

**Summary minutes of the
U.S. Environmental Protection Agency (EPA) Farm,
Ranch and Rural Communities Committee (FRRCC)
Federal Advisory Committee Meeting**

Date and Time: Wednesday, May 25, 2016 9:00 a.m. through Thursday, May 26, 2016 5:00 p.m.

Location: EPA Potomac Yard South, Crystal City, Arlington, VA

Purpose: Lay the foundation and define next steps for the Farm, Ranch, and Rural Community Committee's (FRRCC) draft recommendations on EPA's role in soil health in response to Administrator McCarthy's charge to the Committee.

Participants:

FRRCC Members in attendance:

Dr. Steve Balling, Chair

Mr. David Petty, Deputy Chair

Ms. Peggy Beltrone

Dr. Lori Berger

Mr. George Boggs

Mr. Daniel Botts

Mr. Charles Bowling

Mr. James Ford

Mr. Omar Garza

Mr. Archie Hart

Mr. Patrick Johnson

Mr. Phillip Korson

Mr. Joseph Logan

Mr. Paul Martin

Mr. Thomas McDonald

Dr. Janis McFarland

Mr. Roger Noonan

Secretary Bill Northey

Dr. Larry Sanders

Ms. Cheryl Shippentower

Dr. Ann Sorensen

Mr. Donn Teske

Mr. Dennis Treacy

EPA Staff in Attendance from the Office of the Administrator:

Mr. Ron Carleton, EPA Agriculture Advisor

Ms. Donna Perla, Acting DFO FRRCC

Ms. Cheryl Woodward

Ms. Lena Ferris

Facilitators:

Mr. Paul DeMorgan (RESOLVE)

Ms. Catherine Allen (EPA)

Other attendees: A list of members of the public who attended the meeting can be found at <https://www.epa.gov/faca/frcc>.

Materials Available: The agenda and meeting materials are available at the FRRCC website: <https://www.epa.gov/faca/frcc>

Meeting Summary

The meeting was announced in the Federal Register April 25, 2016 and proceeded according to the meeting agenda. A summary of the meeting follows.

May 25, 2016

Opening Statements and Welcome:

Ms. Donna Perla, the Acting Designated Official (DFO), opened the meeting and made a brief opening statement noting the FRRCC Panel is a Federal Advisory Committee under the Federal Advisory Committee Act (FACA). She noted the purpose of this meeting is to bring the Committee members together to deliberate on substance and a path forward on key recommendations and developing a Recommendations Document to submit to the Administrator in response to her charge to them. She also noted that the meeting was open to the public, public participants in person and on the phone needed to identify themselves, and that meeting notes were being taken for the public record. Mr. Ron Carleton gave opening remarks, discussing the engagement between EPA and Agricultural stakeholders.

Mr. Carleton thanked Donna Perla and Cheryl Woodward for helping to make this meeting happen. Mr. Carleton introduced Dr. Steve Balling.

Dr. Steve Balling gave opening remarks, reinforcing that the goal of this meeting was to leave with a draft of key recommendations the Committee would want to develop to submit to the Administrator. He focused on previous work of two workgroups: soil health and outreach and engagement, referring to background documents that had been provided to Committee members and made available to public attendees of the meeting and are further available on the FRRCC Website. He emphasized that Day 1 would focus on outreach and engagement – asking the members to consider whether they have identified key points that they think are important to raise to the Administrator. He pointed out that Day 2 will focus on the discussion of EPA’s role in soil health, and charged the members to think about how discussions on outreach and engagement could be integrated into EPA’s role in soil health.

Dr. Balling then introduced EPA’s Deputy Administrator, Mr. Stan Meiburg

Mr. Stan Meiburg gave a background on his history at EPA – noting he has worked at EPA for forty years, with experience working at Headquarters in Washington, DC, Research Triangle Park, and EPA’s Region 4 office in Atlanta, Georgia. He noted his extensive experience with the agricultural community while in Region 4. The Deputy Administrator thanked Secretary Bill Northey of the Iowa Department of Agriculture and Land Stewardship for his relationship with EPA.

Mr. Meiburg talked about the importance of the FACA to help provide a forum for EPA to get advice from external partners, noting that the challenge is in identifying our common interests. From family farming experience, he noted he is familiar with the challenges that drought is posing to the agricultural community. In his 40 years at EPA, he has had significant opportunities to listen, learn and exchange perspectives with the agricultural community. He extended his appreciation to the Farm, Ranch, and Rural Community Committee members for being committed citizens of this country and providing EPA with insights EPA would not have without their participation on this Committee. Their efforts are a true public-spirited effort to make this a better country. He noted that soil health is a common interest to both the agricultural community and the environment. The underlying strength of the soil has an important role in sustained agricultural production and EPA appreciates the role soil health plays in achieving environmental goals, including its role in nutrient cycles, greenhouse gas cycles, and water quality.

EPA has challenges in working with the ag community, however EPA and the agricultural community have a common interest in EPA’s mission of protecting public health and the environment. EPA works closely with agriculture and USDA’s Natural Resource Conservation Service to help improve soil health for the benefit of this country.

Mr. Meiburg noted that no one in the agricultural sector wants to create long-term environmental problems for future generations so the common underlying interest is there for the agricultural community and EPA to better understand each other. He thanked members of the Committee for their service – and mentioned that EPA had a small token of appreciation for all the Committee members.

Mr. Meiburg then took questions from the members.

George Boggs, the head of the Soil Health working group stated that the “**What’s upstream issue**” is a huge blow to relationships between EPA and the agricultural community. He asked how EPA planned to recover from this and asked what the plan is to make sure something like this does not happen again?

Mr. Meiburg gave some background on the grant issue in the Pacific Northwest with the northwest fisheries association that assisted tribal fisheries on salmon recovery. He explained that the original intent of communication in Region 10 was about tribes maintaining their traditional way of life, including ensuring healthy fisheries. The Tribe used some of the money to mount a campaign against the agricultural community related to water quality issues using billboards and bus signage. He emphasized that this kind of messaging was not what EPA was trying to promote and that this signage against the agricultural community has been taken down.

Mr. Meiburg noted that when you see someone else as the enemy it is hard to have a conversation about shared goals. EPA believes the agricultural community is EPA’s partner in achieving a healthy environment; so the fact that we have this issue between the agricultural community, the tribes and EPA means we need to try to get people focused on the common interests rather than focus on the messages we don’t want to hear.

Mr. Tom McDonald noted that the committee struggles with what the right role for EPA is. The committee wants to have a good working relationship with EPA and asked whether EPA just has a regulatory role or also outreach, consulting and partnership roles that need to be developed? Mr. McDonald asked if EPA thinks it has a role in agriculture?

Mr. Meiburg responded that it is not an either or question. Mr. Meiburg noted EPA does not have all the tools and has to work cooperatively with states, companies, and others to find solutions. The EPA of the future has to refine its non-regulatory tools to help solve the problems we face. EPA is, however, a regulatory agency mandated by statutes to implement very prescriptive programs to enforce. He noted that amendments to TSCA just passed the House of Representatives last night so there is hope to get changes to statutes that are more reflective of the times. Common interests can help us make bipartisan decisions.

George Boggs said that, just like politics, all agriculture is local. He noted the increased support for agriculture in each region with each region having a portion of an FTE to look at agricultural issues. If agriculture is important to EPA then outreach to agriculture is critically important - and recommended that EPA needs to say “yes we value the importance of agriculture” and put resources behind that.

Mr. Daniel Botts raised examples of where litigation and court deadlines force decision-making instead of good science. He suggested that EPA shouldn’t let a court imposed decision be the barrier to good science. These circumstances erode trust with the ag community.

Mr. Chip Bowling said that the National Corn Growers had previously made efforts to work with EPA but with two lawsuits against EPA, litigation makes communications harder.

Mr. Stan Meiburg acknowledged that EPA struggles with litigations and keeping partnerships open and that a large part of the Agency’s overall agenda is often set by court-imposed deadlines.

Mr. Daniel Botts responded that cooperation with the people on the ground could help prevent litigation.

Mr. Stan Meiburg agreed that sustainable solutions come from people building relationships and working together. He pointed to examples, including the Florida nutrient criteria and the Florida everglades.

Mr. George Boggs recounted how seeing the What's Up Stream billboards going to work every day has made it hard for agricultural people to work cooperatively with the EPA. He suggested it is important to have a person from the agricultural community be in the conversations when agriculture is being discussed. To convey the level of frustration from the agricultural community, he quoted a producer "If I just went out of business will EPA finally just leave me alone?"

He reiterated that it's frustrating to see that agriculture isn't important enough for EPA to have a full-time person from each region, particularly noting that Region 10, where he is located, has many agricultural issues and yet doesn't have a full time regional agricultural advisor. Lack of resources for agricultural issues at EPA makes things difficult.

Mr. Meiburg explained that there are many diverse resources relating to agriculture and the environment. For the most part, States implement the Clean Water Act, Clean Air Act, Resource Conservation and Recovery Act, etc., unless not authorized to do so or if a State has not opted to implement the program. Local jurisdictions also have oversight of activities and sometimes tension exists between local flexibility and states implementing federal regulations. He noted that diminished resources at the federal, regional, state, and local levels present challenges for everyone carrying out their roles. EPA has seen proposals to cut its operating budget by \$320 million dollars annually, and has lost 20% of its staff in the last 10 years, so the situation is not unique just to EPA functions related to agriculture – but across the board.

The meeting was interrupted by a fire drill, at which time, Mr. Meiburg left the meeting.

Outreach and engagement: David Petty, Chair of the outreach and engagement working group summarized the work of this group over the past seven months.

He reinforced that EPA and the agricultural community share a common goal of sustainability – noting that without sustainability, the agricultural community cannot have long-term profitability. He emphasized that EPA needs to understand what is important to producers and how they can contribute to environmental issues. This requires getting input from the agricultural community at the grass roots level.

Mr. Petty then focused on the summary document of previous recommendations and acknowledged that EPA had listened to many of the Committee's recommendations and there were some real success stories. He went through the information in the document and noted that some regions have been supportive and active while others don't appear to have been. He was under the impression that every region now has an agricultural advisor and suggested that each Regional agricultural advisor could create a regional FACA-like committee with agricultural partners and use them as a communication tool between producers and EPA. He suggested that for real success EPA needs to start engaging the agricultural community at the start of the process., rather than approaching them with an almost

finished product. He highlighted the importance of EPA and the agricultural community coming to the table to work together on issues.

One of the most successful examples is the animal agricultural discussion group. Although it started out small, it brought in diverse participants that were looking for solutions and there are now a variety of successful projects from that group.

He also noted the importance of working with other federal agencies. USDA's National Resource Conservation Service (NRCS) – is an example. NRCS has a tremendous amount of funds, expertise, and technical advisors to help EPA address some of their problems. EPA has worked with NRCS to incentivize best management practices that lead to positive environmental outcomes and entered into environmental stewardship cooperative projects with the dairy industry and the cattleman's association.

He reinforced the importance of scientific integrity to identify problems and solutions, using the Chesapeake Bay as an example where, although agriculture is part of the problem, it is not the only source of concern.

He acknowledged the reduction in EPA staff in all areas including, but not solely related to, agriculture. Given these examples and realities, he asked the Committee to consider how outreach and engagement concerns and recommendations can be incorporated into EPA's role in soil health. He suggested that soil health is one more example of how EPA can engage in outreach to the agricultural community. He then opened the meeting up for discussion.

Phil Korson asked how there can be better communication with the agricultural community given reduced state and federal budgets. He suggested the need to think outside of the box – leveraging resources and existing priority efforts, such as outreach through the Chesapeake Bay program and Waters of the U.S., bringing producers into state efforts to expand and foster state, federal and producer partnerships.

Dr. Lori Berger commented that the committee is trying to create a framework for better working relationships and exchange between EPA and agriculture, regardless of soil health. She encouraged the committee to explore the role of technology (e.g., Ag 101 on-line training and websites) to reach more people, assimilate more information, and provide training, since dwindling resources translates to fewer people in the field.

Dr. Steve Balling noted that there are several great anecdotes of effective EPA engagement with the agricultural community, but that EPA has to have a framework where all of EPA has to have a plan for interacting with the agricultural community.

Presentation by the Nutrient Recycling Challenge – OWM

Slides from this presentation can be found on the FRRCC webpage <https://www.epa.gov/faca/frcc>.

The Rural Branch in EPA's Office of Wastewater Management gave a presentation on their Nutrient Recycling Challenge. This challenge attempts to identify, inspire, and fund new emerging technologies

for recycling nutrients from pork and dairy manures (they have similar waste streams) and to identify issues that create barriers in recycling nutrients from manure into valuable products. They would welcome expanding the challenge to beef and poultry in the future.

Several challenges were highlighted by the EPA team, including: there needs to be more “market pull” for co-products produced by new technologies, and there is a need for more interaction between the inventors of new technologies and the agricultural producer to better understand producer needs and feasible use of manure and by-products.

The team noted that there was interest in this challenge not just nationally, but globally.

Dennis Treacy (Smithfield Foods) noted that this is an example of a new EPA that partners with others to find solutions to a vexing problem through open discussion, focusing on environmental improvements, not prejudging whether ideas are good or bad, and identifying market opportunities to enable solutions. He commended EPA’s Office of Water for allowing this project to happen. He noted that Smithfield Foods was a significant partner in this challenge and launched a press release with EPA supporting the project.

Everyone recognized the importance of finding ways to communicate down on the farm where technical decisions are made and the EPA team noted the importance of establishing working relationships for project success.

Tom McDonald (JBS Five Rivers Cattle Feeding) – acknowledged that this is great project, and inquired what it means to be a partner?

The EPA team answered that partners help develop criteria, don’t necessarily contribute money, but eventually sign a cosponsorship agreement, and partners may offer in-kind assistance, such as conference space (for example, World Wildlife Fund hosted a meeting).

- Several recommendations were made by members: There need to be markets for co-products for nutrient recycling to be successful. There could be a role for the FRRCC and the agricultural sector to identify and develop those markets
- Members want to get connected into the Office of Wastewater Management’s List serve for the Nutrient Recycling Challenge.

Committee Discussion on Outreach and Engagement

Discussion then focused on what is required for successful outreach and engagement, noting that the nutrient recycling challenge’s success, in part, was due to effective outreach and engagement. The members asked what the basics of the nutrient recycling challenge process were and how they could be replicated elsewhere in EPA? How can EPA create a culture change to develop and implement an EPA-wide strategic plan to effectively interact with the agricultural sector?

One member noted that EPA has very little regulatory authority in agriculture, unlike authorities related to industry, so it has to create new paradigms to achieve environmental goals.

Another member noted that if agriculture is such a big source of pollution, maybe all EPA staff need to become better informed about agriculture.

Committee member, Mr. Hart, asked whether EPA is the right organization to play this role, and asked whether, instead, it is everyone's role.

Committee members agreed that EPA staff may not be as knowledgeable of the agricultural sector as some other sectors that they interact with. Members recommended several mechanisms to improve EPA staff baseline knowledge about agriculture:

- new employees whose responsibilities will include interacting with the agricultural sector be required to take a training module
- use resources from other industries and agencies involved with agriculture to educate EPA staff
 - Syngenta has an agriculture terminology course
 - USDA courses
 - Invite agricultural speakers to come to various regions to give presentations on a variety of agricultural topics

Members then split into two discussion groups.

Break Out Session #1 - Facilitated by Paul DeMorgan, RESOLVE

The group was asked to identify which previous recommendations from the Outreach and Engagement summary document the members thought they should highlight and identify those they would like to move forward with.

Some members wanted a better understanding of how the regional programs work and how that might influence implementation of outreach and engagement recommendations.

The group was asked to identify recommendations in the summary document that are already being successfully implemented by EPA and identify any that are not working or need to be changed.

The group identified that they want to develop a recommendation that supports giving better background, by region, on the structure within each region on how agricultural issues are managed.

There was discussion that the agricultural community can play a role in increasing outreach and engagement by providing venues for EPA to interface with the agricultural sector. However, a critical roadblock that was identified is the lack of travel funds for agricultural staff to get out to various agricultural communities and/or events. All regions have at least four states or territories under their jurisdiction, and travelling to those farther away from the regional office is long and expensive.

Omar Garza stated that just because a budget is cut should not change what is needed. EPA needs agricultural staff to interact with the agricultural community. State governments are being cut, local government is being cut, EPA budgets are being cut but the relationship building still needs to get done.

It was noted that EPA does not have a cadre of staff charged with engaging the agricultural community and exposure to the agricultural community is needed at the senior leadership and staff levels, including Regional Agricultural Advisors and permit writers. The members did not have a clear idea of what the current Regional Administrators are doing regarding agriculture or what their agricultural strategies or programs look like. Challenges and methods in effective engagement between EPA and the agricultural community were discussed. Several recommendations were made to increase outreach and engagement between EPA and the agricultural community.

- EPA needs an agricultural strategy that all regions concur with. This strategy should include standards for implementation. EPA can't continue to have some regions having an agricultural plan and others not. There is a need to ensure commonalities amongst the regions.
- The Regional Administrators need to support their agricultural advisors.
- The regions should consider forming regional FRRCC-like groups
- EPA and the agricultural community should consider an exchange program where agricultural staff work at EPA for a year and EPA staff go to some agricultural entity to learn about agriculture.
- The members noted that a recommendation to increase funding for adequate EPA staff and travel costs was essential for EPA staff to be able to get to agricultural communities.
- A suggestion was made to have EPA booths staffed at state fairs.
- A recommendation was made to do a data call to keep an accounting of all the agricultural meetings, conferences and trainings that EPA staff have participated in annually.

Training EPA staff was discussed within the group. The members agreed that if EPA staff are going to work on agricultural issues they need training on agriculture and issues of concern in the agricultural community.

- Mr. Daniel Botts (Florida Fruit and Vegetable Association) stated that EPA needs to invest more resources in sending staff to agricultural training. He noted that Florida offers a relatively inexpensive training on state agricultural issues. In the seventeen years that it has been offered, EPA has only sent two staff twice to this training. He would like to see more EPA staff at these trainings. Lack of EPA getting trained sends a message coming from the top that agriculture isn't important. However, he emphasized how agriculture is a main driver of land use, and is therefore critically important. He suggested exploring collaborative capacity building in this area. There are other regions that also offer agricultural training – two groups in California, one in Michigan, and one in the Northeastern States.

The members also discussed climate change as a huge environmental issue. The members asked themselves what role the agricultural community might want to have in helping EPA address that priority and whether there is a link between soil health and climate change, or might there be a different change in the future for addressing climate change?

Breakout Session #2 - Facilitated by Catherine Allen (EPA)

Dennis Treacy (Smithfield Foods) expressed frustration that communication, outreach, and collaboration between EPA and the agricultural community in a non-regulatory sense is still not resolved; it is somewhat improved, but not nearly what it ought to be. This frustration amongst committee members is why they continue to want to focus on improving EPA's outreach and engagement efforts. He had the impression that EPA acknowledged the committee's previous recommendations but had not acted on them.

Trust and communication is needed. There has been a failure of EPA and the agricultural community coming together to understand what each is trying to do. The breakout group reiterated the recommendation that each EPA region establish a regional network to engage the agricultural community within that region – well before a regulatory comment period to ensure EPA considers the agricultural communities' concerns.

Mr. Roger Noonan offered that if a regional FACA-like committee was set up, States would need to be involved as well. The group noted that Non-Governmental Organizations can play a role and that the Committee doesn't include a state representative from a national association, such as the Environmental Council of States or the National Association of State Departments of Agriculture. They agreed that there would need to be inclusion of the right stakeholders who are impacted by the agricultural community and EPA, including non-traditional audiences, such as those representing the socially disadvantaged and under-represented populations. They also noted that diverse staffing and discussion, internal to EPA, would also be needed. The group agreed, however, that an informal group cannot translate into meaning a special path for a particular group.

Dr. Balling suggested that there would need to be an agreed upon structure of an informal group, such as meetings no longer than three hours long and no more than two times a year – not during legislative sessions, with webinars on specific topics.

Ms. Peggy Beltrone noted there may be economic barriers for some people to participate in Regional discussions. It was suggested that local government and federal advisory committees meet at the same time to make it more economically feasible and get Regional money to host a coordinated meeting.

Region 8's Agricultural Advisor, Rebecca Perrin noted they do this in Region 8, and are starting up informal agricultural EPA discussion groups in North Dakota and Utah.

The Committee members are not convinced that information is being shared with program leaders making environmental decisions. Mr. Dennis Treacy stated that the members don't know if EPA is taking their past recommendations into account.

Dr. Balling suggested that if EPA thinks that agriculture and environmental issues are important, then EPA needs to step up and have all agricultural advisors report to the Regional Administrators in a specific way. It's not clear now that the agricultural community feels that the agricultural advisors carry weight or that they are located in an office where someone will listen to them. Mr. Phil Korson noted that

there are people in the agricultural community who want to have a dialogue with EPA but it is unclear how to engage with them. Mr. Paul Martin did not think this perspective will turn around quickly.

Mr. Dennis Treacy, reinforcing earlier discussions, suggested that educating EPA staff, beyond those with an agricultural title is important, explore trading staff with agricultural organizations, and getting access to a variety of decision makers who may impact agriculture. He thought it would be important to share this perspective with the transition teams at the start of the next Administration and include these perspectives in briefing materials for the new Administrator and Regional Administrators. Dr. Larry Sanders noted there needs to be a better understanding and recognition, from the top down, of how agriculture works.

The group also noted the need for funding mechanisms to enable EPA staff, particularly Regional Agricultural Advisors, to get out into the field to engage with the agricultural community. It was suggested that rather than just ask about resources, there is perhaps a need for more specificity on things that can be done to increase outreach and engagement.

Mr. Tom McDonald pointed out that the charge to the Committee on the role of EPA on soil health fits perfectly into outreach and engagement. EPA needs to communicate why soil health is important to the environment and regional agricultural advisors could play an incredible role.

Mr. Roger Noonan suggested the regional agricultural advisors could partner with the states to get information out on specific topics or issues and options to address these. The agricultural advisor could help protect producers from not getting caught between state and federal laws and confusion about state vs. federal jurisdiction.

Outreach and Engagement Break Out Group Report Backs and Discussion:

The Committee noted that this is the third time they have made recommendations to EPA on improving outreach and engagement and want a response from EPA on what EPA will be able to act on; and if they're not going to act on certain recommendations, communicate that to the Committee.

The following is a summary of new recommendations discussed as a result of the breakout groups on Outreach and Engagement. The Committee would like:

- A reply back from EPA by a certain date about which current and past recommendations are feasible to implement and EPA's strategy for implementing them.
- A strategic, agency-wide, regionally implemented approach for agriculture at EPA.
- All EPA Regions to provide information on their activities which relate to the Committee's previous recommendations as summarized in their Outreach and Engagement Recommendations Summary Document

Presentation on Region 9's Agricultural Strategy

Kerry Drake, Associate Director of Region 9's Air Division, gave a presentation via phone on Region 9's Agricultural Strategy.

The Committee had questions and discussion following the presentation.

Dr. Janice McFarland noted that there are differences in topography (e.g., challenges including slope) and soil characteristics so that one soil health approach could not apply to all regions and different partners/collaborators would be needed.

Dr. Steve Balling agreed that one size does not fit all for soil health. The strategy that Region 9 has developed may work for California, but not other states with different land structures. Therefore, these strategies may or may not be a solution to carbon sequestration and other environmental goals.

Kerry Drake agreed and because of this, taking the region on as a whole was too large of an effort, and therefore, initially focused on the impaired San Joaquin watershed and haven't done outreach to other states yet.

Discussion with EPA regional and program staff on their role(s)

EPA Regional Agricultural Staff gave presentations on their roles and how the regions interact with their agricultural communities.

Kristina Heinemann, EPA Region 2 Agricultural coordinator

Spends 0.5 of her FTE in this role in the wetlands program in Region 2. Her other 0.5 FTE focuses on on-site decentralized wastewater treatment.

Her challenge has been to build capacity in EPA for understanding agricultural issues and engage her EPA colleagues in USDA's Natural Resource Conservation Service (NRCS) committees. Although her colleagues don't understand how NRCS works they are still involved in important issues that affect watersheds. Dairy is New York State's biggest agricultural sector. Soil health is not part of her agricultural work, since EPA Region 2 is not doing any work on soil health issues. However, New York State is focusing on soil health.

Gerald Winn, EPA Region 5 Agricultural Advisor

His position is located in the Water Division, where soil health is a primary concern in the implementation of best management Practices (BMPs) for water quality. He views his position as a coordinator to address problems as they arise, including air and pesticide issues.

Focus primarily on developing partnerships and working on collaborative solutions.

With the NRCS technical committees, EPA has a limited role, so they work instead with the state environmental agencies to reach the NRCS's.

Region 5 focuses on watershed management plans for impaired watershed listed under 303d of the Clean Water Act.

Their biggest challenge is travel and staff resources.

There are about 70 regional staff that deal with agricultural issues. Region 5 put together an agriculture training program in 2005 to introduce region 5 staff to ag issues and invited ag partners to be part of the training. The last portion of training program included actual tours of farms to see pesticide issues, Confined Animal Feeding Operations (CAFOs), and cover crop practices.

Outreach and communication take a back seat to staff obligations for regulatory review and permit issues.

Eugene Thilsted, EPA Region 6, Agricultural Advisor

His position is funded through the Water Division and reports to the Water Division Director.

He is on a detail that will be extended for several more years.

He is state technical representative for the NRCS.

The Region has a resource committee comprised of 18 regional staff that focuses on Section 319, CAFOs, and pesticides. These people meet annually with State Agricultural Department Commissioners and Region 6 has an Agricultural Strategy.

All states within the Region, except New Mexico, have been delgated CAFOs and pesticide program authorities.

Oklahoma has a project that, in part, is focusing on soil health.

Damon Frizzell, EPA Region 7 Agricultural Advisor

His position is currently located in the Water Division, although he used to be located in the Regional Administrator's (RA) Office. There are advantages and disadvantages to being in a program rather than working directly for the RA.

Region 7 States cumulatively have the largest percentage of agricultural production in the nation.

Agricultural priorities for Region 7 include row crops and agricultural practices related to air quality and nutrient issues that impact the Gulf of Mexico hypoxia issues, particularly permitting of CAFOs. Four States within Region 7 are located within the Missouri River Basin and are large contributors to Gulf hypoxia.

Other priorities that intersect with the agricultural community include: the AgSTAR program to incentivize anaerobic digestion, the Renewable Fuel Standard, spill controls and coal ash, avian flu, mad cow disease, pollinator protection program, and monitoring water and air quality from agricultural operations (USDA won't share their data with EPA).

Region 7 has done certain things well that are in keeping with some of the recommendations that the Committee has previously made to EPA, including: coordination with land grant universities to communicate with the agricultural community, coordination with State partners and holding annual meetings between EPA and State agricultural directors, working with USDA's NRCS and the state technical committees and sub committees, and providing Ag 101 training to Region 7 staff.

Rebecca Perrin, EPA Region 8 Agricultural Advisor

Her position is located in the Regional Administrator's Office as a full FTE, partially funded by the Water, RCRA, Air, and Pesticides Programs. Much of her work involves building networks, being a liaison to the agricultural community, and coordination and consultation with program staff throughout EPA Region 8 rather than being an expert on specific program aspects related to agriculture. She also coordinates air quality goals between EPA, the State and Federal Park Service, and the agricultural community. She also

helps coordinate recycling staff and the agricultural community to identify food waste recovery opportunities.

Agriculture, oil and gas, and mineral extraction are the predominant industries in Region 8, along with federal energy and defense installations.

Region 8 also implements the Drinking Water Program for the State of Wyoming.

Steve Potokar, EPA Region 10, Acting Agricultural Advisor

He is currently on a 4 month detail while Region 10 is in the process of hiring a full time Advisor that will report to the director of the Washington Operations Office and report to the Regional Administrator when there are agricultural issues.

Ginah Mortensen and Carol Galloway, EPA's National Agricultural Center

They are located in the Office of Compliance, in Kansas City and coordinate internal EPA staff monthly conference calls related to agricultural issues. USDA and USGS staff also participate. They also manage EPA's agricultural website and interface with the animal and agricultural community.

Allison Costa and Robin Dunkins, EPA's Office of Air and Radiation, Office of Air Quality Planning and Standards, and consults with USDA's Air Quality Task Force on agricultural air quality issues, such as burning and diesel engine emissions.

Dr. Lori Berger was impressed with the diversity of the EPA regional agriculture staff and asked whether a consistent title, such as Agricultural Advisor or Coordinator or Liaison would be possible. This would help people better understand the roles of EPA staff in their regional liaison positions.

The Committee members also discussed with EPA staff the challenge of getting out to the agricultural community, having limited time and funds. EPA staff noted that they have to prioritize their time and usually can't cover everything that they would like to that they try to identify venues where there can be maximum exposure to the most people within the agricultural sector, ranging from producers to trade associations.

Region 8's Agricultural Advisor gave an example of how they strategically try to optimize their exposure time with the agricultural community. In States within the region, where the Governor's Office has an agricultural forum, the EPA region tries to use these as good opportunities to interact with a broad array of the agricultural sector. However, only two States within that region have a State sponsored Agricultural Forum. The Region also tasks summer interns with helping to identify and prioritize which agricultural meetings would give EPA staff maximum exposure, since their budgets limit the ability to attend only two meetings per year. Depending on the proximity of various agricultural meetings, the Regional staff also combine multi-locations to visit in one 'out-in-the-field' trip.

Dr. Larry Sanders mentioned that his Extension Program is developing an on-line Ag 101 training and encouraged EPA staff to explore how information technology could be used for further communicating with the agricultural community. He noted that the Committee has been saying that EPA has to change its culture and get out and establish partnerships with the agricultural community, but it appears that, in some cases, this is already happening, albeit, with limited resources and time. He questioned whether

more resources for outreach and engagement would further help EPA/agricultural relations or whether, even with increased outreach and engagement resources and activity, the agricultural community would still be unhappy with EPA.

Some regional staff reiterated some challenges through their experiences. Region 7's Agricultural Advisor said that two impediments are lack of continuity (where sometimes the agricultural position is a series of staff rotations with no long-term person to establish relationships with the agricultural community), and potential inexperience of EPA with the agricultural community.

Committee member, Secretary Bill Northey, asked Ginah Mortensen about EPA participation in the monthly internal calls that she leads. She responded that there are approximately 200 people on the participant list – Regional Agricultural Advisors are always on the call – and the number of headquarters and regional staff and USDA and USGS participants varies depending on the topic. She also noted that there is also a weekly call with the Regional Agricultural Advisors and EPA's Agricultural Counselor which provides an opportunity to discuss common interests amongst the Regions.

National Association of Conservation Districts Presentation

Jeremy Peters, CEO of the National Association of Conservation Districts

This non-governmental organization wanted to get more involved with EPA's Farm, Ranch, and Rural Community Committee. Mr. Peters talked about the four research areas the National Association of Conservation Districts is working on, including a study that examines the economics of input efficiencies for conservation and soil health practices and the use of the Clean Water Act's Section 319 program funds to help impaired streams become delisted.

Several Committee members asked questions following the presentation. Dr. Steve Balling inquired about the study NACD has done, which looks at economics of agricultural inputs, but not yield. Mr. Peters acknowledged that there are complexities surrounding data on yield, and therefore, it is hard to quantitatively study, but noted that NACD is partnering with the National Corn Growers Association to begin to get some data on yields. Dr. Balling suggested it would be interesting to explore benefits beyond the farm and also wanted to know if situations were identified where the economics of conservation don't work out – this kind of information would be important for producers in their early conservation adoption years. Dr. Larry Sanders appreciated the work being done by conservation districts in Oklahoma. Dr. Sanders commented that the NACD study has too few data points to be more than anecdotal, and Mr. Roger Noonan, who is the District Supervisor for the Conservation District in New Hampshire agreed and noted that the study is qualitative and doesn't provide any quantitative correlation of soil health practices helping to delist impaired streams. Members did agree, however, that if it can be demonstrated that there are possible savings from efficiencies in soil health practices, that this is a good beginning to understand the benefits of soil health practices. Dr. Ann Sorensen noted that USDA'S NRCS published a compilation of everything we know about the economics of agricultural practices and that this should be shared with the Committee.

Mr. Paul Martin hoped that NACD's economic studies can help blaze the trail for monetizing societal benefits of agriculture.

Mr. Donn Teske asked how he could identify people in his Conservation District's representative.

Members asked Mr. Peters what he thought the role of EPA could be in further adoption of soil health practices; and specifically, what parts of the Section 319 program could help make more soil health best management practices more readily available to producers.

Mr. Ron Carleton asked whether there are other opportunities beyond use of the Section 319 Program for EPA and NACD to collaborate. Mr. Peters responded that collaboration on identifying and sharing information on conservation success stories and practices that can help facilitate soil health would be beneficial to all.

May 26, 2016

The morning discussion focused on Soil Health and the role that EPA could potentially play, leveraging existing programs.

Mr. George Boggs noted that the Committee was initially surprised that the Administrator had given them a charge to focus on soil health, given that there were other high profile issues, such as the Waters of the U.S., for which the Committee could provide agricultural perspective. However, Mr. Boggs pointed out that regardless of the topic, there are some general considerations of the agricultural sector that the Committee could help EPA better understand.

Mr. Boggs then proceeded to summarize the content of material that was sent out to Committee members prior to the meeting and distributed at the meeting and summarized previous discussions the Committee had during their October meeting in Colorado and the numerous field visits related to soil health. He summarized that soil health can contribute to environmental health and farming resilience – it is particularly important to the farmer and rancher for resilience to climate change and long-term sustained production.

He explained that, in the context of ranching and farming activities, the farmer generally considers three things in deciding their course of actions: 1) available resources; 2) motivation; and 3) trust. Mr. Boggs encouraged the Committee to apply a situational analysis to recommendations the Committee identifies, to better identify their feasibility. Situational analysis is about predicting behavior. Does the farmer have an adequate understanding of soil health? What motivations and barriers are potentially present that the farmer would have to overcome? Are there any EPA resources that could help lift those barriers?

He suggested that the Committee do a situational analysis on EPA recommendations as well, to better identify opportunities and leverage points within EPA to understand their potential role in soil health. He noted some of these are captured in the background documents.

As recommendations are identified by Committee members for potential EPA roles in soil health, he suggested they review which of them score highest and lowest considering four criteria to help identify those most effective and meaningful for EPA:

- What the potential impact of that role could be
- Whether the recommendation would lead to widespread practices
- Whether there would be uncertainty about the impact
- Whether a recommendation is truly feasible/could be implemented

Mr. Boggs gave the example of EPA using Clean Water Act 319 grant dollars to incentivize soil health. He noted there's not a farmer out there that doesn't think soil health is important; but if EPA integrated soil health as a criteria for 319 money, metrics would be needed to determine which soil health projects would get funding. Do adequate metrics on effectiveness of soil health practices exist? He also noted that 319 grant funds are diminishing so this wouldn't be a growth area for soil health. Although there is already plenty of conservation matching funds, there is not enough 319 funds to get matches for. It was also noted that it is important to not take anything new on unless you have another source of funds. There was concern that 319 funds could be jeopardized further if it was used to fund soil health in addition to the other good work it is accomplishing.

By looking at the ability to implement recommendations and uncertainty of their impact, he pointed out that creativity would be needed to integrate soil health into EPA programs. He suggested an example of applying funds created through Confined Animal Feeding Operation (CAFO) penalties to support soil health projects in the watershed that the CAFO is located in – similar to how RCRA funds at the State level are often used to fund pollution prevention programs. He encouraged the Committee to examine the value of state or federal examples where penalties fund other programs.

Mr. David Petty noted that the Administrator is looking for help to understand the role of EPA in soil health and that producers are also just now thinking about soil health. He suggested that the Committee could consider that if everyone in EPA was aware of the soil health issue and understood it, it could improve EPA's ability to connect soil health to environmental outcomes, creating a common interest with producers.

The group agreed that they may not be as familiar with some programs and how EPA operates internally, and that a 101 primer on this may be needed.

The group through a series of discussions and two breakout groups came up with nineteen recommendations. Later, they discussed that a long list of recommendations is too many to recommend to the Administrator and discussed the potential of soil health goals in each program office given that soil health requires a suite of practices, some that could be encouraged more specifically within certain program offices. The group discussed the 19 recommendations and captured and made edits to them on flip charts.

Several potential ideas for recommendations were made as a result of breakout discussions and report back discussions. Some are summarized below.

- An EPA agricultural strategy is needed.
- A national agency strategy for how EPA can support awareness, leverage knowledge, and facilitate education about soil health is needed.
- There is a need to better understand, quantify, and articulate the benefits to producers and society of soil health.

- It would be advantageous to EPA to understand the environmental benefits of soil health. EPA should be a collaborator, but not necessarily take the lead.
- There was discussion of whether EPA should be involved in data collection related to soil health. The group was uncertain, but this would require more structured discussion of what data elements are needed for quantifying soil health and where this data is collected and whether EPA has a role in this data collection for other purposes beyond soil health.
- There is a need to understand the economics of soil health and the economics background piece needs to be included into a compendium and perhaps recommend that EPA's National Center for Environmental Economics look into that.
- If EPA has a role in soil health, new approaches to establish trust between EPA and the agricultural sector need to be taken.
- Does EPA have a definition of soil health, and if so, how can the Committee turn it into something quantifiable?
 - One definition that was suggested was "Continued capacity of the soil to function as a vital living ecosystem that sustains plants, animals, and humans."
 - Although there is interest in carbon credits in soil, there was caution to stay away from this approach, as the science and quantification is not mature enough and the approach could be detrimental to the sector. There is a need for EPA to work with others to better understand and develop the science of soil carbon.
- Is it possible to get EPA to fund a study with the national Academy of Sciences on looking at roles of federal agencies in promoting soil health? Fast track this collaboration.
- Is it possible to pull together case studies about how soil health is being addressed in regulatory programs at EPA?
- How can EPA help incentivize voluntary best practices that support soil health? How do we work within the EPA structure to adopt and incentivize these practices? The following mechanisms were mentioned:
 - Supplemental Environmental Projects
However, it was noted that SEPs have to be clearly articulated and quantified in advance before approving them and quantification of soil health could be problematic.
 - Grant criteria
 - Integration of soil health into the NPM strategic themes within EPA's Strategic Plan

In general, the Committee members agreed that there could be environmental benefits from soil health practices and therefore, they need to be engaged and understand soil health. Independent of EPA, soil health is important to the agricultural sector and USDA. Committee members were concerned that EPA's role not deter progress in USDA's efforts on soil health. They emphasized that EPA's role is limited, probably as a collaborator and educator, and explicitly not as a regulator. They noted that EPA needs to be supportive of USDA programs focusing on soil health and that USDA must consider EPA needs as well. If soil health is important to the Administrator, it was suggested that the Administrator connect with USDA to better align their perspective programs and not just rely on the staff level to do this.

The Committee discussed their approach to developing and finalizing recommendations resulting from the presentations and breakout groups at the May 2016 meeting.

Public Comment Period

Dudley Hoskins, representing the National Association of State Departments of Agriculture (NASDA). This organization serves as ambassadors to the agricultural community in States and with federal partners. He thanked all the members of the Farm, Ranch, and Rural Community Committee for their engagement on behalf of the agricultural community.

He noted that, specific to soil health, NASDA sees soil health as an opportunity for EPA to work cooperatively with agricultural partners. The science around soil health is still being developed. NASDA does not support regulatory actions for soil health and encourages the committee to not support regulatory approaches to soil health but to cultivate partnerships and enhance programs at EPA that support agricultural issues.

NASDA supports EPA having an Agricultural Counselor to the Administrator. Ron Carleton, the current Counselor, attends all the NASDA meetings. NASDA supports the committee to recommend to the administrator additional resources for both the Agricultural Counselor and the Regional Agricultural Advisors to increase the agency's agricultural footprint and to facilitate information sharing and education between EPA and the agricultural community.

Wrap-Up of Discussions by the Chair

Dr. Steve Balling noted the deadline for completing the final recommendations report to EPA's Administrator, given that the Committee members sunset in October. He also noted that many of the ideas that came forward in the meeting to discuss EPA's role in soil health can be applied to other agricultural issues as well.

Mr. Ron Carleton emphasized that the discussions and recommendations from the first day on outreach and engagement need to be integrated into the soil health recommendations.

Dr. Steve Balling then summarized some specific requests to EPA and highlighted recommendations to be included in the Committee's document:

- 1) All EPA regions and programs should complete the outreach and engagement table with emphasis on activities that address previous recommendations and identifying roadblocks to addressing them.
 - a. Consider reformatting the chart to show responses by the Regions (in other ways)
- 2) FRRCC requests that EPA's Agricultural Counselor provide FRRCC with a written response describing their plans for addressing FRRCC recommendations, including the table of recommendation related to O&E from prior efforts
 - a. Response should include input from each Region
- 3) The Environmental Council of States (ECOS) and NASDA should be involved in the future design of the Farm, Ranch, and Rural Community Committee
- 4) A Strategic Agricultural Framework for EPA should be developed to identify key roles for engaging on agricultural issues – both internally & externally; and identifying opportunities to engage with the agricultural community
- 5) Regional Agricultural Coordinators are critical - there are several actions that are needed for their successful engagement within EPA and with external partners:

- a. FRRCC recommends all EPA Regions establish an Agricultural Advisor with direct access to the Regional Administrator, other senior leadership, and key programs;
 - b. Regional Agricultural Advisors be provided the resources that are required to support and engage with diverse and underserved communities and groups
 - c. Develop a common Position Description – Committee wants to see the same position description for all these coordinators, with a common title, functions, and authority; and that they report to leadership consistently throughout EPA
 - d. Have Regional Agricultural Advisors participate in State Technical Committee meetings
- 6) Regional Networks – FRRCC recommends each EPA region establish an agricultural network (building on FRRCC model for national engagement with agricultural interests). These can be existing or new; formal or informal. Goal is to foster effective and regular outreach and engagement that improves communication, collaboration, and improved outcomes
 - a. Diversity needs to also be a priority – the network should ensure diversity and should ensure the inclusion of underserved and under resourced groups and populations
 - b. State priority – explicitly engage states
 - 7) EPA staff and management who deal with agricultural issues should be required to take agricultural training. EPA should identify and implement educational opportunities:
 - a. Ag 101
 - b. Ag Tours
 - c. New employee training
 - 8) EPA Regional Administrators should be more engaged in agricultural issues to achieve environmental outcomes, advance a cultural change, and enable successful engagement when problems arise
 - a. Include agricultural issues for new Regional Administrators and other EPA staff
 - b. Agricultural issues should be key part of information shared with new staff during the Administration transition
 - 9) Information Technology – expand and continue its use – focus on the new generation of EPA staff and agricultural producers
 - 10) Soil Health – outreach and engagement recommendations can be applied to and tested on Soil Health. The Region 9 strategy illustrated a range of environmental issues, including climate change.

Additional Comments:

- 1) FRRCC recognizes resource limitations at EPA. At same time Regional Agricultural Advisors need access to travel and program resources to succeed.
- 2) Building trust, improving understanding, and creating successful engagements takes time. This cannot be instantly completed. The document focuses on soil health, but it is one of many issues in which efforts are needed to build trust.

The Committee also asked that if EPA has a stakeholder engagement guidance that it be shared with the Committee and used in improving outreach and engagement with the agricultural sector.

Committee Writing Teams were established to draft a recommendations document.

Steve Balling suggested that the Committee try to manage the recommendations as a letter to the Administrator.

The first draft should focus on soil health and then integrate the Outreach and Engagement portions into it.

The following people volunteered to write portions of the document:

Soil Health: Writers: Larry Sanders, Tom MacDonald, Ann Sorensen, Janis McFarland
 Editor: George Boggs

Outreach & Engagement: Writers: Dave Petty, Dennis Treacy, Lori Berger, James Ford, and Phil Korson
Context: Writers: Steve Balling, Paul Martin, Janis McFarland, Ann Sorensen,
 Phil Korson

The meeting was adjourned.