



STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE

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April 5, 2018

James Edwards
Acting Director
EPA Chesapeake Bay Program
410 Severna Ave
Annapolis, MD 21403

RE: Allocation Methodology and Special Case Consideration

Dear Acting Director Edwards:

The State of Delaware has concluded the review of the allocation methodology and would like to put forth to the Chesapeake Bay Program Partnership a special case request. Delaware requests an additional **one million pounds of nitrogen and ten thousand pounds phosphorus** added to our statewide allocation to reflect more equitable assumptions for select scenarios utilized in the agreed upon allocation methodology.

During our review, Delaware noticed some inconsistencies between our agricultural simulation in the "Everything by Everyone Everywhere" (E3) Scenario and other states within the Chesapeake Assessment and Scenario Tool (CAST). First, our forested buffer BMP was set at 9.4%, much higher than the average of the other Bay states; which is 2.9%. Second our E3 Nutrient Management acres are the highest at 90.1%, with the other states sharing the Delmarva Peninsula being Maryland at 83.4% and Virginia at 56.5%.

To estimate our proposal, an E3 clone was created with BMPs replacing the Chesapeake Bay Program goals for Nutrient Management and Forested Buffer acres with 85% and 3% coverage, respectively. These replacement goals were chosen to be both aggressive, but more consistent with our partner states. This scenario in CAST yielded a significant difference between our E3 Edge of Stream loads and this new scenario. Specifically, this new scenario put our estimate for E3 almost 1 million pounds edge of stream higher in nitrogen, almost 10 thousand pounds in phosphorus, and almost 21 million pounds in sediment.

Delaware requests these considerations be made on our behalf by EPA in summary allocations and the proposal be brought before the Principles Staff Committee before the end of the special case request period expires.

Respectfully,

A handwritten signature in blue ink that reads "Michael T. Scuse".

Michael T. Scuse
Secretary

cc: Shawn Garvin, Secretary