



# Delaware Nutrient Management



## The Delaware Nutrient Management Commission Minutes of the Full Commission Meeting Held August 14, 2007

### In attendance:

<i>Commission Members Present</i>	<i>Others Present</i>		
B. Vanderwende – Chair	T. Brinson	H. Comegys	S. Kepfer
M. Adkins	M. Brown	K. Foskey	E. Thompson
D. Baker	K. Bunting-Howarth	P. Hansen	E. Vincent
R. Baldwin	B. Coleman	S. Hollenbeck	
K. Blessing			
A. Johnson			
C. Larimore			
J. Manchester			
B. O’Neill			
C. Solberg			
C. West	<i>Ex-officios Present</i>		
<i>Commission Members Absent</i>	W. Rohrer	G. Llewellyn	
	M. Cooke		
J. Elliott	J. Hughes		
T. Keen			
R. Sterling			

*This meeting was properly notified and posted as required by law.*

### Call to Order/Welcome:

Chairman B. Vanderwende called the meeting to order at 7:00 p.m. and welcomed everyone in attendance.

### Approval of Minutes:

C. West questioned page 4 of the June 12 minutes...He thought the Commission recommended a letter be sent to EPA. He requested that B. Rohrer clarify. B. Vanderwende remembered the request to meet in public, but could not remember the letter. B. Rohrer pointed out that there was no motion for the letter, but rather a response to EPA’s request. He said that following an inquiry from EPA, he invited D. McGuigan (EPA) to a DNMC meeting. McGuigan, through email correspondence, expressed trepidation...citing that there were issues to resolve prior to a public forum. He requested that some groundwork be done before a public meeting. C. West just wanted some type of record that the Commission had offered a meeting with EPA to discuss and work on differences.

**J. Manchester motioned to adopt the minutes of the June 12, with the addition of the email correspondence referenced above.**

**C. West seconded the motion, which passed unanimously.**

### Discussion and Action Items:

*Commercial Processor’s Annual Report ~ Allen’s Foods (Tom Brinson):*

B. Vanderwende introduced Tom Brinson, Environmental Manager of Allen’s He provided the following summary:

- 248 contract growers in Delaware
- Allen’s updates grower contracts whenever there are changes to Nutrient Management regulations

- Allen's contributes to DNMP, cooperative extensions, University of Delaware, and USDA
- Flock supervisors communicate with contact growers
- Flock supervisors go through training, and meetings are held three times per year with contract growers
- Allen's will continue to provide contract growers with educational materials
- Allen's is working on an Alternative Use Project for excess manure
- 100% phytase utilization in feeds, leading to a 31% reduction in phosphorus output
- Allen's is working on a litter to energy project, it will utilize 15,000 tons per year
- Allen's contributes indirectly to continuing education via various memberships
- Allen's does a complete clean-out program every 2.5 to 3 years

J. Manchester asked what the time frame is for getting a new contract grower into the educational process. T. Brinson responded that as soon as they come on board, they are made aware of any educational requirements. Also, they require all flock supervisors to become certified as Private Nutrient Handlers. J. Manchester asked for the comparable reduction in nitrogen (after phytase addition). T. Brinson did not have that information with him. He offered to get the information and share it with J. Manchester. T. Brinson explained that growers know 2 to 3 flocks ahead of time about clean outs. They have ample time to arrange for relocation etc. Manure is stored in a manure shed, and stockpiling outdoors is not allowed. C. Solberg would like an update on information taken from the Survey, and recommendations Allen's can provide with regard to the Chesapeake Bay initiative.

*Review and Act on the Fine Matrix for Nutrient Management Violations:*

B. Vanderwende explained that no action could be taken on this item. He stated that it would have to be held until it can go through the Rules and Regulations Subcommittee.

*Review and Act on Relocation Program Standards:*

B. Rohrer spoke on behalf of T. Keen, Chair of the Technology Subcommittee, which met August 09. He explained that the Subcommittee reviews the relocation and planning programs on an annual basis. The Subcommittee, by unanimous vote, has one recommendation to present to the Commission. It deals with capping increases for some of the current funding: Outstanding approved applications for transportation cost share for any single entity should be increased to \$125,000; primarily because of the inventory that Perdue sits on as a pellet product. This increase has no impact on the funding structure for the entire program. C. West asked if the inventory is raw manure or pellet. B. Rohrer stated that the Program pays based on raw manure. The inventory that they sit on is pelletized. He went on to say that the Program provides \$10 per ton to move the product from the plant off the shore, and approximately \$2 to \$3 to get it from the farm to the plant. So, the Program pays the first \$2 or \$3, then sits on the claim until the product is then moved to the marketplace. Therefore, the claims sit in limbo for most of the winter until the product is moved in the spring.

**J. Manchester motioned to accept the recommendations of the Subcommittee.**

**C. West seconded the motion, which passed unanimously.**

*Review and Act on Nutrient Management Plan Reimbursement Standards:*

B. Rohrer spoke on behalf of T. Keen, Chair of the Technology Subcommittee, which met August 09. He explained that the Subcommittee had a detailed discussion, deciding that the Program may wish to move to a different phase of Cost Share (since most Nutrient Management Plans have now been written, and only require updating). This phase would include more of an incentive for soil testing and other analytical tools as opposed to plan creation and administrative reimbursement. However, this is not a recommendation. The Subcommittee is looking into several alternative funding structures, and will have a recommendation prior to the start of the next crop year. This information is provided to the Commission as an update only, and there are no Subcommittee recommendations at this time.

**Subcommittee Reports:** J. Manchester wanted to go a little further with the Subcommittee Report than what has been presented. He stated that the Subcommittee had a number of discussions based on his calculations, relating to various practices and the effect of them on pollution. The Subcommittee asked that his calculations be reviewed by the University of Delaware. Greg Binford will review the calculations, and has already stated that the P205 per bushel figures that J. Manchester had used were different than those used by the University. Another discussion dealt with the calculations used for effective yield data (using the best 4 out of 7 years). J. Manchester feels that this method causes high phosphorus application rates. The third discussion dealt with the relationship of

the FIV content in the top layers of soil as compared to the 8 to 16-inch depth. The data we have is fuzzy. Greg Binford is preparing a program and will collect data this fall to calculate phosphorus movement and its effect on runoff, erosion and leaching. Also discussed was increasing the utilization of cover crops to decrease nitrogen pollution in the water. We don't want to set up another program. R. Baldwin will discuss with DNREC, and the Districts; and will bring his findings to the Subcommittee for further discussion. There was a brief discussion dealing with cover crop cost share. J. Hughes stated, "you need to tell us from what standpoint if you need reallocation of existing funds, which means you're going to come short somewhere else. If you spent all your cost share money at the end of the year, and I believe that to be true, so the demand is either exactly equal to the supply, which I doubt; or it's greater. So if you reallocate towards cover crops, you need to tell me quickly. I don't have a problem with it, you're in charge of it, so is Mike. I started that program the first day I came as Director of Soil and Water. I knew a lot about it up until I became Secretary. I don't know what happened after that, but I will say this, the money...it has been well funded. As I recall, it's \$3,245,000 last year. They cut it a little bit this year, to \$3,205,000". B. Vanderwende responded that when it is necessary, they do try to reallocate, but there is no money this time. J. Hughes said, more money can be requested. It has to start at the District level and go up through Soil and Water. You're not going to see it until next summer, if then. But, you have to make the case for needing more money. There was discussion regarding the "best 4 out of 7" as opposed to "crop removal rate" for phosphorus application as written in Nutrient Management Regulations. J. Manchester wants to redefine the phosphorus application rate in the next Technology Subcommittee meeting.

**Administrator's Report:** *Refer to the attached Administrator's Report*

B. Rohrer explained the Administrator's Report.

**Public Comments:** None

**Next Meeting:** The next scheduled meeting will be September 18, 2007 at 7:00 p.m.

**Adjournment:** Chairman Vanderwende adjourned the meeting at 9:15 p.m.

Approved,

William Vanderwende, Chair  
Delaware Nutrient Management Commission

BRR/psd