

August 21, 2015

by electronic mail only

Kristen Saacke Blunk (co-chair)
John Roderick (co-chair)
Agriculture Work Group
Chesapeake Bay Program

Dear Ms. Saacke Blunk and Mr. Rhoderick:

Our organizations are writing to you today to collectively express our concerns with the Nutrient Management Expert Panel 5.3.2 report. You can read our organizations' detailed comments in the *Recommendations for Approval by the Water Quality Goal Implementation Team's Watershed Technical and Agricultural Workgroups* document.

First, we recognize the many hours the expert panel spent on drafting the most recent version of the Nutrient Management report, as well as the response to comment document. Unfortunately, we believe the report is flawed and has failed to respond to legitimate technical questions raised during the comment period. The responses are not sufficient to address the significant technical concerns that were raised during the comment process, particularly those regarding the credit for phosphorus reductions under Tier 2. Consequently, we respectfully request that the Agriculture Workgroup (Ag Workgroup) reject the findings of this report regarding the efficiency for Tier 2 phosphorus.

Second, we also have concerns about the number of acres to which the proposed nitrogen and phosphorus efficiencies should be legitimately applied, which, in turn, relates to how many farms are following their nutrient management plans (compliance rate) and how the state programs relate to the various definitions. With respect to the former, we request that each state identify and justify, in writing, the nutrient management plan compliance rate in that state. These rates should be supported by actual data and subject to review and approval by the Ag workgroup. The acres receiving credit in the Chesapeake Bay Watershed Model (CBWM) for nutrient management should be adjusted based on these rates of compliance.

Similarly, we request that the states explicitly document how their nutrient management programs relate to the various nutrient management tiers and be subject to review and approval by the Ag Workgroup. The number of acres receiving credits under the various tiers should be adjusted accordingly, so as to reflect only actual implementation of reduction measures.

While we have remaining concerns about the use of Tier 1 for progress runs through 2017 and for the WIP2 assessments, we are focusing our comments on the recommendations in the current report. We expect that these comments will be shared with the Phase 6 panel for their serious consideration regarding how reductions from nutrient management will be credited in the future.

Thank you very much for your careful consideration of our comments and concerns. They are intended to help ensure the scientific integrity of, and transparency in, the process by which best management practices are credited in the CBWM. Please feel free to contact Beth McGee to discuss this in more detail.

Sincerely,

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