

CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM

January 11, 2016 CONFERENCE CALL

Minutes

Summary of Action and Decision Items

DECISION: The WQGIT agreed that, in lieu of quarterly face-to-face meetings, they would continue to schedule extra monthly conference calls as-necessary, and would schedule one face-to-face meeting in the summer of 2016.

ACTION: Volunteers who expressed interest in assisting with the development of two WQGIT co-sponsored STAC Workshop proposals will be contacted about next steps for writing and submitting proposals.

DECISION: The WQGIT approved the proposed changes to their Governance Protocols, pending additional clarification regarding vacancies and language to further distinguish between the initial election process and annual elections moving forward.

DECISION: The WQGIT approved the Land Use Workgroup's proposed membership definition.

ACTION: The BMP Panel schedule will be revised to include a date stamp and to provide clarification between the various Onsite Wastewater Treatment System BMP Panels.

DECISION: The WQGIT approved the Algal Flow Way Technology BMP expert panel report. Approval is contingent upon the inclusion of additional language on the influent loading assumptions, and clarification in the technical appendix regarding how land uses should be reported.

Welcome/Confirm Call Participants/Workgroup Updates – James Davis-Martin, Chair

James provided several updates and asked members to weigh in on possibly holding quarterly face-to-face meetings in 2016.

Discussion:

- Kristen Wolf (PA DEP): Pennsylvania has new travel restrictions in place, so we request that wherever the face-to-face meetings are held, we have support in the form of audio conferencing.
 - Other states expressed similar concerns over travel bans.
- Davis-Martin: It sounds as though we might be better served by sticking with our conference call schedule due to travel bans and distances. How do we feel about extending the length of conference calls? Do we continue to schedule multiple meetings per month when they are required?
 - Tanya Spano (MWCOC): Maybe one more interim face-to-face meeting would be a good idea. Possibly in August.

DECISION: The WQGIT agreed that, in lieu of quarterly face-to-face meetings, they would continue to schedule extra monthly conference calls as-necessary, and would schedule one face-to-face meeting in the summer of 2016.

- Davis-Martin: Reviewed the action and decision items for WQGIT members from the December meeting. He also introduced the MPA 2016 decision-making calendar that was provided to the GIT members and emphasized that it would remain a living document.
- Davis-Martin: The “success stories” agenda item would like to be highlighted in future meetings. Please send them to David Wood as you have them.
- Davis-Martin: There is a webinar this Thursday, January 14th from 12:30-3:30. It is being hosted and presented by the Ag Modeling Subcommittee (AMS) on many of the Scenario Builder processes.

James reviewed the STAC Workshop proposal timeline and briefly discussed possible WQGIT proposal topics.

Discussion:

- Scott Phillips (USGS): For the first proposal, we might want to narrow down which other outcomes to look at. I would be willing to help on the first proposal.
- Bruce Michael (MD DNR): On water clarity, the fact that we haven’t seen great improvement over the last few years is perplexing to the scientific community, and we are currently looking into it. I can help spearhead this proposal.
- Zoe Johnson (NOAA): The climate change workgroup is also looking at ideas for STAC workshops, but there are a few crossovers with regards to water quality. One is building off of the BMP optimization project, and identifying co-benefits of BMPs with climate resiliency benefits. Also, at the last STAC meeting we had a breakout session to look at the existing nutrient and sediment BMPs and determine if their reduction efficiencies may be compromised by climate impacts. One proposal is to possibly begin developing climate smart design principles.
- Marel King (CBC): We had a lot of discussion at CBC last week about sediment, with members questioning the role of boat traffic in contributing to sediment resuspension. Maybe that would link in to the second proposal. Another topic of discussion was the issue of legacy sediments and whether our existing BMPs are sufficiently addressing them. Maybe that is a question for a separate STAC request, and we would be happy to talk through that with someone.
- Davis-Martin: For those who have expressed interest in each of these, Lucinda, maybe we can put them in touch with Rich to start the process of framing these out in a little more detail. The deadline for submission is January 25.
 - Lucinda Power (EPA): I will do that.

ACTION: Volunteers who expressed interest in assisting with the development of two WQGIT co-sponsored STAC Workshop proposals will be contacted about next steps for writing and submitting proposals.

- Davis-Martin: We may also need a little time on January 25 agenda to address anything that comes in after that.
- Jenn Volk: Offered to assist with the first STAC proposal.

Governance Additions – Teresa Koon, Vice-Chair

Teresa reviewed the proposed changes to the WQGIT Governance Protocols that would provide more detailed language on the term limits for members.

Discussion:

- Davis-Martin: To clarify, this two-tiered selection process we used for the initial selection was just intended to get our annual cycle started. My understanding is that in the future, every year, 3 members will come up for re-election for a 2 year cycle. I think something needs to be added to clarify that point.
- Spano: Do we have any language in the Governance to address vacancies?
 - Davis-Martin: In the case of signatories, I think the alternate would move up and it would be up to the signatory to identify a replacement. For at-large members, I do think it is a good idea to include that. Does it sit vacant until the end of the term, or just at the next nomination period?
 - Mark Dubin (UMD): The AgWG Governance does have some language to address that if you wanted to use it for guidance.

DECISION: The WQGIT approved the proposed changes to their Governance Protocols, pending additional clarification regarding vacancies and language to further distinguish between the initial election process and annual elections moving forward.

Land Use Workgroup Membership Definition – Karl Berger, MWCOG

Karl reviewed the Land Use Workgroup's proposed membership definition and asked for WQGIT approval.

Discussion:

- No questions, comments or objections were raised.

DECISION: The WQGIT approved the Land Use Workgroup's proposed membership definition.

BMP Expert Panel Schedule – Lucinda Power, EPA

Following a request from the WQGIT face-to-face meeting, Lucinda presented a revised timeline for the completion of the ongoing BMP expert panels and potential implications of changes to the timeline.

Discussion:

- Power: At the December face-to-face meeting, Matt presented the modeling team's priority BMP panels based on the complexity of the BMP and the time needed to incorporate them into the modeling tools. That schedule was different than the schedule

of when the panel reports are likely to be finished. Our revised schedule indicates when each panel is expected to conclude, next to the priority level that Matt indicated. The modelers understand that some of these will not be done by their ideal timeline.

- John Rhoderick (AgWG): One other panel that is not on here is cropland irrigation. That has a large impact in terms of the model. I know we are behind on this panel, but it is just as important.
 - Power: I will make that change.
- Dave Montali (WV DEP): Asked for clarification on the Onsite Wastewater Treatment Systems OWTS panels.
 - Power: I will clarify that as well.
- Davis-Martin: Now that we have these dates together, how do we use it to drive our process and alleviate concerns?
 - Power: I don't think this will help the reports be ready sooner. But the collaboration between the modeling teams and the panels could be useful.
- Davis-Martin: I suggest we reach out to the Modeling Workgroup (MWG) and the Watershed Technical Workgroup (WTWG) so they can reach out to their representatives on each of these panels and really emphasize using those reps, and having them carry those updates back to their workgroups as a way to help drive action from this work.
- Spano: Request for CBP staff to label the schedule with a date to show when it was last updated.
- Davis-Martin: Should we start thinking about contingencies for the calibration in the event that these reports do not arrive in time?
 - Power: We have built into the protocol an incremental decision making process, so we might want to flesh that out more for some of these panels.
- Jeremy Hanson (VT): I like James' suggestion. A lot of communication needs to happen to make sure the workgroups are up to date with the direction the panels are heading. The extent to which workgroup coordinators can help with that communication, the better. That said, these updates could indicate very different directions from month to month, so keep in mind that this is an ongoing process.

ACTION: The BMP Panel schedule will be revised to include a date stamp and to provide clarification between the various Onsite Wastewater Treatment System BMP Panels.

AgWG Update on Phase 5.3.2 Nutrient Management – John Rhoderick, AgWG

Following a request from the WQGIT face-to-face meeting, John provided an update from the AgWG on Nutrient Management.

Discussion:

- Rhoderick: The Nutrient Management Task Force has put together an updated table for the states, including updated information from Delaware and Pennsylvania. They are still working with West Virginia. We will have a revised document to send out shortly. Our timeline has been extended because we are requesting new information. That has led to a

discussion of when actually to apply this crosswalk, and some issues about how and when it will be applied are still to be resolved.

- Dubin: We will be bringing back a full presentation on the completed crosswalk on January 25 for the WQGIT.
- Ted Tesler (PA DEP): We had completed the revised crosswalk, but I don't recall that the acres in full compliance and the Nutrient Management application were part of the original ask?
 - Rhoderick: No, they weren't. They were added as part of the WQGIT discussion in December in an effort to understand how many acres are actually being considered.
 - Tesler: If that was part of the original request, we could have provided that, rather than having to chase this down again.
- Montali: I think it is important to know the percent of available nutrient management acres for which the states are reporting nutrient management.
- Dubin: What is on the screen is draft. We will make sure the final is more straightforward.
- Davis-Martin: First, if you plan to ask about compliance in tier 2, it needs to be considered independently for nitrogen and phosphorus.
 - Rhoderick: Yes, good point.
- Davis-Martin: Also, find a way to document cases where tier 3 plans that may not be in compliance with tier 3, may still be in compliance with a lower tier.
 - Dubin: For tiers 3 or 2, it already says that you have to be in compliance with the lower tiers, so it is sort of built in, but that is a good point and we will make sure to reflect that. What goes to the states will be specific to each state.

Algal Flow Way Expert Panel Report – Sarah Lane, MD DNR

Sarah reviewed the Algal Flow Way Expert Panel report and asked the WQGIT for approval. The Watershed Technical Workgroup approved the report in December.

Discussion:

- Spano: I didn't see a discussion about the assumptions of the influent loading.
 - Lane: We discuss it when we talk about why we decided to use equations instead of influent/effluent sampling.
- Spano: Would the default rate be applicable no matter what the influent was? It would seem different between agriculture and say, wastewater.
 - Lane: We used the lowest quartile based on studies that looked across a variety of influent sources.
 - Matt Johnston (UMD): The influent was variable and ranged quite a bit, but the range of dry weight production doesn't vary. It is much more dependent on surface area and sunlight.

- Spano: I think you have addressed it, but it would be great to just clarify it more in the text. Also, perhaps the WQGIT might want a more robust statement about capturing end use.
- Rhoderick: When you talked about land use, you can't apply this to agricultural lands?
 - Lane: It should not be treating drainage ditch water and dairy lagoons.
- Rhoderick: A previous study I'm aware of used a pulse system rather than continuous water. Should that be mentioned?
 - Lane: That is no longer a requirement, because that was not successful.
- Spano: It might be helpful to have more clarity about the studies you chose to use for the report and why they were chosen.
- Montali: I'm curious as to how land use reporting would be used in our system.
 - Johnston: For the non-tidal, it would be similar to how stream restoration is simulated. Tidal would be more similar to how shoreline erosion control is simulated. The way stream restoration works is you add up the number of BMP units in every land/river segment for every land use. So when you report stream restoration, you report ag or urban so it can be divvied up and put back.
- Montali: I'm looking at this as pulling out nutrients. It seems like it would be some percentage of the nutrients upstream.
- Davis-Martin: If these systems are treating a land use, are the waters from impervious surfaces being collected and run across a raceway, or are we withdrawing water from a stream and pumping that through the flow-way?
 - Johnston: The most common scenario is the second.
 - Davis-Martin: In that scenario, what land use would you report?
 - Johnston: That is a good point and I can take that back to the modeling team. That is the same problem we have with stream restoration. For Phase 5, you would report the land use adjacent to the waterway, the one the AFT is installed on.
 - Lane: For Phase 5 it is not flexible, but for Phase 6, there might be a way to model this to make it more representative of the loads they are actually treating.
- Chris Day (EPA): Are the AFTs siting in the waterways or on land?
 - Lane: In some cases they were in the waterway, but none of the four we used were actually in the water, they were all pumped.
- Day: Like stream restoration projects, if anything is placed in the waterway they'd need the proper permits.
 - Lane: Agreed, we have some language about following existing permit requirements.
- Davis-Martin: Do you report the surface area of the growth medium, or surface area of the installation?
 - Lane: It is the surface area of the raceway.

- John Schneider (DE DNREC): What were typical influent concentrations? There is a point where the systems could be overwhelmed. If there was a system in a large ditch, that seems to be an appropriate use.
 - Lane: It wasn't the intent of the panel for agricultural drainage ditch application.
- Schneider: We have a problem with flow anyways, but it seems to be a waste of energy to pump water around if you can use an existing structure.
 - Rhoderick: Because of water surges, it was an engineering challenge to put these in the ditches themselves.
- Johnston: We shied away from writing an engineering document, because we didn't believe that was the purpose of the expert panel. In the future, we would appreciate it if the WQGIT provided guidance in terms of whether there should be more design and engineering guidance.
- Lane: Please email me the recommended language suggestions and we can include them.
- Davis-Martin: Are there restrictions as to the type of algae or type of biomass produced?
 - Johnston: This report was designed for algae. If it transitions into phragmites, or mussels, or something else, it would need a different default and therefore a different panel. These are not seeded.
- Dianne McNally (EPA): Different protocols were not considered for permitted or non-permitted?
 - Lane: In terms of the qualifying conditions and definitions, no.
 - McNally: So the presumption is that if the facility needs to get a permit, it would go through the appropriate process.
 - Lane: Correct.
- Davis-Martin: Are there any objections to approving the report with the minor suggested modifications?
 - None were raised.

DECISION: The WQGIT approved the Algal Flow Way Technology BMP expert panel report. Approval is contingent upon the inclusion of additional language on the influent loading assumptions, and clarification in the technical appendix regarding how land uses should be reported.

Adjourned

List of Meeting Participants

Member Name	Affiliation
James Davis-Martin (Chair)	VA DEQ
Teresa Koon (Vice-Chair)	WV DEP
David Wood (Staff)	CRC
Lindsey Gordon (Staff)	CRC

Lucinda Power (Coordinator)	EPA, CBPO
Bill Angstadt	Angstadt Consulting
Jessica Blackburn	CAC
Marel King	CBC
John Schneider	DE DNREC
George Onyullo	DOEE
Tom Wenz	EPA, CBPO
Jeff Sweeney	EPA, CBPO
Kelly Shenk	EPA, R3
Chris Day	EPA, R3
Dianne McNally	EPA, R3
Jenny Tribo	HRPDC
Jaime Mitchell	HRSD
Chris Thompson	LCCD
Bruce Michael	MD DNR
Sarah Lane	MD DNR
Jason Keppler	MDA
Rachel Rhodes	MDA
Alisha Mulkey	MDA
Karl Berger	MWCOG
Tanya Spano	MWCOG
Zoe Johnson	NOAA
Norm Goulet	NVRC
Ben Sears	NYSDEC
Ted Tesler	PA DEP
Kevin McGonigal	SRBC
Jenn Volk	U of Delaware
Matt Johnston	UMD, CBPO
Mark Dubin	UMD, CBPO
Scott Phillips	USGS
Jeremy Hanson	VT, CBPO
Dave Montali	WV DEP