

CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
AUGUST 8TH, 2011 CONFERENCE CALL MINUTES

SUMMARY OF DECISION AND ACTION ITEMS

Action: WQGIT should send potential topics to Larry. Larry will compile, share with WQGIT, and determine whether a meeting is necessary

Action: Jennifer Sincock will follow up with Maryland on contract dollars to help tracking.

Action: CBP will have a meeting with Katherine Antos, Mark Dubin, and Frank Coale to discuss Rich Eskin's proposal regarding nutrient management.

Action: Katherine Antos will bring the issue of constant delivery factors to the Indicators Workgroup meeting next week.

Decision: WQGIT recommends using constant delivery factors for TMDL, WIP runs, milestone commitments, annual progress runs, and Bay Barometer "Reducing Pollution" indicator

Action: Linker will work to pull together the suggested changes to this document and a report on the N:P exchanges to be brought back to the group at the October meeting.

MINUTES

Updates – Larry Merrill, Chair

- Face to Face meeting in Oct timeframe, and pending topics to be discussed.

Action: WQGIT should send potential topics to Larry. Larry will compile, share with WQGIT, and determine whether a meeting is necessary

Ozone Rule Update:

- Reviewing in airshed model. Looking into 2020 Max Feasible. Transport replaces Clean Air.
- Ozone rule was delayed due to OMB review.
- Doubling of Corporate Average Fuel Economy (CAFE) standards for vehicles by 2025 will be going into air runs, going forward and, of course, the mobile emission estimates will need to take into account fleet turnover (about 10 yrs). When we run new 2020 and 2030 airshed scenarios it will include the new CAFE standards.
- Scenario Builder Workshop - see newly uploaded flyer
- Congrats to MD on MAST, webinar on Aug 16th

Action: Jennifer Sincock will follow up with Maryland on contract dollars to help tracking.

Report Out on the Phase II WIP Planning Targets Released on August 1st – Larry Merrill, Chair

- Aug 1st release of planning targets. Letters available on EPA TMDL site. Still getting feedback and having dialogue w jurisdictions.
- Alan Pollock requested EPA share responses to important comments. Larry Merrill agrees that if there is an annotated paper of feedback it will be shared with the group and comments by be discussed on further calls.
- Ron Entringer expressed that NY is not satisfied with their allocation and that they are losing local partners who are not confident in the TMDL process.
- Alan Pollock found that EPA must respect states approach to working with locals and that states may not be able to work at the schedule laid out. They would like to see response to states comments ASAP and that the only way he has to explain changes in model number to locals is to say it's a new model.

- Pennsylvania requires a longer period to address concerns. West Virginia seconded this and expressed that allocations are not within reach; Phase II WIP planning targets do not represent intent of Phase I WIP so we don't know where we stand right now.

Discussion of Next Steps on Nutrient Management – Larry Merrill, Chair

- Kenn Pattison expressed issues with efficiency for fertilizer, increased P load on nutrient management, and increased load for nutrient management on pasture by almost 200%.
- Russ Perkinson, vice-chair called states for input and Rich Eskin suggested use of nutrient management on progress runs, fixing the model now to allow this to take place, and working closely with the AGWG to ensure this is moved forward appropriately.
- Bill Keeling states that on technical basis, every state had areas where land application rates increased under nutrient management; this is a non-trivial equity issue in Virginia.
- Katherine Antos explained that CBPO did a run with no BMPs and compared to all acres that could take nutrient management, to confirm that nutrient management does lead to decrease. Because of sequencing of manure application, nutrient management gets more manure and biosolids, while non nutrient management gets more inorganic fertilizer. Because Scenario Builder only assumes that the manure nutrients mineralized within the first year of application are available for crop uptake but the Watershed Model recognizes the full nutrient content of manure, this means more total nutrients may be applied to nutrient management lands even though nutrient management lowers the nutrient application rate to meet crop need. Chesapeake Bay Program offered to share this information with the AGWG and was given direction from DCR to fold this into evaluation of full suite of BMPs. Have secured contractor resources to support this effort, working to get this under way as soon as possible. Panel will get full briefing on all of these issues.
- Perkinson- Left open possibility of Eskin statement, can we do something w this. Is there a force of action
- Merrill- We can have follow up w Antos, Dubin, Coale to caucus about this before next AGWG meeting.

ACTION: CBP will have a meeting with Katherine Antos, Mark Dubin, and Frank Coale to discuss Rich Eskin's proposal regarding nutrient management.

Constant Delivery Factors – Gary Shenk

- One con to constant delivery factors in having different numbers for Bay Barometer and milestone progress assessments.
- Tanya Spano and Kenn Pattison expressed that there was insufficient information provided in the presentation to understand difference. Gary Shenk explained that there will be a small difference close to the Bay, but further away it will have significant difference. NY, WV became frustrated in coming up with a WIP run, additionally changes by other states would affect further away jurisdictions for stability purposes. Changes ranged from less than 1 percent up to a few percent; in the grand scheme it isn't a big deal but as you work to scale things down it is more difficult. This model is an accounting tool, tools to make a decision.
- Kenn Pattison inquired if EPA will stand behind this with consequences. He said that in support of constant factor, would make everything easier, but everyone needs to be on board.
- Lewis Linker explained that EPA is asking for GIT guidance and will be respectful of guidance from this group.

- Gary Shenk explained that CBP is setting delivery factors at where we expect when the goal is met. The difference is not in the end point, either way aims for same end point. Variable would vary up and down, but constant would be a smooth line to end.
- Alan Pollock requested that if the proposal is to use delivery factor that is result of TMDL run and that EPA would use for progress runs and achievement of milestones to get it down on paper. He found that if you use constant for everything, it makes sense and is easier to understand
- Gary Shenk explained that this group is looking to evaluating progress toward a goal in terms of implementation, we would want to use constant. But in terms of bay barometer in watershed scale it is possible that they choose to use variable delivery factors because it may be closer to true data.

Action: Katherine Antos will bring the issue of constant delivery factors to the Indicators Workgroup meeting next week.

- Kenn Pattison supported clearly indicate that constant delivery factor will be used across the board. Ron Entringer supported addition of Bay Barometer and constant delivery factor, presented well with the caveat is not agreeing to absolute delivery factors; we have not agreed to TMDL level delivery factors and some disagreement on science of these.

Decision: WQGIT recommends using constant delivery factors for TMDL, WIP runs, milestone commitments, annual progress runs, and Bay Barometer “Reducing Pollution” indicator
Post-Meeting Note: Indicators Workgroup state that WQGIT has the authority to decide on how to report indicator. No further Partnership input needed to finalize this recommendation. Will use constant delivery factors for TMDL, WIP runs, milestone commitments, annual progress runs, and Bay Barometer “Reducing Pollution” indicator.

N:P Factors – Lewis Linker

Response to Questions:

- Almost all states had trimming exchanges at the end of WIP I development.
- With the asymmetric ratios the Bay always gets the benefit of any trade and N will always cost more for a P exchange and vice versa.
- The application scale is at the major basin level. What we are proposing is within a state basin, if NY comes in above N but below P it can work something out.
- This is a reflection of previous discussions, that if factors are applied in one, it should be applied through all. If it makes sense at one level than it should across, mostly in context of the TMDL.

Discussion:

- Russ Perkinson stated that we need to clarify in this document that these N:P exchanges are only appropriate for Phase II WIP development and not for trading. Pennsylvania supported this statement.
- Ron Entringer expressed that it is going to be important from our point of view for allocation for point sources. Trying to not go back and ask for more for local benefit. In some cases this could result in 20 to 1 P exchange. Not trivial and cannot start planning until we understand this. Would not support asymmetric approach we prefer straight ratios.
- The jurisdictions expressed the following leanings:
 DE – Not strongly one way or another.
 MD – Like opt 2 but it is complicated, some reservation; opt 3 is streamlined more appealing concern is water quality standards.
 DC – Did not contemplate exchanges, not prepared to make decision.

PA – Option 3

VA – Option 3, but could probably live with option 2.

WV – Option 3

NY – Option 3

Action: Linker will work to pull together the suggested changes to this document and a report on the N:P exchanges to be brought back to the group at the October meeting.

NAS Recommendations – Larry Merrill, Chair

- Request for GIT members to assist with this response. Tanya Spano volunteered, asking for any more, will be reaching out where need be.
- Pat Buckley states that in regards to Page 2, recommendation 7, PA is not planning to verify all practices, concerned you are suggesting states do more than expected. She also expressed concern that there is no definition of verification from Bay Program and concerned of commitment. Larry Merrill explained that there is a response that includes working with conservation districts and that EPA understands overall level of effort and burden on states.
- Katherine Antos highlighted that timeframe is tight, but this is our chance to weigh in on priorities for Partnership. By making your opinions known, we won't assume that you agree with all the science-based conclusions. Asking for workgroups' input by end of this month.
- Bruce Michael informed that group that the non tidal and tidal monitoring workgroups are working to pull together a response.

PARTICIPANTS

Greg Albrecht		
Katherine Antos, Coordinator	EPA CBPO	antos.katherine@epa.gov
Russ Baxter	VA DEQ	russ.baxter@deq.virginia.gov
Bevin Buchheister	CBC	bevinb@chesbay.us
Pat Buckley	PA DEP	pbuckley@state.pa.us
Collin Burrell	DDOE	collin.burrell@dc.gov
Ann Carkhuff	EPA	carkhuff.ann@epa.gov
Dinorah Dalmasy	MDE	ddalmasy@mde.state.md.us
Rusty Diamond	PA DEP	rdiamond@state.pa.us
Sarah Diebhel		
Ron Entringer	NY DEC	raentrin@gw.dec.state.ny.us
McKayla Fisher		
Andrew Gavin		
Jim Glancey		
Steve Hann	HRMM&L	shann@hrmml.com
Will Hunley	HRSD	whunley@hrsdc.com
Bill Keeling	VA DCR	william.keeling@dcr.virginia.gov
Victoria Kilbert	CRC/CBPO	vkilbert@chesapeakebay.net
Teresa Koon	WV DEP	teresa.m.koon@wv.gov
David Koran	USACE HQ	david.koran@usace.army.mil
Sara Lane	MD DNR	slane@dnr.state.md.us
Jacqueline Lendrum	NY DEC	jmlendru@gw.dec.state.ny.us
Lewis Linker	EPA/CBPO	linker.lewis@epa.gov
Rich McEntee	USGS	emcentee@chesapeakebay.net
Kevin McGonigal	SRBC	kmcgonigal@srbc.net
Diane McNally	EPA	mcnally.dianne@epa.gov
Larry Merrill, Chair	EPA	merrill.larry@epa.gov
Bruce Michael	MD DNR	bmichael@dnr.state.md.us
Matt Monroe	WV DEP	mmonroe@ag.state.wv.us
Kenn Pattison	PA DEP	kpattison@state.pa.us
Robin Pellicano	MDE	rpellicano@mde.state.md.us
Russ Perkinson	VA DCR	russ.perkinson@dcr.virginia.gov
Alan Pollock	VA DEQ	aepollock@deq.virginia.gov
Lucinda Power	EPA/CBPO	power.lucinda@epa.gov
Sheryle Quinn	U.S. Navy	sheryle.quinn@navy.mil
John Rhoderick	MDA	rhoderjc@mda.state.md.us
Ann Roda	PA DEP	aroda@state.pa.us
Sarah Sand	DDOE	sarah.sand@dc.gov
Tom Schueler	CBPO/CSN	tschueler@chesapeakebay.net
John Schneider	DE DNREC	john.schneider@state.de.us
Gary Shenk	EPA/CBPO	gshenk@chesapeakebay.net
Jennifer Sincock	EPA R3	sincock.jennifer@epa.gov
Tanya Spano	MWCOG	tspano@mwkog.org
Gwen Supplee	EPA	supplee.gwyneth@epa.gov
Tom Thornton	MDE	tthornton@mde.state.md.us
Sara Walker	WRI	swalker@wri.org