

MINUTES
North Carolina Interagency Nutrient Management Committee

Oct 27, 2005

Attendees:

<u>NCDA</u>	<u>NCSU</u>	<u>DSWC</u>	<u>NRCS</u>
Richard Reich	Jim Green	Vernon Cox	Tommy Cutts
Collen Hudak-Wise	David Crouse		Lane Price
David Hardy	Deanna Osmond		
	John Havlin		
	Amber Moore		

Others

Randy Sutton, CAFO SS

1. CAFO Software Presentation. Randy Sutton, with CAFO Software Solutions made a presentation to the INMC on a packaged solution that they are marketing to the state's animal feeding operation managers to assist in their nutrient management record-keeping and implementing their waste utilization plan. The system, which allows users to manage and record waste application events, record daily rainfall, record lagoon levels, track weekly maintenance performance, and perform other tasks, is built around providing a web-based server access to an AFO's specific data through mobile PDA technology. The package is designed to eliminate paper record keeping, increase productivity, minimize data entry errors, and improve plan compliance.

CAFO SS is requesting the INMC work with them to develop a way to share the data from an AFO's waste and nutrient management plan in the field office (including plan revisions when made), so that they can ensure the data in their system is current. Some issues associated with file transport, file format, data security and confidentiality, etc were discussed. It was generally agreed by the INMC that an export file could be developed to accommodate this need.

ACTION: It was agreed that Randy Sutton would contact Vernon Cox to set up a time to further discuss the specific data needs and resolve export file format issues. Lane Price will also participate to assist with data confidentiality issues from a federal perspective.

2. Update on Nutrient Management Software Release. Vernon Cox indicated that Version 4.0 of the NC Nutrient Management software has been released and is now available on the NC Nutrient Management website. The primary modification to the software in version 4.0 was the incorporation of the revised format for poultry operations that allow for an annual adjustment for crops and fields used.

Vernon also discussed that he has completed the development for a future enhancement in the software to utilize RYEs for crops by specific mapping unit, rather than series. This would be consistent with PLAT. Implementation of this option is related to the following item on the agenda.

3. Updating the RYE database to fill the "gaps". David Crouse summarized the recent discussions on updating the RYE database to fill in the missing data for crop yields on

some soil series. Some of the related issues were discussed such as (1) pasture versus hay yields, (2) not all crops are grown on all soils, (3) variations in yields for soil mapping units that are mapped across different counties and even physiographic regions of the state, (4) determining the accuracy and precision needed, (5) avoiding making requests on the field staff except when absolutely necessary, (6) ensuring the identified yields are used to populate NASIS, (7) the general lack of valid, reliable data on yields, (8) the use of soil management groups as a way to populate crop soil combinations where no data exists, and other factors.

There was consensus within the INMC that an effort should be undertaken to update the RYE database to fill the gaps and make other corrections/adjustments as needed. It was agreed that (1) there would not be a statewide mass data request from the field offices on their estimated yield data, but would be based on efforts by small multidisciplinary groups established around a commodity area (grasses, row crops, vegetables, etc), (2) the small groups would simultaneously look at soils in all three physiographic regions to address climatic and growing season variability across the state, (3) the small groups would include representation and input from NRCS soil scientists, NCDA agronomists, NCSU and CES staff, etc., and (4) the groups would work through focused 1-2 day sessions.

ACTION: David Crouse agreed to take the lead in this effort for the INMC. David will work with the other INMC members to schedule the meetings in 2006, and coordinate the updates to the database.

ACTION: INMC agencies will let David know who the agency contacts will be for their agency to assist in the RYE update effort.

4. Update on CAFO Rule and Impacts on NC (Vernon C/Lane P. for Paul Sherman). Lane and Vernon reported that they met with DWQ (Paul Sherman) to get an update on where the state stood relative to the revision to the CAFO ruling, permits, deadlines, etc. A few key points:

- The rule identified deadlines for applying for an NPDES permit (April 2006), as well as a deadline by which permitted operations should have their nutrient management plan and associated waste application BMPs fully implemented (December 2006).
- In 2005, the Second Circuit Court determined by a ruling that it was not legal for EPA to require a permit based solely on the size of the operation (e.g. number of animals), and that a permit can only be required for a CAFO where a discharge has occurred. What constitutes a discharge has not been defined.
- This ruling essentially means that the deadlines associated with applying for NPDES permits and implementing the nutrient management plan associated with the permit are no longer applicable.
- In response to this ruling, EPA has begun drafting new rules. A public notice with the draft rule is expected by the first of the year.
- It is important that AFO operators understand that there are some requirements in the Rule based on operation size that may still apply (e.g. setback requirements),

even if they are not required to obtain an NPDES permit. DENR-DWQ is analyzing the Rule to determine what these are, but keep in mind that EPA is revising the Rule, so these may change.

- The existing NPDES permits in NC will expire in July 2007. At that time, if nothing else changes, the CAFOs that would require a permit will need to renew, using the new technical requirements (e.g. setbacks, NMP that addresses phosphorus, etc.). Those existing permit holders that do not require an NPDES under the new rule will be given the option of acquiring an NPDES permit, or falling back to a state permit.

5. BMP Equivalent Memo to 1217 Committee. Deanna Osmond reported that she will be presenting to the 1217 Committee in November the recommendations of the INMC regarding BMP equivalents to a 35 ft vegetated buffer for the CAFO rule. It was agreed by the INMC that the draft as provided at the meeting may be finalized. It was also discussed that this memo from the INMC does not mean that other potential options for BMP equivalents will not be explored in the future.

6. Comments on Draft NRCS 591 Standard (All). Lane distributed a copy of the NRCS national standard on Waste Amendments, as well as the state standards for this practice from Delaware and Mississippi.

ACTION: INMC members will provide this standard to others in their agencies for a technical review and comment on its potential application in North Carolina. Rory Macquire at NCSU will be asked to review, based on his past research on this topic.

7. Update on Projects:

Sludge Application Study. Deanna reported that this study was underway and progressing well. The preliminary data seems to indicate that the sites being evaluated in the study are not generally experiencing the same level of dramatic increases in P and metals as those sites that raised concerns in 2005.

Subsurface P Transport Study. John Havlin reported that so far 14 fields have been included in the study, and that 4 of these will be instrumented with wells to monitor the P concentration/movement in subsurface flows. Additional fields will be added to the study next year.