



**Poultry Industry Comments Chesapeake Bay
Protection and Restoration Section 502; Guidance for
Federal Land Management in the Chesapeake Bay
Watershed**

April 23, 2010

VIA ELECTRONIC MAIL

**Water Docket,
Environmental Protection Agency,
Mailcode: 2822T,
1200 Pennsylvania Ave., NW.,
Washington, DC 20460.**

**RE: Docket ID No. EPA-HQ-OW-2010-0164
Request for public review and comment
Chesapeake Bay Protection and Restoration
Section 502; Guidance for Federal Land Management in the
Chesapeake Bay Watershed**

Dear Sir or Madam:

These comments are submitted by the US Poultry & Egg Association (USPOULTRY), the National Turkey Federation (NTF) and the National Chicken Council (NCC) in response to EPA's request for public review and comment Chesapeake Bay Protection and Restoration Section 502; Guidance for Federal Land Management in the Chesapeake Bay Watershed.

I. INDUSTRY OVERVIEW

The **U.S. Poultry & Egg Association** is the world's largest poultry organization, whose membership includes producers of broilers, turkeys, ducks, eggs and breeding

stock, as well as allied companies. The Association focuses on research, education and technical services, as well as communications to keep members of the poultry industry current on important issues.

The **National Turkey Federation** is the national advocate for all segments of the turkey industry. NTF provides services and conducts activities which increase demand for its members' products by protecting and enhancing their ability to profitably provide wholesome, high-quality, nutritious products.

The **National Chicken Council** is a nonprofit member organization representing companies that produce and process over 95 percent of the broiler/fryer chickens marketed in the United States. NCC promotes the production, marketing and consumption of safe, wholesome and nutritious chicken products both domestically and internationally. NCC serves as an advocate on behalf of its members with regard to the development and implementation of federal and state programs and regulations that affect the chicken industry.

The associations together have affiliations in the majority of U.S. states and member companies worldwide, and include many members within the Chesapeake Bay Watershed in Virginia, Maryland, Delaware, West Virginia and Pennsylvania. It is estimated that there are roughly 1,300 poultry growers within the Chesapeake Bay watershed. The average family-run broiler farm has 2-3 houses with 20,000- 25,000 birds per house. The average turkey farm has two houses with 8,000 -12,000 birds per house. There is some variability in the size and number of broiler and turkey houses on these farms.

II. EPA INFORMATION REQUEST ON 502; Guidance for Federal Land Management in the Chesapeake Bay Watershed

On March 24, 2010 EPA announced the availability of a draft Guidance for Federal land management in the Chesapeake Bay watershed. This document was published in response to Executive Order 13508, Chesapeake Bay Protection and Restoration and was required to be published within one year of Executive order 13508. The comments submitted here have been developed in response to EPA's Federal Register Notice on behalf of the members of the three associations. While the length of the comment period is short, and prohibit the development of a list of comprehensive comments addressing all sections of the guidance document, USPOULTRY, NCC and NTF appreciate the opportunity to submit brief comments on Chapter 2 of the document, which addresses Agriculture.

III. Benefit of Utilizing Phytase

Section 2.2.1 - Animal Feed Management addresses the benefits of managing animal feed to efficiently utilize nutrients contained within feed rations and minimize nutrients not utilized by animals which in turn are excreted. Years of research has gone into evaluating the use of an enzyme called phytase. This enzyme breaks down plant phosphorus (P) to make it available for non-ruminant animals. Section 2.2.1 cites numerous studies that outline the significant benefits provided from including phytase within poultry and swine diets.

A brief list of results from the studies referenced in Section 2.2.1 is included below.

Poultry utilizing phytase in feed rations

- 30%-35% in litter water-soluble P
- 10%-70% reduction in litter P
- Up to 73% reduction in litter water soluble P

Swine utilizing phytase in feed rations

- 44% reduction in P excreted
- 35% reduction in P slurry

These studies underscore the environmental benefit of including phytase in poultry and swine diets. The poultry industry has recognized these advantages for the last several years. This is demonstrated by the fact that the poultry industry has widely adopted the practice of including phytase in the diets of broilers, layers and turkeys. In addition this practice has allowed the industry to reduce levels of inorganic P previously included in poultry rations to supply necessary nutrient supplement to the animal.

While the poultry industry concurs with the environmental benefit received from including phytase in poultry diets at the levels indicated in the research studies referenced in Section 2.2.1, we are concerned these same studies are not be utilized in the process to develop the Chesapeake Bay Total Daily Maximum Load (TMDL). The Scenario Builder, a stand alone pre-processor being used to generate nutrient loads within the bay watershed, only provides a 16-21% reduction of P in poultry litter where phytase is used in poultry diets. This value is significantly below the studies referenced in Section 2.2.1.

IV. Section 2.1.1 Nutrient Management

Concentrated Animal Feeding Operations (CAFO's) and Animal Feeding Operations (AFO's) have been regulated in the Chesapeake Bay watershed for some time. Subsequently, each state within the Chesapeake Bay Watershed has been granted authority by the Environmental Protection Agency to administer a National Permit Discharge Elimination System Permitting (NPDES) program. These programs

include the requirement to develop and implement a Nutrient Management Plan (NMP). In fact, the new Federal CAFO Rule requires the development and implementation of a NMP for a farmer to receive the agricultural stormwater exemption for runoff from pastures and row crops that receive manure application. Finally, integrating companies have encouraged poultry growers to develop and maintain NMP's with more than 90% estimated to have such plans since the early 2000's. Development of these plans includes the determination of appropriate agronomic loading rates of poultry litter given the known concentrations of nitrogen and phosphorus. These concentrations are determined from tests performed at various frequencies. While USPOULTRY, NCC and NTF agree with the requirement to apply nutrients at agronomic rates, this section should outline the further benefits of utilizing manure as a nutrient source. These further benefits include the benefit of increased soil amendments, application of nutrients that have lower water solubility than commercial fertilizers and therefore are less prone to allow runoff of nutrients and the ability to sequester sources of carbon.

V. Summary

US Poultry & Egg Association, the National Turkey Federation and the National Chicken Council appreciate the opportunity provided by EPA to comment on the Chesapeake Bay Protection and Restoration Section 502; Guidance for Federal Land Management in the Chesapeake Bay Watershed. As noted in the comments listed above, we strongly support the environmental benefits that can be achieved from applying sound conservation practices that have been proven through research and in-service operation. Our primary concern is many of the practices and their efficiencies have not considered in the Scenario Builder program that is currently being used to calculate nutrient loading to the Chesapeake Bay watershed. Our industry would be very interested in having addition conversations to make sure current research and practices identified in the Guidance for Federal Land Management in the Chesapeake Bay Watershed and other verified sources are included in the development of the TMDL

If you have any questions or would like additional information about the comments, please contact Paul Bredwell at (770) 493-9401 pbredwell@poultryegg.org.