

Jordan Nutrient Rules Engagement Process
Agriculture Technical Advisory Group (TAG)
Meeting 1: June 25, 2024 10:00am-noon on Teams

10:00- 11:00am	Introductions and overview of TAG purpose and timeline	Ellie Rauh, DWR
	Watershed impairments and land cover	Ellie Rauh, DWR
	NLEW, Jordan Ag Rule implementation, and reductions	Allie Dinwiddie, DSWC
11:00am- Noon	Overview and discussion of areas for potential nutrient reductions and new tracking	Ellie Rauh, DWR and Rich Gannon, DWR
	Closing	Ellie Rauh, DWR

Possible meeting discussion questions:

- Do you want to require that cattle are fenced out of the stream?
- Do we want to reduce P application on Jordan soils?
- Is there concern about dry litter land application in Jordan?
- Can dry litter be better managed in Jordan?
- Is there concern about biosolid and manure waste land application in Jordan?
- Do we have access to better data that can inform decisions?
- Can a regulation support a nonregulatory program to reduce P land application?
- Is the agricultural sector interested in investments from urban areas for practices that would reduce nutrient loading and increase additional environmental health factors?
- What can be improved in reporting or NLEW?
 - What outputs would be useful to local and state entities to document progress and inform local strategies/actions to further water quality goals?
 - Should report content or frequency be adjusted?
 - Should other organizations be responsible for the generation of report sections?
 - Should oversight committee roles and responsibilities be adjusted?
 - Should the DSWC NPS Planning Coordinator position be utilized in a different way for rule implementation?
- What agriculture sector indicators would be best to track nutrient loading, environmental health, and bmp effectiveness?

Post-meeting main next steps:

- DWR: Complete interviews, research outstanding questions and comments, write up supporting research and new concepts, identify and send advance questions.
- TAG: Read write up and email/prepare comments before next TAG meeting.

Attendees

DWR: Ellie, Rich, Sara Gupta (intern)

DSWC: Allie Dinwiddie

Andrew Waters, Chatham SWCD

Orange SWCD: Chris Hogan, Supervisor; Bradsher Wilkins; Jamey Walker

Guilford SWCD: Dan Marcum, Millie Langley, Gary Cox

NCSU CES: Deanna Osmond, Erin Rivers

Dianne Farrer, NCDA

Grace Messinger, Piedmont Conservation Council

Casey Harrington, NRCS Regional

Judy Stalder, TREBIC

Keith Larick, NCFBF

Peter Raabe, American Rivers

Renee McPherson, area farmer

Meeting Notes:

Overview – Ellie and Allie

No questions

Potential Options for Rules

Exclusion

- Bradsher – “require” causes warning flags. Maybe add incentive to fence out – increase C/S from 75% to 90%.
- Keith – one issue with mandate, you have leased pasture cases where owners of land are not interested in putting funds into fencing out when it’s not their cows. Especially where development is coming. Problem for renter fronting cost is question of how long you’ll have access to that land, whether you’ll get life out of 10-year contract length.
 - o Allie – urbanizing areas seen C/S participation really drop off. DSWC considering reducing contract lengths b/c of that.
- Deanna – kudos to SWCD’s in Jordan, which have been really aggressive at getting exclusion installed. Across country where fencing used as primary conservation practice, it has to be maintained but isn’t particularly after contract expires. Needs to be tracking over time, will require workload.
- Renee McPherson – have fenced out our cattle, but with leased land contract length issue, need to transfer some of cost back to owner.
- Extent of leased pastureland in Jordan? Allie – don’t know what may be out there.
 - o Chris – think it’s a significant number, lot of beef farmers lease.
 - o Bradsher – FSA tracks leased land. Ellie will look up.
- Millie – should consider size of stream requiring fencing out from; hilly land with lots of draws could get difficult to fence out everything.
- Can a regulation help support C/S while not requiring it directly?

- Allie – caveat discussion with what is meant by ‘require’; all cattle? Some percent of it? Collective target vs individual mandate?
 - o Rich – shared HRL example of individual mandate, phased in.
 - o Chris Hogan – have prided ourselves on pitching in, but none of us like regulatory mandates. Costs, financing are a major concern.
 - o Allie – do need to think about benefit vs cost. Does DWR have enforcement capability, and if not, would benefit actually be realized? If not, would it be more beneficial to do a collective requirement type approach with less pushback?
 - o Deanna – went through same discussions with Neuse rules long ago. Part of it was that DWQ didn’t have staff to do mandate. Ended with compromise that did to try and track changes w/o burden of doing enforcement.

High-P Soils:

Dry Litter Poultry

- Keith – guessing we’ve seen increase we’re going to see driven by the Siler City plant; about 10% b/t 2017 and 2022 showing in bar graph. Most of it likely out of Jordan watershed.
- Allie – thinking to reach out to Districts about whether poultry has increased as concern for them, and secondly whether NM plans for poultry have increased.
 - o Casey H – do have a lot of producers using 590 management techniques, while not a lot of 590 NM plans for poultry. Only been here a couple months though.

Biosolids

- Allie – clarifying questions on data presented – all class B? No. Dedicated and non-dedicated? Don’t know. Note dedicated don’t have to follow agronomic rates.
- Orange and Guilford not shown in graph ... - not sure why.
- Deanna – a field with 20 years biosolids app had a P index of 1200, in other research.
- Deanna – in Jordan Ag survey, w/o a doubt, the biosolids fields had higher P indices than other waste app fields. To me, definitely would start with biosolids.
- Keith – pulled up DWR map of permitted land app fields; are permitted fields in Orange and a few in Guilford. Just a matter of whether they received waste in the year we looked at.
- Allie – access to better data? I see this rulemaking as opportunity to get that data; DWR’s data compilation from biosolids permits – maybe you can consider making it accessible digitally.
 - o Deanna – a group worked on this about 10 years ago but it failed. Like to see Ellie’s point taken seriously.

Urban Sector Interest in Ag Investments (JLOW)

- Keith – curious how it would work with individual exclusion mandate. Rich – think it would take exclusion off the table as a LG ED compliance credit practice. Keith – in that case, we’ll hear from JLOW on that.
 - o Peter – hope there would be opportunity to build partnerships and not use traditional trading approach. Maybe landowners not being regulated individually.

Current Accounting Benefits and Challenges – Allie

- What outputs would be useful to local and state entities to document progress and inform local actions to further WQ goals?
 - o Hands local aggies who have reviewed AR's recently? None.
 - o Keith – in terms of tracking N and P, don't know what's better than NLEW.
- Should report content be adjusted? Progress metrics?
 - o Keith – been hearing more about streambank erosion and P contribution. Are we underestimating its contribution?
 - Deanna – seen some work out of Midwest, some is pretty good. Thing about ours soils is if you haven't fertilized them, they don't have much P. And Jordan survey showed 60% fields buffered already anyway. Keep in mind massive erosion and soil redistribution in originally settling the land. We don't have a lot of good data, but don't think as much as western folks are seeing.
- Allie – caveat, TN and TP in streams will be difficult to tease out ag vs other sources contributions.

Rich – want to see how Districts have managed to get all the exclusion implementation you have as shown in the annual reports (+ 5k acres through 2017), and what are prospects for continuing that?

- Bradsher – sell them on animal health. Most are not concerned about water quality downstream.