Message

From: Zolandz, Mark [Zolandz.Mark@epa.gov]
Sent: 6/22/2015 4:39:34 PM
To: Dwight Dotterer -MDA- [dwight.dotterer@maryland.gov]
CC: cc: Gary Kelman -MDE- [gary.kelman@maryland.gov]; Louise Lawrence -MDA- [Louise.Lawrence@maryland.gov]; Bryan Harris -MDA- [bryan.harris@maryland.gov]; Jeff Sweeney [JSweeney@chesapeakebay.net]; Alisha Mulkey -MDA- [alisha.mulkey@maryland.gov]
Subject: Re: Maryland Animal Agriculture Program Assessment Draft Report

Dwight,

Thanks for helping to clarify this issue. Per your recommendation, I will include a footnote to clarify which numbers are statewide and which numbers are for the Bay watershed. I'll take another look through the report and see whether numbers elsewhere need to be clarified as well.

Thanks,

Mark Zolandz
U.S. Environmental Protection Agency, Region III
NPDES Enforcement Branch , Water Protection Division
1650 Arch Street (3WP42)
Philadelphia, PA 19103-2029
Tel: 215-814-2319
Fax: 215-814-2318

From: Dwight Dotterer -MDA- <dwight.dotterer@maryland.gov>
Sent: Thursday, June 11, 2015 5:20 PM
To: Zolandz, Mark
Cc: cc: Gary Kelman -MDE-; McGuigan, David; Price-Fay, Michelle; Zieba, Kyle; Shenk, Kelly; Louise Lawrence -MDA-; Bryan Harris -MDA-; Jeff Sweeney; Alisha Mulkey -MDA-
Subject: Fwd: Maryland Animal Agriculture Program Assessment Draft Report

Mark,

Alisha Mulkey of our office has researched your questions and provided the following explanation. Additionally Louise Lawrence points out that the numbers MDA is supplying are actual statewide program numbers whereas we assume the Bay Program version of implementation numbers for EPA are Bay watershed numbers. Her suggestion is to choose which version you want to publish and footnote the source.

I hope these explanations answer the questions but let me know if not.

Thanks,

Dwight

---------- Forwarded message ----------
From: **Alisha Mulkey -MDA-** <alisha.mulkey@maryland.gov>

Date: Thu, Jun 11, 2015 at 1:31 PM
Subject: Re: Maryland Animal Agriculture Program Assessment Draft Report
To: Dwight Dotterer -MDA- <dwight.dotterer@maryland.gov>, Louise Lawrence -MDA- <Louise.Lawrence@maryland.gov>, Jason Keppler <jason.keppler@maryland.gov>

One more note on Table 11 - EPA is missing NM on pasture acres under the "NM Planning" category. The correct number should be 802,281 as Mark Z. commented above.

Alisha Mulkey
Coordinator, Watershed Implementation Planning & Tracking
Maryland Department of Agriculture
50 Harry S. Truman Pkwy
Annapolis, MD 21401
410.841.5866

On Thu, Jun 11, 2015 at 1:26 PM, Alisha Mulkey -MDA- <alisha.mulkey@maryland.gov> wrote:

Here are the answers for NM and SCWQP acres:

- the credited acres of NM for 2014 was 802,281. The submitted acres was 839,310 but land-river segments outside the watershed (15 segments in Garrett Co.) are deducted for credit
- the credited acres for SCWQP for 2014 was 998,915. The submitted acres was 910,146 however an additional BMP (cropland irrigation) was unknowingly added to this category via a misunderstanding on my part. This resulted in the increased acres of SCWQP.

The end answer is that the numbers provided in **Table 11 by EPA are technically correct,** but if you want to footnote the numbers with additional notes I can help. Let me know your thoughts?

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On Thu, Jun 11, 2015 at 12:33 PM, Alisha Mulkey -MDA- <alisha.mulkey@maryland.gov> wrote:

I have double checked my submitted numbers for the 2014 progress and they confirm MDA's comments about Table 11. I have a call into my counterpart at MDE to discuss, since he is the official submitter to EPA.

Hopefully I can resolve this afternoon.

Alisha Mulkey
Coordinator, Watershed Implementation Planning & Tracking
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Annapolis, MD 21401

410.841.5866

On Thu, Jun 11, 2015 at 10:30 AM, Dwight Dotterer -MDA- <dwight.dotterer@maryland.gov> wrote:
Alisha,

Can you help with this?

Thanks,

Dwight

---------- Forwarded message ----------
From: **Louise Lawrence -MDA-** <louise.lawrence@maryland.gov>
Date: Thu, Jun 11, 2015 at 8:02 AM
Subject: Fwd: Maryland Animal Agriculture Program Assessment Draft Report
To: Dwight Dotterer <Dwight.Dotterer@maryland.gov>

you might want to check w/Alisha

Louise

---------- Forwarded message ----------
From: **Zolandz, Mark** <Zolandz.Mark@epa.gov>
Date: Thu, Jun 11, 2015 at 7:59 AM
Subject: Re: Maryland Animal Agriculture Program Assessment Draft Report
To: Dwight Dotterer -MDA- <dwight.dotterer@maryland.gov>
Cc: Gary Kelman -MDE- <gary.kelman@maryland.gov>, "McGuigan, David" <McGuigan.David@epa.gov>, "Price-Fay, Michelle" <Price-Fay.Michelle@epa.gov>, "Zieba, Kyle" <Zieba.Kyle@epa.gov>, "Shenk, Kelly" <shenk.kelly@epa.gov>, Louise Lawrence -MDA- <Louise.Lawrence@maryland.gov>, Bryan Harris -MDA- <bryan.harris@maryland.gov>, Jeff Sweeney <JSweeney@chesapeakebay.net>

Dwight,

For Table 11 in Section 6.0, MDA had commented that NMP progress for 2014 should be 839,309 acres (instead of 746,751 as shown in the table) and conservation plans progress for 2014 should be 910,118 (instead of 998,915 as shown in the table). I double-checked the numbers with the Chesapeake Bay Program. The NMP 2014 progress run numbers for cropland are 746,751 acres, and even adding pasture only brings the total to 802,281 acres. Similarly, the conservation plan 2014 progress run numbers are 998,915 acres. I am not sure where the discrepancy lies, but the numbers in this table are the numbers that the Chesapeake Bay Program are reporting for Maryland's 2014 progress run. Can you double-check your numbers and what was reported in your 2014 input deck to the Chesapeake Bay Program? Feel free to contact Jeff Sweeney at the Chesapeake Bay Program (JSweeney@chesapeakebay.net) if you feel that our 2014 progress run numbers are incorrect and he can help work with you. Hopefully, we can figure out why the numbers aren't matching up and resolve the issue.

Thanks for your help.

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From: Dwight Dotterer -MDA- <dwight.dotterer@maryland.gov>
Sent: Wednesday, June 3, 2015 3:46 PM
To: Zolandz, Mark
Cc: Gary Kelman -MDE-; McGuigan, David; Price-Fay, Michelle; Zieba, Kyle; Shenk, Kelly; Louise Lawrence -MDA-; Bryan Harris -MDA-
Subject: Re: Maryland Animal Agriculture Program Assessment Draft Report

Mark,

Louise Lawrence and Bryan Harris have worked on this, Louise making edits and Bryan researched the numbers for the charts. I think we have supplied the information you requested the best we can. Please let me know if you need anything else and we will try to find it.

Thanks,

Dwight

On Mon, Jun 1, 2015 at 10:56 AM, Zolandz, Mark <Zolandz.Mark@epa.gov> wrote:

> Gary and Dwight,
>
> I just wanted to check in with you all and confirm that you will be able to submit any feedback or comments on the Maryland Animal Agriculture Program Assessment Draft Report to EPA by this Friday June 5. If there are any problems with this date, please let me know ASAP so that we can resolve whatever the issue is.
>
> Thanks again for your assistance with this assessment.
>
> Mark Zolandz
>
> U.S. Environmental Protection Agency, Region III
>
> NPDES Enforcement Branch , Water Protection Division

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From: Zolandz, Mark
Sent: Friday, May 01, 2015 4:25 PM
To: Dwight Dotterer -MDA-; 'Gary Kelman -MDE-'
Cc: David McGuigan; Michelle Price-Fay; Kyle Zieba; Joel Blanco-Gonzalez; Smith, Brittany; Andrew Duchovnay; Day, Christopher; Kelly Shenk; Capacasa, Jon; Edward, James; Fritz, Mike
Subject: Maryland Animal Agriculture Program Assessment Draft Report

I want to thank you again for your cooperation with EPA during the animal agriculture program assessment process during the past year. I know that it has been a long process, and it certainly could not have happened without your help in collecting and sharing information with EPA, including the MDE and MDA files that were made available for our review.

After all of that effort, we have developed a draft Maryland Animal Agriculture Program Assessment report (attached) that summarizes Maryland's animal agriculture programs. The draft report also makes observations about the various animal agriculture programs, including how well the programs support Maryland's WIP goals and increased BMP implementation. While the report focuses on three main regulatory programs (CAFO/MAFO program, Nutrient Management Program, and Agricultural Certainty Program), we tried to also recognize where increased BMP implementation is supported by non-regulatory programs, such as the Maryland Agricultural Certainty Program and the Maryland Agricultural Water Quality Cost-share (MACS) Program. While some observations may provide opportunities for improvement, continued implementation and adequate funding of both the regulatory and voluntary programs will help Maryland move forward towards meeting its WIP agricultural implementation goals.

We wanted to provide Maryland with the opportunity to review the draft report and to ensure its accuracy and our interpretation of Maryland's animal agriculture programs. Please share with the appropriate state staff for review. There are several areas where additional information from Maryland, such as clarifying certain funding and providing additional information on voluntary NMP implementation, will further help to illustrate the non-regulatory programs that Maryland is utilizing to increase implementation of BMPs. We would ask that Maryland provide any feedback or comments to EPA by Friday June 5, 2015 at the latest. This will provide MDE and MDA up to five weeks to review the draft report and share your feedback with us.

As part of EPA's continuing role to track progress towards meeting the Bay TMDL allocations, EPA plans to finalize this report by the end of June. Your timely comments will allow EPA time to make any necessary corrections to the content of the draft report and develop a final report by June 27, 2015. EPA intends to make the final report publically available on EPA's website by August 28, 2015. This report will also satisfy an EPA commitment under the CBF settlement agreement.

As you review the draft report, feel free to contact me with any questions. If it looks like it would be useful, we can also schedule a conference call to discuss any issues or concerns about the content of the draft report.

Thank you again for all of your help.

Mark Zolandz

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