

MINUTES
CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
February 11th, 2013 CONFERENCE CALL
<http://www.chesapeakebay.net/calendar/event/18968/>

ACTION ITEMS & DECISIONS

DECISION: WQGIT members approved the nomination of Jenn Volk as the new WQGIT vice-chair.

ACTION: WQGIT members have been asked to review and provide comments on the proposed language to the CBP BMP Protocol Addendum to Matt Johnston (mjohnston@chesapeakebay.net) by COB Thursday, February 28th.

ACTION: WQGIT members should provide additional comments on the possible inclusion of toxic contaminants and agriculture as part of the WQGIT goal and outcome statements to Larry Merrill (merrill.larry@epa.gov) and Lucinda Power (power.lucinda@epa.gov).

ACTION: Additional comments on the midpoint assessment low priority workplans should be sent to the appropriate WQGIT source sector workgroup coordinator.

MINUTES

1. Welcome and introductions

- Larry Merrill noted that the [BMP panel status document](#) was posted as a follow-up to January's call.
- The next Management Board meeting will be held on February 27, 2013.
- A future agenda topic will be a discussion on Constant Delivery Factors, following a request from Milestones Workgroup.

2. Modeling Update

- Gary Shenk gave an update on modeling efforts and upcoming meetings.
 - A problem was found with two BMP reports from Scenario Builder (SB) - the BMP summary report and the SB submitted vs. credited reports. (These don't affect the SB numbers going to the Watershed Model or any of the Watershed Model results.) In some scenarios, those reports showed higher BMP land use changes than previously reported. Reports have been fixed and if the jurisdictions will be using either of these reports, please verify if they need to be updated. These issues change have already been discussed with the jurisdictions and with the WTWG.
 - Calls with the jurisdictions will be held this week regarding the 2012 progress run. Final submissions are due February 22nd.

3. Nomination/Selection of WQGIT Vice-Chair

- Merrill: WQGIT members were asked to provide their nominations for WQGIT Vice-Chair to Larry Merrill and Lucinda Power by February 1st. Russ Baxter will be replacing Larry as Chair.
- John Schneider formally nominated Jenn Volk (U Del.) for Vice-Chair.

- Merrill asked for any other nominations from WQGIT members.

DECISION: WQGIT members approved the nomination of Jenn Volk as new WQGIT Vice-chair.

- Merrill: The March call will be a transition period with all 3 chairs. We expect to complete the transition period by April's WQGIT call.

4. Addendum to CBP BMP Protocol

- Matt Johnston updated the WQGIT members on the proposed addendum to the CBP's BMP Protocol. He noted that the WQGIT Workgroup Coordinators were still reviewing; therefore, a copy of the proposed language will be distributed to the WQGIT for their consideration later in the week.
 - Purpose is to give partnership full participation in nominating members for BMP panels.
 - Sarah: How would this change affect existing panels?
 - Johnston: If new language is accepted it would go into effect for future panels

ACTION: WQGIT members have been asked to review and provide comments on the proposed language to the CBP BMP Protocol Addendum to Matt Johnston (mjohnston@chesapeakebay.net) by COB Thursday, February 28th.

5. Inclusion of Toxic Contaminants & Agriculture in WQGIT [Goal statement and outcome follow up](#)

- Merrill confirmed the following goal statement was revised following the WQGIT's January call: "Have practices in place by 2017 that are expected to achieve 60 percent of the load reductions necessary to achieve applicable water quality standards compared to 2009 levels."
- Merrill: The Management Board identified toxics and agriculture as two gaps in the WQGIT Goal Statement and Outcomes, and opened the floor for comments from participants, starting with the toxic contaminants subject.
- Buckley: Because the TMDL and water quality should focus on nutrients and sediment, PA does not support the inclusion of toxics. The recent report did a good job of quantifying the jurisdictions' 303(d) lists, but a national strategy may be more appropriate than a Baywide strategy regarding toxics.
 - Entringer: NY agrees with PA.
- Bruce Michael: How would toxic contaminants be addressed? Would there be a workgroup?
 - Merrill: This will be an ongoing discussion with the Management Board, where it is likely to remain a program focus. Some direction may be provided by the Management Board or Principals' Staff Committee.
 - Michael: As long as there is a specified, expert group and the WQGIT focus remains on nutrients and sediment, it would make sense for toxics to fall under the WQGIT.
- Scott Phillips: Understand the concern to distract efforts away from nutrients. However, it is something the Bay program needs to consider, as the toxic contaminant reports indicate unfishable waters due to PCBs. Welcome discussion of options for goals.

- Greg Allen: Mercury sourced from coal plants is an atmospheric issue. PCBs however, are not an atmospheric issue. PCBs represent an interstate pollution, which is analogous to nutrients and sediment, and prompt the fish consumption advisories.
- Tom Thornton (MDE): Two possible options could be to evaluate strategies for toxic contaminant reductions and how they might affect the contaminants, or link nutrient BMPs to toxics. Could reinstate the toxics workgroup or committee under the WQGIT.
- Sally Claggett: Is the toxics issue part of section 117 of Clean Water Act?
 - Yes, toxic contaminants are in the language for the CBP and need to be addressed in some way.
 - Collin Burrell: Agree with setting up another workgroup, as all jurisdictions have some level of contaminants.
 - Delaware agrees.
- Merrill asked members for their comments on Agriculture.
- Claggett: The practices could ideally be targeted to where they do the most good, rather than focusing on the 4 million acre number.
 - Entringer: Every acre has to be treated to reduce nutrients in order to achieve the TMDL.
- Buckley: Concerned that an agriculture-specific goal would place too much emphasis on one sector and negatively affect adaptive management efforts.
- Merrill: Will share this discussion with the Management Board during their next meeting.

ACTION: WQGIT members should provide additional comments on the possible inclusion of toxic contaminants and agriculture as part of the WQGIT goal and outcome statements to Larry Merrill (merrill.larry@epa.gov) and Lucinda Power (power.lucinda@epa.gov).

6. Presentation of Midpoint Assessment Low Priority Work Plans

- Merrill: The WQGIT Workgroup Chairs and Coordinators will present their respective Midpoint Assessment Low Priority Work Plans to the WQGIT members.
 - Buckley: Are these projects approved by workgroups?
 - Merrill: Not up for formal approval today.
- Katherine Antos discussed the [60% by 2017 Workplan](#): Purpose is to clarify the expectations that EPA set forth in 2009. Noted that these were EPA workplans and not written by a workgroup=
 - The workplan clarifies but does not change any of the expectations stated in previous communications.
 - Will still use Phase 5.3.2 version of the Watershed Model to evaluate the 60% target.
- Questions
 - Buckley: As mentioned during Milestones call, the application of constant delivery factors makes it more difficult for PA to meet its 60% target.
 - Antos: The WQGIT will be revisiting the constant delivery factor decision.

- James Davis-Martin: Evaluation would be based on Phase 5.3.2 Watershed model and 2017 progress?
 - Antos: yes
- Davis-Martin: What is the purpose of milestones if they can't help you achieve the 60% by 2017 goal?
 - Antos: The third and fifth bullets on page 2 address this issue.
- Davis-Martin: What is the margin of error for that assessment? Would jurisdictions be penalized for falling 1% short?
 - Antos: EPA would use discretion and would not penalize a jurisdiction if they were reasonably close to the goal.
- Davis-Martin: Would appreciate another bullet describing this.
 - Antos: Will add a bullet on that topic and share with WQGIT.
- Antos presented EPA's [Phase III WIPs](#) expectations.
 - Expectations for Phase III WIPs would depend on jurisdictions' progress. For example, if a jurisdiction is falling behind schedule on implementation, EPA would expect more details on its strategy to meet the 2025 goal.
- Questions
 - Davis-Martin: Need an understanding of what the planning targets are prior to planning WIPs.
 - Antos: Planning targets to be set December 2017.
 - Buckley: Include a bullet to consider whether a use attainability analysis is necessary?
 - Antos: This issue will be discussed during the TMDL modification workplan presentation.
 - Merrill: Possibly too early in the process of achieving TMDL goals to raise that.
- Sally Claggett described the [Forestry lower priority workplans](#).
 - Communication issue regarding role of forests in reducing nutrient loads from air deposition
 - Refining modeling assumptions about forests
- Questions
 - Entringer: Atmospheric deposition is a larger issue than just communication.
 - Rebecca Hanmer: The first stage is to have our message well understood in terms of how current model and current assumptions handle air deposition to forest, and the attenuation of those loads by the forest. Attenuation is very high, so as we lose forest cover in the watershed we are continuously adding nutrients (especially nitrogen). Policy point is avoiding compromising the watershed and preserving forest land, giving priority to offset policies and ways to credit conservation.
- Scott Phillips presented [STAR's workplan for enhanced analysis of monitoring data](#).
- Johnston introduced the soon to be convened [Algal Turf Scrubber Expert Panel](#).

- Lewis Linker presented the [Modeling workgroup's lower priority workplans](#).
 - Climate Change influence on the Chesapeake TMDL
 - Conowingo dam infill influence on the Chesapeake TMDL
 - Filter Feeders
 - Refinement of shallow water simulation
 - Refined assessment of James River chlorophyll
- Peter Claggett presented on [improving federal land boundaries and land use representation](#) in the next version of the model.
- Questions
 - Sara Diebel: If only one federal agency participates, what is the advantage for that agency?
 - Claggett: Plan to reach out to all agencies in the hopes that they will all participate.
 - Collin: Also recommend getting broad participation from the federal agencies, as they own one third of land in DC.
 - Diebel: The EO instructed agencies to provide property boundary data.
 - Claggett: Our current data was received under the EO. This is the data we would build on and determine how it can be improved upon.
- Jen Sincok presented EPA's [TMDL modification workplan](#). She noted the workplan was also an EPA lead, so it has not gone through a workgroup.
 - EPA will determine if a TMDL modification is necessary after Phase III WIP targets are set and the midpoint assessment is complete. Highlighted areas are where the jurisdictions and the WQGIT are asked to provide input (see page 2).
- Questions
 - Entringer: How does the changes in the model affect this? Does this mean the TMDL will be changed in the future?
 - Sincok: Model changes will feed into midpoint assessment and any necessary model changes will be based on that.
- Merrill: Other workgroup updates for the wastewater and trading & offset sectors will be forthcoming.

ACTION: Additional comments on the midpoint assessment low priority workplans should be sent to the appropriate WQGIT source sector workgroup coordinator.

Adjourned

Next WQGIT Conference Call:

Monday, March 11, 2013

1:30 P.M. – 3:30 P.M.

<http://www.chesapeakebay.net/calendar/event/18969/>

Participants

Name	Affiliation
Larry Merrill, Chair	EPA
Russ Baxter, Vice-chair	VA DEQ
Lucinda Power, Coordinator	CBPO
Katherine Antos	CBPO
Karl Berger	MWCOG
Patricia Buckley	PA DEP
Collin Burrell	DDOE
Sally Claggett	USFS/CBPO
James Davis-Martin	VA DCR
Sarah Diebel	DOD
Ron Entringer	NY DEC
Rebecca Hanmer	Retired Citizens Advisory Committee
Teresa Koon	WV DEP
David Koran	Army Corps of Engineers
Jackie Lendrum	NY DEC
Ross Mandel	ICPRB
Beth McGee	CBF
Kevin McGonigal	SQ River Basin Commission
Bruce Michael	MD DNR
Dave Montali	WV DEP
Scott Phillips	USGS Chesapeake Bay
Sheryle Quinn	US DON
Marel A. Raub	CBC
John Schneider	DE DNREC
Ted Tesler	PA DEP
Suzanne Trevena	EPA Region 3
Jennifer Tribo	Hampton Roads
Tom Wenz	EPA
Karl Blankenship	Bay Journal
Eric Aschenbach	VDH
Joel Blomquist	USGS
Ann Carkhuff	EPA
Mark Dubin	CBPO/UMD
Greg Allen	CBPO
Jim Glancey	U Delaware
Teresa Koon	WV
Sarah Lane	MD DNR

Lewis Linker	EPA
Jamie Mitchell	HRSD
Lisa Ochsenhirt	Aqua Law
Gary Shenk	EPA/CBPO
Jennifer Sincock	EPA
Jeff Sweeney	CBPO
Dana York	MDA
Beth Zinecker	CBPO
Tom Thornton	MDE
Kathryn Zook	USDA office of env. markets
Larry Tennity	NRCS DE
Amanda Pruzinsky	CBPO
Robin Pellicano	MDE
Dinorah Dalmasy	MDE
George Onyullo	DDOE
Steve Hann	HRMML
Jeremy Hanson, Staff	CBPO
Emma Giese, Staff	CBPO