrient management plan or not.

4:15 Swine Phytase Data Steve Taglang

- Steve Taglang presented a plan to move forward with swine data collection and analysis in order to develop future recommendations on phytase for the partnership.
- Tim Sexton to re-distribute data on manure of before and after phytase. Matt Johnston offered to review the data, but the AgWG will have to make a final decision. Matt suggested forming a sub-committee to handle this.

ACTION: Ted Tesler, Tim Sexton, and industry liaison to coordinate on providing data on before and after effects of swine phytase to Pennsylvania and the AgWG.

4:30 Adjourn

Participants Wednesday, September 16:

Greg Albrecht
Kristen Wolf

New York Dept. of Agriculture and Markets
Pennsylvania DEP

Kin Snell-Zarcone
 Ron Merrill
 Fred Samadani
 Glenn Carpenter
 Bill Keeling
 Jim Cropper
 Doug Hamilton
 Lindsay Thompson
 Curt Dell
 Kristen Saacke Blunk (Co-Chair)
 John Rhoderick (Co-Chair)
 Tom Simpson
 Rachel Rhodes
 Kelly Shenk
 Jim Baird
 Tim Sexton
 Marel King
 Ann Swanson
 Mark Dubin (Coordinator)
 Jeremy Hanson
 Matt Johnson
 Ted Tesler
 Steve Taglang
 Robin Pellicano
 Frank Coale
 Jack Meisinger
 Christian Richter
 Shawn Hawkins
 Ron Ohrel
 Mark Zolandz
 Lauren Torres
 Lindsey Gordon, Staff

Conservation Pennsylvania
 Pennsylvania Dairy
 Environmental & Water Resources Mgmt. Consulting
 USDA NRCS
 Virginia DEQ
 Northeast Pasture Consortium
 Oklahoma State University
 Maryland Association of Soil Conservation Districts
 USDA ARS
 Headwaters, LLC
 Maryland Dept. of Agriculture
 Aqua Terra Science
 Maryland Dept. of Agriculture
 U.S. EPA
 American Farmland Trust
 Virginia DCR
 Chesapeake Bay Commission
 Chesapeake Bay Commission
 UMD
 Virginia Tech
 CBPO
 Pennsylvania Dept. of Environmental Protection
 Pennsylvania Dept. of Environmental Protection
 MDE
 UMD
 USDA ARS
 The Policy Group
 University of Tennessee
 Mid-Atlantic Dairy Association
 U.S. EPA
 Delaware DDA
 CRC

September 17th 8:30AM-3:00PM

8:30 Delaware and Pennsylvania Pilot Cover Crop Transects

Marcia Fox/Susan Richards

- Marcia Fox and Susan Richards presented on pilot programs from DE and PA to gather cover crop transect data.
- Methodology incorporated mobile GIS applications to streamline the process of collecting cover crop data across transects.

- Kristen Saacke Blunk: Would farmers be comfortable with the images being taken?
 - Fox: We only use those images for which we have consensus from the farmer.
- John Rhoderick: In the fall, how do you report the nutrient management for commodity cover crops?
 - Mark Dubin: We're not reporting commodities; we're only reporting traditionals at the moment.
- Kelly Shenk: Are there any survey techniques that can determine if something has received nutrients?
 - Dubin: The only thing I can think of would be remote sensing. But this isn't a definitive indicator.
- Ann Swanson: If you did see visible evidence of application, then you don't record it. Is that correct?
 - Fox: The assumption is that every crop that is destroyed, is a cover crop.
 - Swanson: So in the fall, you're looking for commodity crops and traditionals?
 - Fox: Correct.
- John Rhoderick: When are you conducting surveys?
 - Fox: Depends on when the cover crops are going in and being harvested.
 - Dubin: When you go back out in the spring, you can do a follow-up check.
 - Fox: And we have note columns built into the app just for that.
 - Rhoderick: Is there any cross-check with the farmers, where you sit down with them?
 - Fox: Yes.
- Swanson: If you're doing the survey and you see a cover crop that's very small, do you not mark it down because it won't actually be functioning as a cover crop?
 - Fox: If it's not emerged at that point, it's not worth counting.
 - Swanson: What about where it might be emerged, but very small? Isn't there a judgement call?
 - Fox: We rely on the district staff for this.
 - Susan Richards: PA notes the size of the cover crop as well.
- Shenk: What's your level of confidence about which ones are fall fertilized with manure? What's your take?
 - Richards: I honestly am not sure about that. There's been a lot of discussion about that with the team.
 - Ken Staver: If it wasn't a manured situation, and the farmer was going to kill it in the spring, then there'd be no reason to put down any manure or fertilizer.
 - Dubin: One task with the new Phase 6 is to discuss manured cover crops and how we'll approach that moving forward. This information is all going to be useful for the panels as well as another reference source, but it'll be up to the panels to determine how we want to define it because it's currently not included in the Bay model at all, though there's been some pushback on that by groups.

- Greg Albrecht: What's your method for converting a point to an acreage?
 - Fox: We break out all of the data, so we take the % of observations using the 2012 NAS data for each county, multiplied out.
 - Richards: We use the same methods as the CTIC residue survey.
- Shenk: Is there any part of this that's looked at annual variability?
 - Dubin: We've done that with the PA data – whether it's a wet or dry year. And yes there is variability.
 - Shenk: So your recommendation is that you really have to do it year to year to see the variability.
 - Steve Dressing: Are you just reporting the acreage of traditional cover crops? Or is there a traditional and nontraditional measurement per acre?
 - Fox: Only traditional.
 - Dressing: I would think that would simplify things, and in a sense you could get more for less by using a binomial approach.
- Tom Simpson: I like your initiative. Relative to Kelly's question, I wonder if it's worth doing for what you're getting. If it's always questionable in terms of cost benefit, then that's something to be considered.
- Move for consensus on DE and PA being able to report transect survey data, with the support of the AgWG, of fall reporting of 2015 progress based on their use of the CTIC method and the statistic validity of their samples for traditional cover crops.
 - Motion approved. Consensus reached.
- Shenk: Is there a way to document how you're moving forward with determining manure application on cover crops?
 - Rhoderick: If they're coming back in 2016 as a follow-up, then they will know that this is an issue they need to consider.

DECISION: The workgroup reached consensus on supporting the effort of Pennsylvania and Delaware to continue their fall reporting cover crop transect survey data of 2015 progress.

9:30 **Cover Crops Phase 6 Panel**

Ken Staver

- Panel Chair Ken Staver with the University of Maryland provided a preliminary report on the activities of the panel and how the panel's charge is proposed to be addressed.
- Staver noted that he believes the experts on a given expert panel should identify what the panel should be charged with, as opposed to being tasked with certain charges by the AgWG.
- Kristen Saacke Blunk: If the panel comes together and decides that something in their charge is not relevant to the group, how should that be resolved?
 - Dubin: There is the ability for the panels to cross-coordinate if their charges overlap. We're also working to get the chairs to meet together and figure out who is responsible for what.
- Tom Simpson: The 0% reduction in P for cover crops is quite out-dated now. Would it be revisited because of this?
 - Staver: It's more of a tillage issue, and has to be dealt with under that umbrella.

- Marel King: If there's an issue with a charge, they should be free to come back to us at any time, right?
 - John Rhoderick: Correct.
- Staver: We have to get a better feel for how 6.0 looks before we can decide what we have to do.

10:00 Conservation Tillage Phase 6 Panel

Wade Thomason

- Panel Chair Wade Thomason with Virginia Tech provided a preliminary report on the activities of the panel and how the panel's charge is proposed to be addressed.
- Ann Swanson: It would be great if the AgWG or panels could help us draft language for a paragraph of what the panels are doing, so that our organizations could use this language to disseminate information in an agreed-upon and clarified way.
 - Dubin: What would be a great reference is to look at the report that the panel writes up. But the panel could also be tasked with creating these paragraphs that you could use.
 - Agreement from participants with Ann Swanson's comment.

10:30 Poultry Data Update

Mark Dubin/Christian Richter

DECISION: The AgWG obtained a consensus opinion to support the proposal to develop and implement a new "Plan B" regional poultry data collection effort at the state level between the academic, agency, and industry partners in the absence of available support from USDA-NASS.

11:30 Phase 6 Land Use Loading Rates

Gopal Bhatt/Tom Jordan/Gene Yagow/Jack Meisinger

- Gene Yagow and Jack Meisinger presented the committee's findings regarding Phase 6 agricultural land use target loading rates for nitrogen, phosphorous, and sediment.
- Jack Meisinger expressed concern regarding two of the land uses which were not receiving manure in the model, but are receiving manure in the real world, and as such would affect loading rates.
 - Response argued that because these land use loading rates are being submitted for a beta test, that changes to these two land uses could be made in the future, as results of the beta test will not be influencing the final version of the model.
- Gene Yagow: Our subgroups would still like to see how the subfactors get adjusted and how the APLE2 inputs get put into the model.
- Rhoderick: You have to look at new science in order to modify and adjust your findings and recommendations.
 - Yagow: If we're getting this much leaching, then our BMPs are addressing this.
 - Meisinger: The data I was looking at was in a non-BMP condition; and that's what we were asked to do.
 - Dubin: That's the historic condition.
 - Swanson: I think this is important for the future when we really need to look at which BMPs are best addressing the leaching problem.
 - Meisinger: The main problem we have is that our data for surface run-off is abysmal.
- Dubin: This group asked this subcommittee to go through the information and come back with recommendations. As Jack said, it's not quite finalized because we want to see some things from the CBP Modeling Team, but this is the best science we have right

now. We would like to see if the AgWG would feel comfortable about coming to consensus to say that we think it's good work and would like to move it forward to the WQGIT, where it would then go to the modeling team for the October 1st Phase 6 beta version deadline.

- Sexton: This doesn't mean they're finished, though?
- Dubin: No, they're beta version Phase 6.
- Sexton: At some point, if they could see some results from APLE2, then that might tailor this as we move forward. So I would urge those working with the APLE2 to provide that information. Aside from that, I say let's move forward.
- Thompson: From a process perspective, this isn't a final thing, so if we theoretically say we can live with this today, what is our next step? What's the next thing we're going to see so we can make sure whatever changes occur in the beta version 6 that what we end up with is also vetted by this group?
 - Dubin: We would come back to this group with any additional changes and information as far as finalizing the recommendations. So this is our best recommendation for today, but it will likely change as we move forward. There will be multiple versions, but the group has done almost all they can at this point without getting some additional information.
- Lew Linker: The modeling team appreciates the eyes and minds looking at APLE and RUSLE2 and are looking forward to continuing to work with the AgWG, so we're all learning together and the additional guidance and insights we're getting from the team here is really helpful to us.
- Rhoderick: So when will we be coming back with new info?
 - Yagow: We do owe you a report, and it'll say what we presented today. I don't think our relative ratios will change, but the modeling factors might.
 - Dubin: I think what would change is specific items we noticed in some of the factors. We would want to work through the team with that. It's mostly just refining moving forward at this point. Until we see the run of the beta version, we might have to come back and make adjustments.
- Shenk: I'm not sure we're comfortable moving forward with this until we meet together with our WIP group and go over it together.
 - Meisinger: You'd be comfortable approving it as a beta version/work in progress though?
 - Dubin: I know you didn't get much advance time to see this, but we've been given an October 1st deadline for beta Phase 6 version. So the idea is if you're comfortable with this moving forward, then the group would agree to let it move forward with provisional best guesses for early phase 6. The beta version won't get used, and that's next year and so we'll have a chance to make adjustments before that time.
 - Rhodes: So these aren't set in stone?
 - Dubin: No.
 - Sexton: When would be the earliest they could look at it and say yes or make some adjustments?
 - Dubin: Early as December, or January... or February.
- Saacke Blunk: What do the states think about this?
 - Rhodes: Maryland is not comfortable approving anything at this time. We need more time to deliberate.

- Rhoderick: Having made it through the NMP recs, this is kind of fitting the same criteria.
 - Staver: But this isn't generating any reductions. It's just trying to set the landscape for moving forward.
 - Dubin: I think the other way to look at this is NM is a BMP for progress reporting to the public. This is going to a beta version of a new phase model that will never be used for progress reporting, only to test it out to see if it works. So there is a difference between 532 and these recommendations.
- Saacke Blunk: Any other states?
 - Sexton: I understand the ratios, so as far as I'm concerned, let's plug it in and then review the results when they come in.
 - Greg Albrecht: I agree with that. We have to plug it into the whole system and then react to the results.
 - Rhodes: This is a pure protocol issue for me as well because it wasn't posted within the 10 business day mark. I don't want to make it to December and have someone bring that up and stop the show.
 - Thompson: if consensus can be built by everyone else besides the objection from MD, if they take a few days to look at it any they're okay with it, and everyone else is ok with it, then it should be approved.
- MD is not objecting at this point, they are only requesting for more time.

ACTION: Rachel Rhodes and Maryland representatives will review the agricultural land use target loading rates, and provide feedback in order to determine whether consensus can be reached to approve the group's rates for nitrogen, phosphorous, and sediment. Rhodes and Maryland will distribute their comments to the AgWG by Thursday, September 24.

- The AgWG requests to provide our affirmation of moving this to the Modeling Workgroup as a beta test for which we are seeking consensus, where MD or any other state needing to further consider this information would provide their consensus by next Thursday. Is this something we can reach consensus on?
 - Consensus reached, motion approved.

DECISION: The AgWG reached consensus to provide affirmation of the recommendations on land use loading rates presented by Tom Jordan, Gene Yagow, Gopal Bhat, and Jack Meisinger, where these recommendations would then move to the Modeling Workgroup for a beta test. This consensus and approval is contingent upon any state needing to further consider the information to provide their consensus by Thursday, September 24.

1:50 **BMP Verification Update: Panel Feedback and Next Steps**

Rich Batiuk

- Rich Batiuk, CBP BMP Verification Committee Chair, presented a summary of the Partnership's independent BMP Verification Review Panel's feedback on the states' draft agriculture verification program plans and walked through the upcoming BMP verification schedule of events and actions.
- Ted Tesler: Curious why stream restoration is called out separately, and whether it's urban or rural?

- Batiuk: It doesn't matter about the location. The panel looked at all of these as separate entities.
- Ann Swanson: The CBC recently looked at this chart. One of the things that the members asked for was to see a chart like this, except much more of an analysis of the critical elements. What they were trying to get at was that sometimes states got yellow or red because they were minor changes that with tweaks could be green-lighted. They wanted to know where there were critical element flaws, not necessarily minor issues.

2:30 **Region 3 EPA Animal Agriculture Program Evaluation Report** Kelly Shenk/Mark Zolandz

- Kelly Shenk and Mark Zolandz with the EPA Region III Water Protection Division provided a summary of topline findings from EPA's Animal Agriculture Program Assessments conducted in Maryland, Delaware, and West Virginia, and discussed the utility of the Bay state assessments to the Agriculture Workgroup.

2:45 **Phase 5.3.2 Nutrient Management Report** Workgroup Co-Chairs

- The workgroup reviewed the final draft of the Phase 5.3.2 Nutrient Management BMP Expert Panel recommendation report during the August monthly workgroup conference call. Since a consensus opinion could not be reached on a specific element of the full report, the Workgroup Chairs elevated the workgroup's opinions to the Water Quality Goal Implementation Team for consideration. The WQGIT took up the discussion during their team meeting on September 14, and decided to withhold a decision on the panel recommendations. The WQGIT instead requested that the workgroup move forward with establishing an ad hoc to evaluate how the jurisdictions may represent their existing nutrient management program in future progress reporting.
- There was discussion at the WQGIT, where concerns were expressed about the report being dissected and splitted when determining approval.
- The WQGIT reached similar conclusions when polled for consensus. The report will now be moving to the Management Board for potential approval.
- Based on a recommendation developed in the AgWG, a subcommittee was proposed to look at further concerns about the scientific recommendations regarding how states would interpret NM information under the guise of the Tiers, and to collate some information in that regard.
 - This received a favorable opinion.
- The second piece to this subcommittee relates to the inclusion of compliance rates in their scope, and there was difficulty in agreement about the definition of compliance rates. The WQGIT felt that the AgWG was overstepping the components. This piece, being specific to NM where none of the other BMPs were being asked to do the same thing was not equitable.
- By the 28th, we have to come back with this proposal for a subcommittee.
 - The first component is okay.
 - The second component has some disagreement.
- This table needs to be presented to the AgWG by next month's conference call, or the second bullet in the proposal should be dropped.
- AgWG can begin identifying people who would serve on the committee, and will develop new language for the subcommittee so be distributed to the AgWG, and later the WQGIT.
 - Asking for volunteer's to aid in revising the second bullet:

- Ann Swanson
- Kelly Shenk
- Marcia Fox
- Swanson: Once the matrix is developed, then the states can help us fill it out
- Kristen, John, Mark, and Jenn to work on revising bullet #2 to respond to the WQGIT's request.

ACTION: The AgWG will revise the proposal and charge for a subcommittee tasked with investigating how jurisdictions will report NM, taking into consideration the request from the WQGIT to revise language surrounding compliance rates. Ann Swanson, Kelly Shenk, and Marcia Fox volunteered to aid in the revision of the charge. This revised subcommittee charge will be presented to the WQGIT for review and approval at the September 28th WQGIT conference call.

2:15 Phase 5.3.2 Nutrient Management Panel

Workgroup Co-Chairs

DECISION: The decommissioning of the Phase 5.3.2 Nutrient Management Expert Panel has been tabled until the next meeting because consensus could not be reached.

2:30 Land Use Change Presentation

Jim Baird

- Jim Baird gave a presentation on the idea of valuing farm and forestland in a TMDL world.
- Jim Baird discussed creating projected land uses for 2025, and how the AgWG intersects with this project.
- Jack Meisinger asked when the Phase III WIPs would begin. Response: 2017.
- Baird brought up the decision to give value to the protective aspects of farms in the TMDL.
- Jim recommended the AgWG consider and ultimately recommend to the WQGIT that the 2025 land be used as the basis for developing Phase III WIPs.
- Ann Swanson suggests talking about this topic in a future meeting.

2:45 Review Meeting Recommendations and Action Items

Lindsey Gordon

3:00 Adjourn

Next conference call: Thursday, October 15 10:00 AM – 12:00 PM

Topics for next meeting:

- Animal Waste Management Systems Phase 6 Expert Panel review of membership and charge. (Jeremy Hanson/Shawn Hawkins)
- Discussing lessons learned from the EPA Animal Agriculture assessment reports (Kelly Shenk). Best time would be the December quarterly meeting.
- Jim Baird to discuss his presentation, detailing his suggestion for using 2025 land uses as the baseline for Phase III WIPs.

Participants Thursday, September 17:

Jack Meisinger

USDA ARS

Tyler Monteith	Delaware DNREC
Marcia Fox	Delaware DNREC
Susan Richards	Capital RC&D
Lauren Torres	Delaware DDA
Steve Dressing	Tetra Tech
John Rhoderick (Co-Chair)	Maryland Dept. of Agriculture
Kristen Saacke Blunk (Co-Chair)	Headwaters, LLC
Mark Dubin (Coordinator)	UMD
Lindsey Gordon, Staff	CRC
Rachel Rhodes	Maryland Dept. of Agriculture
Kelly Shenk	U.S. EPA
Tim Sexton	Virginia DCR
Lindsay Thompson	Maryland Association of Soil Conservation Districts
Andy Yost	West Virginia Dept. of Agriculture
Marel King	Chesapeake Bay Commission
Ann Swanson	Chesapeake Bay Commission
Tom Simpson	Aqua Terra Science
Fred Samadani	Environmental & Water Resources Mgmt Consulting
Gopal Bhat	CBPO
Jeremy Hanson	Virginia Tech
Jim Cropper	Northeast Pasture Consortium
Ted Tesler	Pennsylvania Dept. of Environmental Protection
Steve Taglang	Pennsylvania Dept. of Environmental Protection
Christian Richter	The Policy Group
Gene Yagow	Virginia Tech
Curt Dell	USDA ARS
Greg Albrecht	New York Dept. of Agriculture and Markets
Kim Snell-Zarccone	Conservation PA
Robin Pellicano	MDE
Ron Ohrel	Mid-Atlantic Dairy Association
Ken Staver	UMD
Bill Keeling	Virginia DEQ
Jenn Volk	UD
Kristen Wolf	Pennsylvania DEP
Mark Zolandz	U.S. EPA
Lew Linker	U.S. EPA
Olivia Devereaux	Devereux Environmental Consulting
Tom Jordan	SERC
Rich Batiuk	U.S. EPA