

CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
JULY 14, 2014 CONFERENCE CALL MINUTES

ACTION ITEMS & DECISIONS

DECISION: The WQGIT face-to-face meeting will be held on October 7-8, 2014 at Liberty Mountain Resort in Pennsylvania.

ACTION: Contact James (James.Davis-Martin@deq.virginia.gov) and Emma (egiese@chesapeakebay.net) if interested in participating on a planning subcommittee for the October face to face meeting.

DECISION: WQGIT members approved the language on panel transparency for inclusion into the BMP Expert Panel Protocol, which is now final. All existing and future panels will work under this protocol. WQGIT members will be notified of panel membership. The BMP protocol will be reviewed and revised every six months.

DECISION: WQGIT members approved the Onsite Wastewater Treatment Systems report. OWTS Panel will clarify answer #8 in Appendix G to state that requests to review additional technologies will be routed through the Wastewater Treatment Workgroup to the Expert Panel.

DECISION: WQGIT Members approved the decision-making process on when to update background conditions and incorporate new data within a particular milestone period.

WORKGROUP UPDATES

Land Use Workgroup

- The Land Use Workgroup and the Stormwater Workgroup met on July 15th to establish the major land classes for urban land in Phase 6.0. The Land Use Workgroup will have a follow up meeting in August to finalize the details of this recommendation, which will be brought to the WQGIT in October 2014.

Agriculture Workgroup

- The Agriculture Workgroup approved the Manure Treatment Technologies subgroup's written charge to the future expert panel on June 19th.
- An ad hoc team has been working to address the Ag Workgroup's revisions to the verification guidance.
- The AgWG will meet on July 24th to finalize their verification guidance and to approve the Resource Improvement Technical Review Panel's final report.

BMP Verification Committee

- The Committee's next call is scheduled for Thursday, 7/31. They will work through and discuss the series of comments submitted on the May 2014 draft of the BMP Verification Framework Document and agree on changes to the document. The revised document and framework will then be submitted for the Management Board's consideration in September.

Urban Stormwater Workgroup

- The USWG call on 6/17 discussed progress run results for the urban sector, reprioritization of the urban BMP review queue, and the expert panel recommendations for nutrient discharges from grey infrastructure (NDGI).
- The USWG will discuss the new Virginia Tech panel process and updates to the NDGI expert panel report on 7/15.

Watershed Technical Workgroup

- The WTWG held its call on 7/9. The workgroup discussed priorities for the CAST family of tools, the 2014 Progress calendar, BMP Verification and NEIEN, and is seeking approval on four BMP technical appendices via email:
 1. Riparian forest buffers, by 7/24
 2. Urban stream restoration, by 7/24
 3. Shoreline management, by 7/31
 4. Oyster aquaculture, by 7/31
- Next call is scheduled for Thursday, 8/9.

Wastewater Treatment Workgroup

- The WWTWG held its call on 6/24, which included a briefing on the expert panel recommendations for nutrient discharges from grey infrastructure.
- The WWTWG is not meeting in July, and the date for their next call in August is TBD.

Trading and Offsets Workgroup

- The TOWG held a conference call on Wednesday, 7/16, where speakers from the World Resource Institute discussed improving water quality through better targeting of farm conservation funds.

Forestry Workgroup:

- The Forestry Workgroup's next conference call will be on August 6th.
- The next face-to-face meeting will be on September 3rd.

MINUTES

1. Welcome/Confirm Call Participants, Recent Workgroup Decisions and Updates

- Jenn Volk, WQGIT Chair, welcomed everyone to the call and confirmed participants, and reviewed the workgroup updates.

2. Modeling Workgroup Update

- Dave Montali, Modeling Workgroup Chair, provided an update on recent activities of the modeling workgroup.
 - The Modeling Quarterly will be held on July 22-23, and will be focused on the Watershed Model. Meetings are open and everyone is welcome to participate. Contact Lee or Dave with any questions. The first day will include a similar discussion on parallel tracks that the GIT will be discussing today. They will be discussing how the Phase 6.0 model will represent phosphorus, and calibration methodology. The second day will involve discussion of the estuarine model, oyster benefits modeling, and presentations on the shallow water multiple models project, marsh erosion impacts on climate change, air deposition and the James chlorophyll.
 - Lee Currey: The Modeling workgroup has moved to monthly meetings in addition to the quarterly meetings. On June 24th, the Modeling Workgroup discussed loading rates in the Phase 6.0 model and prototypes for developing sensitivities.

3. WQGIT October 2014 Meeting

- James Davis-Martin, Vice-Chair, updated members on the upcoming face-to-face meeting.
 - Liberty Mountain resort is being considered as the venue for the October meeting.

- Contact James and Emma if interested in participating on a planning subcommittee to set the agenda.
- Based on a recent doodle poll, there was a slight majority for October 7-8. An AdobeConnect poll was used to assess availability.
- Based on AdobeConnect poll results, October 7-8 is the preferred meeting date.

DECISION: The WQGIT face to face meeting will be held on October 7-8, 2014 at Liberty Mountain Resort in Pennsylvania.

ACTION: Contact James (James.Davis-Martin@deq.virginia.gov) and Emma (egiese@chesapeakebay.net) if interested in participating on a planning subcommittee for the October face to face meeting.

4. Watershed Model Work Plan for 2017

- Gary Shenk, EPA, gave an overview of the multiple development tracks that the CBP is pursuing in creating the watershed modeling tools for the 2017 Midpoint Assessment. [View Gary's presentation here.](#)
 - [A living document](#) and website are being prepared to keep the Partnership up to date on model development.
- Ted Tesler (PA DEP): How will the workload for these tasks be handled?
 - Shenk: The tasks described here are already ongoing, and have formal workplans associated with them. You will now be able to see how the resources within the Partnership and Bay Program office are applied to these tasks.
- Davis-Martin: Are the tasks listed here a complete list of all workplans?
 - Shenk: All workplans that pertain to Scenario Builder or the Watershed Model were included as links in the document. Please help fill in gaps if there are any others that should be included.
 - Volk and Davis-Martin committed to review and confirm relevant work plans are included.
- Davis-Martin: It would be helpful to see the major topics and some of the sub-topics in a gantt chart to see the timelines and interdependencies.
 - Shenk: The interdependencies should be shown in some way, though since not sequential a gantt chart might not work. Members can offer suggestions for how to represent these.

5. Confirmation of Voting Members

- Jenn Volk announced the list of [voting members for the WQGIT](#) and [WQGIT workgroups](#). The voting members were submitted by each signatory as part of the WQGIT governance protocols. DC's voting members have not yet been submitted. The WQGIT will continue to work toward consensus on all issues; however, if an issue does come to a vote, the members listed here will be the voting members.

6. BMP Protocol and Panel Transparency

- Jenn Volk led a discussion regarding BMP expert panel transparency and level of public access to panel meetings outlined in the [BMP Protocol](#).
- One of the issues that came up during the recent review of the BMP Protocol was panel transparency. Some comments were received that panel meetings and conference calls should be open to all interested parties; panel chairs, coordinators and STAC recommended that panel meetings should be closed to the public.

- The changes sent out by Lucinda last week to address these comments are highlighted in yellow in attachment and are as follows:
 - The BMP panel process will operate similar to that of the National Academy of Sciences. Expert panel meetings will be closed to the public, so that panels are able to independently develop their recommendations without external influence.
 - One of the first panel meetings will be open to the public, to take recommendations from a wider audience. Subsequent panel meetings will be closed.
 - A panel report will become publicly available when it goes before a source sector workgroup for review and comment. Updates will be posted on ChesapeakeStat: http://stat.chesapeakebay.net/?q=node/130&quicktabs_10=3.
 - Throughout the panel deliberations, the panel chairs and coordinators will brief their source sector workgroups on the status of their panels.
- Volk: Are there other comments on the BMP protocol language?
 - Dianne McNally (EPA): Will the list of panel members be shared with GIT members?
 - Volk: Based on the language on page 3, the member list would be shared.
 - Norm Goulet (NVRC): Request that panel membership be treated as confidential information.
 - Brian Benham (VT): If, as the protocol is written now, there is one meeting open to the public early on, it will be difficult to keep panelists identity closed to the public.
 - Davis-Martin: When does this protocol become effective?
 - Volk: The protocol becomes effective now. If an existing panel is somehow unable to comply with these changes, they should let us know of their concerns as soon as possible.
 - Davis-Martin: All existing and future panels will now work under this protocol.
- Volk: If there are no objections, the BMP protocol language will be approved.
 - There were no objections.
- Volk: The changes to the BMP protocol are approved by the WQGIT. If other changes are recommended, those comments will be preserved and revisited every six months.

DECISION: WQGIT members approved the language on panel transparency for inclusion into the BMP Expert Panel Protocol, which is now final. All existing and future panels will work under this protocol. WQGIT members will be notified of panel membership. The BMP protocol will be reviewed and revised every six months.

7. Approval of On-Site Wastewater Treatment Systems BMP Report

- Marcia Degen, panel chair, presented the [Onsite Wastewater Treatment Systems BMP Panel Report](#) and [Technical Appendix](#), which was recently approved by the Wastewater Workgroup and Watershed Technical Workgroup. [View Marcia's slides here.](#)
- Lee Currey: There was monitoring to show that there is a higher efficiency for certain types of systems. How are those higher efficiency systems reflected in this report?
 - Degen: This report is only in reference to small systems for single family homes. There are some treatment technologies that on average do a better job. The panel did not assign individual treatment units a higher percentage, because there was not enough data to support this higher effectiveness. The available third party testing is

based on the 50% reduction. While some units can do better than 50%, the panel recommended that with operation & maintenance issues, they might not be able to keep that up over the long term. In the future, a panel could review the higher efficiency category.

- Currey: If the data for a higher efficiency category does exist, what would be the process for review?
 - Degen: The panel has received 2 requests for additional technologies to be reviewed. A state can present to the Wastewater Workgroup if they have another practice to recommend. The WWTWG would ask the expert panel to assess whether to review these additional practices.
- Davis-Martin: Recommend clarifying Answer #8 in Appendix G that the request would go back to an expert panel for consideration; not just the Wastewater Workgroup.
 - Degen: The panel will clarify this language.
- Goulet: What is the lifespan of this credit?
 - Davis-Martin: Each BMP in the report has a temporal performance listed, and sometimes these will specify lifespan.
 - Degen: Some technologies have lifespans associated with them. Most practices are ongoing, where as long as the treatment unit is installed and maintained, it should be removing nitrogen.
- McNally: The expert panel was tasked with confirming the 5% septic pumpout number. Did the panel also confirm the baseline?
 - Degen: The panel developed the baseline estimate based on documentation of septic tank effluent concentrations and nitrogen load per person.
- Volk: Are there any objections to approving the Onsite Wastewater Treatment Systems report?
 - There were no objections.
- McNally: Panel member Joyce Hudson couldn't be here today, but wanted to mention that data sharing of third party technology evaluations, mentioned in section 5.3 of the report, is critical to implementation of onsite BMPs. EPA Office of Water Management is facilitating an effort in conjunction with state onsite program managers, to reach agreement on how states will share data and avoid duplicating costly technology evaluation and approval processes. This effort will eventually need the support of the WQGIT, including state officials. WQGIT members can contact Joyce (HUDSON.JOYCE@EPA.GOV) with any questions.

DECISION: WQGIT members approved the Onsite Wastewater Treatment Systems report. OWTS Panel will clarify answer #8 in Appendix G to state that requests to review additional technologies will be routed through the Wastewater Treatment Workgroup to the Expert Panel.

8. Coastal Zone Management in the Chesapeake Bay

- John Kuriawa, NOAA, briefed WQGIT members on efforts to support implementation of the TMDL and provide planning assistance to Bay communities. [View John's slides here.](#)
 - CZMA is a voluntary partnership between fed government and coastal states and territories.

- Sarah Lane and Phillip Stafford (MD-DNR) provided a summary of the [Chesapeake and Atlantic Coastal Bays Trust Fund, the Maryland Innovative Technology Fund, and the Watershed Assistance Collaborative](#).
- Jenny Tribo, HRPDC, gave an overview of the [Virginia Coastal Zone Management Program](#).

9. Local TMDLs in MAST

- Greg Busch, MDE, demonstrated how [MAST can be applied as an implementation tool for local TMDLs](#). [View Greg's slides here](#).
- Sarah Diebel (DoD): Does this approach deal with Phase I MS4s?
 - Busch: It was developed with those in mind. It eventually will be extended to other MS4s in MD.
- Volk: Has this been presented to the Urban Stormwater Workgroup?
 - Busch: MDE is willing to present to USWG if they would find it useful.
- Davis-Martin: How do you deal with cases where the land uses in the tools not matching well with the real world?
 - Busch: If a local jurisdiction needs more flexibility, they can also use BayFAST. It comes at a cost in terms of complexity, but does give the option to define those parameters.

10. Considerations when Approving Updates to the CBP Partnership Modeling Tools

- Suzanne Trevena, Milestone Workgroup chair, presented the following [points to consider when deciding when to incorporate new data and BMP efficiencies into the modeling tools](#).
 - The pro-con list has been developed as a follow up to the presentation given to WQGIT in May 2014.
 - EPA will be evaluating whether states are on track for 2017.
 - Option 1) As soon as approved and able to be incorporated into the tools, (Current default) (This means milestone progress will be evaluated by EPA to determine if they are on track for 2017 based on the most current partnership-approved conditions and does not allow for milestones to be compared back to the exact conditions on which they were developed.
 - Option 2) At the beginning of the subsequent milestone period, (This means that milestone progress will be evaluated by EPA to determine if they are on track for 2017 based on the same partnership-approved conditions as when the milestones are developed. Any science and data updates will not be available until the development of the next set of milestones.) or
 - Option 3) Hold updates until Phase 6. (This means that milestone progress will be evaluated by EPA to determine if they are on track for 2017 based on the same partnership-approved conditions as when the milestones are developed. Any science and data updates will not be available until the development of Phase 6 of the partnership modeling tools.)
 - WQGIT previously recommended that data updates should be incorporated as soon as they are available, but Milestones Workgroup has recommended that milestone

results (progress) be assessed using the same BMP values and conditions as when the commitments are set.

- Volk: Would options 2 and 3 include delaying incorporation of BMP efficiencies?
 - Trevena: Correct, with options 2 and 3, everything would be held until the next milestone period (2) or after the midpoint assessment (3).
 - Volk: Another con for options 2 and 3 is that the impact of new BMP efficiencies would not be known until much later. If there were questions or issues with incorporating BMPs the panel would no longer be on hand to address them.
- Davis-Martin: Recommend that each data incorporation decision be considered separately. Some BMPs should be implemented right away, and would have minimal impact on Milestones.
 - Trevena: You're correct that this doesn't need to be a blanket decision. However, if any change is incorporated in the middle of a Milestone period, even if it were a minimal change, the future comparison wouldn't be exactly "apples to apples".
- Davis-Martin: One disadvantage for option 1 is that it holds jurisdictions accountable for hitting a moving target.
 - Trevena: EPA will be evaluating the trajectory, rather than the specific number.
- Volk: Are there other options for avoiding the one size fits all approach? Does WQGIT need to choose one today?
 - Trevena: We are requesting approval of this process today. Moving forward, the WQGIT can make decisions as these issues come up. However, note that incorporating any new data will negate the "apples to apples" comparison at the end of the milestone period. Even if other data are held constant, updating land uses in September will affect the comparison. However, choosing to hold everything constant means that WQGIT is foregoing the latest data and information. Other workgroups may have other pros and cons to consider.
- Currey: Note that option 3 would be related to large scale change that would affect calibration. Recommend thinking about options 1 and 2 for now.
- Montali: Recommend incorporating new data as soon as it is available.
- Davis-Martin: Recommend deciding these on a case-by-case basis, and reviewing some of the possible impacts when making the decision.
 - Montali: Some decisions are limited by model calibration. For everything else, this decision will need to be considered.
- Volk: WQGIT members are not asked to choose between option 1, 2 or 3 at this time. The pro/con list can be used as a reference document to guide these decisions over the next few years. Does anyone have any objections to the process presented today?
 - There were no objections.

DECISION: WQGIT Members approved the decision-making process for when to update background conditions and incorporate new data within a particular milestone period.

Adjourned

Next WQGIT Conference Call:

August 11, 2014

1:30 P.M. – 3:30 P.M.

Participants:

| Member | Affiliation |
|---------------------------------|------------------------|
| Jennifer Volk (Chair) | U Delaware |
| James Davis-Martin (Vice-Chair) | VADEQ |
| Mary Searing | DDOE |
| George Onyullo | DDOE |
| John Schneider | DNREC |
| Jennifer Tribo | Hampton Roads PDC |
| Sarah Lane | MD DNR |
| Phillip Stafford | MD DNR |
| Rachel Melvin | MDA |
| Lee Currey | MDE |
| Greg Busch | MDE |
| Karl Berger | MWCOG |
| Norm Goulet | NVRC |
| Ben Sears | NYS DEC |
| Kristen Wolf | PA DEP |
| Ted Tesler | PA DEP |
| Eric Aschenbach | VDH |
| Marcia Degen | VDH |
| Teresa Koon | WV DEP |
| Dave Montali | WV DEP |
| Ann Carkhuff | EPA Region 3 |
| Dianne McNally | EPA Region 3 |
| Ruth Izraeli | EPA Region 3 |
| Suzanne Trevena | EPA Region 3 |
| Sarah Diebel | US DoD |
| Sheryle Quinn | US DoN |
| David Koran | USACE |
| John Kuriawa | NOAA |
| Jeremy Hanson | CRC |
| Emma Giese | CRC |
| Katherine Antos | EPA/CBPO |
| Jeff Sweeney | EPA/CBPO |
| Lewis Linker | EPA/CBPO |
| Gary Shenk | EPA/CBPO |
| Joel Blomquist | USGS |
| Scott Phillips | USGS |
| Dana York | Green Earth Connection |
| Steve Hann | HRMML ?? |

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|---------------|------------------------|
| Ross Mandel | ICPRB |
| Brian Benham | Virginia Tech |
| Tom Simpson | Water Stewardship Inc. |
| Ben McFarlane | |
| Laura McKay | |