

Meeting Minutes
May 21, 2020
10:00 AM-12:00 PM
AgWG Conference Call

Workgroup Areas of Focus

Accounting & Reporting • Implementation • Innovation
Data & Modeling • CBP Assignments

Summary of Actions and Decisions

Decision: AgWG approved the April meeting minutes.

Action: The AgWG is asked to send feedback to Loretta Collins (lcollins@chesapeakebay.net) on the non-urban stream restoration discussion and the “[Memo Regarding Non-Urban Stream Restoration Best Management Practices](#)” available on the meeting material page by **COB Friday June 5, 2020**. The AgWG will be asked to approve the memo and EPEG formation on its June call.

Meeting Minutes

- 10:00 **Welcome, introductions, roll-call, review meeting minutes** Workgroup Chair
- Roll-call of the governance body
 - Roll-call of the meeting participants
 - Approval of meeting minutes from the April 16th Conference Call
 - **Decision:** AgWG approved the April meeting minutes.

Implementation

- 10:05 **NRCS Stream-Related Projects (45 min)** N. Herbert & J. Fripp
- NRCS personal, Noller Herbert, Director of the Conservation Engineering Division and geomorphologist Jon Fripp will explain what NRCS does related to rural streambank stabilization and an examination of the wide potential use of these standards. There will be time for questions and discussion.

Contact Jon Fripp for reports / or more information regarding this topic at: jon.fripp@usda.gov

Discussion (including Zoom chat):

Gary Felton: Is there a website that I can get NEH anything?

Jon Fripp: Yes, I can send the link to the group.

Sally Claggett: Any Plans to update the NEH- 653?

Jon Fripp: All the NEH's are planned to be updated. They are not permanent. In terms of the schedule for 653, I am not aware of that, but I can get that information for you.

Noller Herbert: We are on a 5-year schedule, but I don't have that schedule with me, but I can get that and get back to you.

Alana Hartman: slide 14 "some may match..." and slide 24 "these do not appear to be in conflict with the basic qualifying conditions" make me wonder if there is any way to be more specific in the reporting so we can determine if the project does match our definitions in the Bay program?

Jon Fripp: I probably awkwardly phrased that, and I saw that there was a lot of information that was in coincidence and not in conflict, but I assume it would need to be more specific. At NRCS we do have different definitions and in terms of data we are little more open with collecting. I'm not sure if that is a good answer, but it's the one I have.

Jan Surface: At the scenario level in the payment schedule we could verify what was implemented. This is where we could be more granular in what was put in the landscape.

Denise Coleman: We don't typically report on that at the local level so that information would be difficult to pull.

Data & Modeling

10:50 Next Steps: Non-Urban Stream Restoration (30 min)

Loretta Collins

On the April AgWG call Loretta Collins, UMD, discussed issues related to tracking, reporting, and crediting non-urban stream restoration projects brought to the forefront in December 2019 when the Water Quality Goal Implementation Team (WQGIT) approved [Recommendations for Improving the Application of the Stream Restoration Prevented Sediment Protocol](#), a report sponsored by the Urban Stormwater Workgroup (USWG). At the same time, the WQGIT requested that the Agriculture Workgroup (AgWG) convene an expert panel (EP) to evaluate stream restoration practices that do not align with the qualifying conditions outlined in the 2013 [Recommendations of the Expert Panel to Define Removal Rates for Individual Stream Restoration Projects](#) report. Concern was also raised regarding possible discontinuation of default removal rates for TN, TP, and TSS that have been used to credit projects reported under both the Urban & Non-Urban Stream Restoration BMP since the of the 2013 report (and 2014 test-drive revisions). Loretta will review feedback received since the last AgWG call and facilitate discussion on next steps regarding non-urban stream restoration.

Discussion:

Sally Claggett: I may have missed it, but do NRCS stream restoration projects ever need to get a permit (state or Army Corps)?

Denise Coleman: Yes, permits are needed in MD and there are some general permits in place.

Barry Frantz: The kinds of non-urban projects we are talking about are typically done by private landowners. They need to follow applicable state and federal rules for permits, regardless of them also getting technical or financial assistance from NRCS.

Sally Claggett: Does that mean the 1619 requirements are different for stream restoration practices?

Denise Coleman: No.

Loretta Collins: Next steps from the group is to review the draft Memo for non-urban stream restoration. In this I suggested forming an ad-hoc group.

Kristen Saacke Blunk: My concern is that the experts who were on the panel convened by Urban Stormwater so how do we keep going back to come up with a default when we already had the experts say that there is not enough scientific proof for a default rate?

Rich Starr: I was on the last panel and you are absolutely right, the erosion rates are based on taking samples of the bank and figuring out the amount of N and P. The NRCS is converting their numbers and converting them into different numbers. The numbers we generated all still apply to non-urban stream restoration too. I would avoid a default rate because if you use it then you are treating streams the same way and we know we got involved in this work because we wanted to restore the worst stream. I think those protocols would fit with non-urban too.

Loretta Collins: There are situations on the Ag side where the states can only get certain information from NRCS and it doesn't have the more granular information, so they are stuck between a rock and a hard place. The protocols from urban group they should apply to all projects it's just the areas where we can't the data that are causing problems and NRCS is a huge player in the ag world.

Denise Coleman: No information on permit application forms is considered confidential. This includes project location and extent of disturbance. The missing information for regulatory agencies is when the construction is completed.

Rich Starr: I don't see a conflict between NRCS practices and being able to take credit for certain practices.

Barry Frantz: I thought that was part of the question- as we read the stream restoration definition it doesn't appear that certain TMDL projects would be able to get credit.

Rich Starr: You are correct, but I have worked in projects that use NRCS funding and it has worked so I don't think it's a conflict. Why don't we sit down and examine what structures are funded by NRCS and see if those practices are fully creditable? I think we are going to find that most of the them will meet the criteria.

Loretta Collins: Rich, I think that's a really good idea and that might be where this EPEG group starts the process. The 2013 report had a ¾ page about non-urban stream restoration practices and their applicability but does not mention NRCS at all. Maybe all we need is a document within CBP that says that we've looked at all these practices state-by-state and they all fall within the stream restoration data.

Noller Herbert: I would suggest putting the definition aside and look at the whole watershed and determine what has worked and what hasn't worked. At NRCS, if there is a practice that isn't approved, then someone can put it forth for a trial period of 3 years. After which, we determine whether it worked or not. I suggest not getting hung up with the definition because it puts you in a box where you are unable to engage in new practices.

Jon Fripp: If it would be a help, I can send the links to the reports that were specific to the Bay Watershed. It's NRCS language but it's towards the same purpose.

Loretta Collins: I want to get the temperature of the room- does anyone absolutely oppose creating this ad-hoc group to look at this?

Frank Schneider: PA is not opposed to an Ad-Hoc group, but we don't necessarily agree with a new expert panel.

Evelyn MacKnight: I have been hearing about ag BMPs for a long time etc. and how they could be followed up on and maintained and it seems that verification is a big issue. Additionally, states have so little time to go out and inspect BMPs and there is no self-monitoring or separate entity that monitors because there are not the resources to follow up on them through the BMP's life. I think without solving that problem we are going to be stuck. Maybe this a good place to discuss this.

Rich Starr: CBT has a Stream Restoration research grant that can help answer long-term effectiveness of projects.

Matt Kowalski: In order to ensure than any choices we make regarding load reductions are scientifically defensible, and to ensure that the entire process is clear and peer reviewed, I am supportive of forming an EPEG to discuss the issues.

Loretta Collins: Duly noted. However, that opens up a whole different discussion [*referring to MacKnight's comments*]. We are aware that it is brewing at the WQGIT level and it will be trickling down at some point. If you have any thoughts or feedback on the memo, please send them to me. Reach out to me or Hilary if you would like to be included on the AgWG follow-up email.

- **Action:**
- The AgWG is asked to send feedback to Loretta Collins (lcollins@chesapeakebay.net) on the non-urban stream restoration discussion and the "[Memo Regarding Non-Urban Stream Restoration Best Management Practices](#)" available on the meeting material page by **COB Friday June 5, 2020.**

The AgWG will be asked to approve the memo and EPEG formation on its June call.

Implementation/ Accounting & Reporting

11:20 Impacts of COVID-19 (40 min)

All

The current international health crisis is having impacts across every aspect of society. Time is allotted here to provide CBP partners the opportunity to share their recent experiences and what the short-term and potential long-term impacts of stay-at-home orders and critical response efforts will be on the agricultural community and conservation efforts. Below is a non-exhaustive list of possible areas of discourse:

- Technical Assistance Capacity
- Outreach and Education
- Health, Safety, Wellness
- Industry Impacts
- Ag Markets Outlook
- Federal and State Agencies
- Non-Governmental Organizations/ Non-Profits
- Tracking, Reporting, & Verification Challenges
- Adaptative Strategies

Jason Keppler: In MD we have somewhat relaxed our teleworking policy and have allowed conservation district folks to come in to work on projects, specifically ones where construction is going to start. Some offices have a rotating program. This is an important time of year for our cover crop program and we have really been left in a lurch in verifying. However, we were able to work with our partners to explore the use of remote sensing to verify that a cover crop has been burned down. In outreach and education, we are utilizing webinars to the best of our ability. In terms of industry impacts, our poultry industry has taken a huge hit, and, in some cases, whole houses have had to be cleaned out. For verification, we haven't been able to go out and do any verification work.

Frank Schneider: In PA our technical assistance capacity was impacted, especially by the teleworking orders. However, most employees are coming back online. PA is operating under the green, yellow, and red phase. Ag production was exempt from the stay at home so that has continued as normal. We have been doing a lot of online learning. The meat packing industry and mushroom industry has been impacted heavily and in the dairy industry we are having a lot of downturn with milk still being dumped.

We are starting to see that the dairy and swine industries are dialing back production. Our federal and state agencies are working well together, and I don't have information for verification.

Jeremy Daubert: In VA we are in Phase 1 for most of the state. Restaurants etc. are only take-out or outdoor seating only. Our county is opening their doors on June 1. Most extension [personnel] are working from home and still doing farm visits. The poultry industry hasn't been hit quite as hard as in other states, but they are having a hard time finding employees, especially for turkey due to the high demand for lunch meat. In the dairy industry, April and May were bad months but they can apply for assistance and get paid depending on how many cows. Luckily, prices for milk have rebounded to almost to what they were. The produce guys are really busy, but the weather has not been good for fruit (strawberries hit particularly hard). We won't be doing any extension work through the summer.

Kelly Shenk: From EPA's perspective, we have a coronavirus website that has a lot of summaries of the work we are doing. A few things to highlight are that we distributed an enforcement memo to discuss how that would occur during this challenging time. We also have a number of flexibilities for EPA-funded projects that might be halted due to COVID-19. We have been tracking closely the state guidance for dumping milk and mortality plans for animals and EPA released a memo on milk dumping. For personal protective equipment (PPE), we have donated our extras to FEMA to get those to people in need. We are trying to stay up with everyone electronically and virtually.

Marel King: At CBC, the legislators are focused on revenue numbers for the next couple fiscal years and the range for our three states is 2-4 billion dollars of shortfall in expected revenue. So, we are keeping our eyes on that moving forwards. We are also working with partners on how to maintain momentum moving forwards and welcome any feedback. The House is working on stabilizing the economy and right now there is talk of a conservation corps (similar to the new deal during the Great Depression but it would focus on environmental conservation work). There may be opportunities, if this goes through. Legislatively, PA has still been in session but promising bills, like their fertilizer bill, is now on hold.

Amanda Barber: NY has been particularly hard hit by the pandemic. We are reopening on a phased basis and there are 7 metrics that you have to meet to open. All Chesapeake Bay counties are currently eligible. The whole state shut down their technical assistance and verification work as they were not essential so we were very limited in what we could do. We are starting to get back to business now. The dairy industry was particular hard hit and hasn't recovered yet. Everything remains closed in terms of schools, restaurants, etc. [NYS Department of] Ag & Markets reassigned their staff to help with other things like unemployment interview which has impacted their abilities to perform ag-related work. There is a 4-5-month delay in getting funding from state grants. Most of our partners are working remotely or doing field visits with limitations.

Denise Coleman: NRCS offices are closed but employees are reporting to the field or teleworking on a rotational basis. There is still implementation going on in the field and we are doing construction inspection planning. We will be doing a sign-up in PA for emergency mortality disposal, particularly for the poultry industry.

Paul Bredwell: In the Poultry and Egg industry, we are working hard to make sure we have workers to help process poultry and eggs. We also had a lot of meetings to compare practices. We have a few instances of having to depopulate some poultry houses due to shutting plants down or not having the capacity to process.

Gary Felton: UMD is under a hiring freeze and we have lost 5% of our funding for next year. We were told we should plan to expect that for the next two years as well.

11:50 **New Business & Announcements (5 min)**

- Verification Action Team
 - The Management Board charged the WQGIT with convening an [Ad-Hoc action team](#) to address BMP credit duration and lifespan. This is in response to the [BMP Verification memo](#) the WQGIT sent to the Management Board in September 2019.
- Consensus Recommendations to Improve Protocols 2 and 3 for Defining Stream Restoration Pollutant Removal Credits: Report [here](#). May 19 presentation to urban Stormwater Workgroup (USWG) [here](#).
 - The USWG is seeking comments by **no later than June 19th**. Please send feedback to **Tom Schueler (watershedguy@hotmail.com) and David Wood (wood.csn@outlook.com)**.
- GIT Funding:
 - The Chesapeake Bay Program, in collaboration with the Chesapeake Bay Trust, released the 2020 Goal Implementation Team (GIT) Funding request for ideas (RFP). **The RFP can be found [here](#)**. Project funding is within the \$25-\$75k range and the total funding amount is \$829,250. **If you are submitting an idea, it will be helpful for you to plan on participating during the WQGIT meeting on TUESDAY, May 26th from 1:00 – 4:00 PM.**
- Animal Mortality Expert Panel Report- in process
- Soil Health Institute: Evaluating Soil Health Measurements
 - The first of many publications associated with the North American Project to Evaluate Soil Health Measurements (NAPESHM) has been published open source in Agronomy Journal. <https://access.onlinelibrary.wiley.com/doi/full/10.1002/agj2.20234>
- Other Announcements?

11:55 **Review of Action and Decision Items (5 min)**

Hilary Swartwood

Hilary Swartwood will review action and decision items from the meeting.

Decision: AgWG approved the April meeting minutes.

- **Action:**
- The AgWG is asked to send feedback to Loretta Collins (lcollins@chesapeakebay.net) on the non-urban stream restoration discussion and the “[Memo Regarding Non-Urban Stream Restoration Best Management Practices](#)” available on the meeting material page by **COB Friday June 5, 2020.**

The AgWG will be asked to approve the memo and EPEG formation on its June call.

12:00 **Adjourn Meeting**

Next Meeting:

Thursday, June 18, 10AM-12PM: Conference Call

COVID-19 Resources:

Evolving list...

Delaware

UD Extension: <https://www.udel.edu/academics/colleges/canr/cooperative-extension/trending/coronavirus-resources/>

Maryland

MDA Updates: <https://news.maryland.gov/mda/category/covid-19/>

UMD Extension: <https://extension.umd.edu/learn/covid-19-resources>

Maryland Farm Bureau: <https://www.mdfarmbureau.com/coronavirus/>

New York

Crisis Management: <https://www.nyfarmnet.org/>

Cornell Cooperative Extension: <https://eden.cce.cornell.edu/coronavirus-response/>

State-Level Ag/COVID resources that are updated, sometimes daily (with some overlap):

Executive Order 2026 on Essential Businesses/Entities:

- <https://esd.ny.gov/guidance-executive-order-2026>

NYS Dept. of Agriculture and Markets:

- <https://agriculture.ny.gov/coronavirus>
- https://agriculture.ny.gov/system/files/documents/2020/04/covid19_resourceguide_0.pdf

Cornell University / Cornell Cooperative Extension:

- <https://eden.cce.cornell.edu/coronavirus-response/>
- <https://prodairy.cals.cornell.edu/publications/covid-19/>
- <https://prodairy.cals.cornell.edu/publications/news-e-alerts/>
- <http://agworkforce.cals.cornell.edu/novel-coronavirus-covid-19/>
- <https://smallfarms.cornell.edu/resources/farm-resilience/>

Pennsylvania

Dept. of Agriculture: <https://www.agriculture.pa.gov/Pages/COVID-19-Resources.aspx>

Dept. of Environmental Protection (DEP) guidance documents:

<https://www.dep.pa.gov/Pages/AlertDetails.aspx>

Penn State Extension: <https://extension.psu.edu/coronavirus>

West Virginia

Dept. of Agriculture: <https://agriculture.wv.gov/divisions/covid-19/Pages/default.aspx>

Virginia

Virginia Tech: https://aaec.vt.edu/content/dam/aaec_vt_edu/extension/aaec-outreach-reports/covid-19-resources-may-2020/COVID-impacts-on-Virginia-5-20.pdf

USDA

U.S. Dept. of Agriculture: <https://www.usda.gov/coronavirus>

Coronavirus and USDA Assistance for Farmers: <https://www.farmers.gov/coronavirus>

Federal Rural Resource Guide: https://www.rd.usda.gov/sites/default/files/USDA_COVID-19_Fed_Rural_Resource_Guide.pdf

EPA

EPA: www.epa.gov/coronavirus

EPA Policy and Frequent Questions on Grant Issues related to COVID-19 (3/26):

<https://www.epa.gov/grants/rain-2020-g02>

EPA Memo on COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program (3/26):

<https://www.epa.gov/sites/production/files/2020-03/documents/oecamemooncovid19implications.pdf>

Non-Governmental Organizations

National Association of Conservation Districts: <https://www.nacdnet.org/covid-19/>

Farm Bureau: <https://www.fb.org/land/impact-covid19-on-ag>

Farmer's Legal Action Group Quick Summary of COVID-19 Relief for Farmers:

<http://www.flaginc.org/wp-content/uploads/2020/04/Updated-Farmers-Guide-to-COVID-19-Relief-April-27-2020.pdf>

National Farmers Union: <https://nfu.org/coronavirus/>

Center for Dairy Excellence: <https://www.centerfordairyexcellence.org/covid-19-farm-resources/>

U.S. Poultry & Egg Association: <https://www.uspoultry.org/COVID-19/>

Pork Checkoff: <https://www.pork.org/public-health/what-you-need-to-know-about-covid-19/>

National Grain and Feed Association: https://imis.ngfa.org/members/n/COVID-19_Updates/ngfa/News/COVID-19_Updates.aspx?hkey=85178898-8bf7-4520-9299-b9348fa2641f

National Cattlemen's Beef Association: <https://www.ncba.org/coronavirus.aspx>

Crisis Hotline

Farm Aid: Monday-Friday 9-5 EST at 1-800-FARM-AID: <https://www.farmaid.org/blog/resources-for-farmers-affected-by-covid-19/>

Rural Advancement Foundation International (RAFI): <https://www.rafiusa.org/hotline/>

Call Participants

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Elizabeth Hoffman, MDA

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Bill Tharpe, MDA

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Dylan Cooper, Trout Unlimited

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5/21/20

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