

CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
September 12, 2016 CONFERENCE CALL
Meeting Minutes

Summary of Action and Decision Items

DECISION: The WQGIT approved the Floating Treatment Wetlands Expert Panel report and recommendations.

DECISION: The WQGIT approved the Manure Treatment Technology Expert Panel's report and technical recommendations. Application of the recommendations in the Partnership's Phase 6 Watershed Model is contingent upon forthcoming decisions from the Modeling Workgroup on how to improve the simulation of air emissions and deposition from the technologies, as well as from the Management Board on the policy implications of the BMP.

DECISION: The WQGIT approved the Urban Tree Canopy Expert Panel's report and recommendations.

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

- WQGIT Face-to-Face Prep Webinar Schedule:
 - Phase 6 Land Use: September 20th, 1-3pm
 - Climate Change: October 18th, 1-3pm
 - Conowingo: October 20th, 10am-12pm
- James Davis-Martin (Chair) and Teresa Koon (Vice-Chair) will both be on leave for the WQGIT's September 26th conference call. Lucinda Power (Coordinator) will chair the meeting. Bill Keeling (VA DEQ) will serve as Virginia's representative and Dave Montali (WV DEP) will be the West Virginia representative.

Floating Treatment Wetland Expert Panel report – Tom Schueler, CSN

The WQGIT was asked to approve the Floating Treatment Wetlands (FTW) BMP Expert Panel report. The report was approved by the Urban Stormwater Workgroup (USWG) on July 26th and by the Watershed Technical Workgroup (WTWG) on August 4th.

Discussion:

- John Schneider (DE DNREC): Could you use this BMP in a natural pond and receive credit?
 - Schueler: I don't see why you couldn't, as long as you had the information about the pond surface area and the drainage area. If the natural pond meets the depth criteria and it is non-tidal, I don't see why not. If the report is approved, we can make a note to that effect in the Scenario Builder appendix.

- Sarah Diebel (DOD): How do you distinguish proprietary FTW's from non-proprietary FTW's?
 - Norm Goulet (NVRC): Once a number of proprietary devices become established and we can develop a set of generic design criteria for a class of BMPs, we would set up an expert panel like we did here. We were able to develop the generic criteria not pointed at one design criteria. That is the difference.
- Davis-Martin: How do these BMPs perform over the winter? Are they pulled out of ponds in the freezing period, or are the plants hardy enough to survive that?
 - Schueler: That is a good point and the panel asked for more information on overwintering. The northernmost application of these in the Chesapeake Bay watershed that we were aware of was Baltimore. There are applications in Minnesota, so the panel felt comfortable that they were hardy enough. They are typically applied over winter and the plants come back. But that is why they have a shorter credit duration. There is often a spring cleanup period needed. It is not currently a very common practice, but the panel felt there were some excellent opportunities for communities to look at existing wet ponds and work to add these FTWs as an effective new option.
- Tanya Spano (MWCOG): What about storms or other damage that could make the practices ineffective?
 - Schueler: The performance criteria developed by the panel requires the BMPs to be adequately anchored in the pond for ease of retrieval for maintenance and to properly help with flood control functions.
- Jason Keppler (MDA): What is the rationale for not having agricultural applications at this point? Is there a timeline for adding that later?
 - Schueler: The panel was convened by the USWG, but didn't feel that agricultural applications couldn't work. I believe the Agriculture Workgroup (AGWG) is currently addressing them in their own panel.
 - Matt Johnston (UMD): I believe the AGWG's Stormwater Structures Expert Panel, which hasn't kicked off yet, is addressing this BMP.
- Davis-Martin: Remind us where the efficiency values fall in comparison to other stormwater retrofit practices? Is this a highly cost effective retrofit approach?
 - Schueler: I think it is cost effective. It requires up-front investment, but unlike other BMPs with a high degree of engineering design, you are really just paying to make sure they are deployed properly and have the right plant coverage. I don't think it is a silver bullet, but I think a lot of localities will find it to be an effective retrofit strategy.
- Davis-Martin: Are there any objections to approving the panel report as-written?
 - No objections were raised.

DECISION: The WQGIT approved the Floating Treatment Wetlands Expert Panel report and recommendations.

Manure Treatment Technology Expert Panel report – Doug Hamilton, OKST

The WQGIT was asked to approve the Manure Treatment Technology BMP Expert Panel report. The report was approved by the AGWG on July 21st and the WTWG on September 1st.

Discussion:

- Beth McGee (CBF): Will the modeling adjustment be made to the air deposition loads, or to the reduction efficiency of that practice?
 - Lew Linker (EPA, CBPO): The fate of nitrogen from atmospheric deposition is pretty much the same, but there is a difference in the deposition rate of ammonia. We will be discussing the issue further with the Modeling Workgroup on September 22nd.
- Bevin Buchheister (CBC): Will this mean there is a change in how much these technologies are credited, in order to make sure they are credited for the N₂ and not for the NO_x?
 - Linker: In the overall mass balance, there needs to be an adjustment. In order to deal with overall mass balance, you need to deal with how much ammonia goes up, compared to what comes down. Only about 40% that is released comes back down within the watershed and some of that is attenuated.
 - Jeremy Hanson (VT): The panel did go back and provide the best information available on how much nitrogen is released that is reactive as opposed to N₂. The literature suggests that only about 10% of nitrogen that is released is reactive. So the adjustment based on the Modeling Workgroup analysis will be smaller. For composting, all emissions are reactive nitrogen, so the adjustment to the crediting will be larger.
- Buchheister: Is it a policy question about whether we credit technologies that are generating NO_x? Even if it falls outside of the watershed?
 - Hanson: I don't think that is the type of question that would be appropriate for the panel to weigh in on. The Partnership would have to make that kind of a decision.
- Davis-Martin: If there was a policy group pulled together for this practice, would they be addressing that?
 - Hanson: Rich is convening a policy group for this panel and has developed a list of the policy issues identified by the Management Board. Once the policy group provides feedback, there will be a full write-up to the Management Board in October at the earliest. If CBC would like to see the type of policy questions raised, we can work with Rich to get that information.
- Spano: I have concerns about moving problems from one place to another. I think there are aspects of this that should be carefully considered. I don't think it is the panel's role to address that concern, but we should consider it.
- Hanson: I would caution a need for consistency with other BMPs.
- Davis-Martin: I think this is on the list of policy issues, and the Management Board policy group will need to come back with their recommendations.
- Hamilton: It is important to note that the alternative to having the treatment technologies also emits reactive nitrogen. There are transformations that take place regardless.

- Davis-Martin: On slide 25 with the efficiencies, all the composting varieties really have the same efficiencies within a few percentage points. Could we just combine these into a few standard BMPs? Should we be cutting down the number of available BMPs, or is there a reason to keep them broken out?
 - Johnston: From the WTWG perspective, I think they would agree with you. We commonly roll these different practices into a single definition. From a tracking and reporting perspective, I think the WTWG would agree.
 - Spano: I agree.
- McGee: On verification, I have a concern over defaulting to the state verification programs as opposed to providing more detail in the panel recommendations.
 - Davis-Martin: As you are aware, states are responsible for developing the verification programs, so I feel it is outside of the panel's charge to provide too much detail on verification. As an annual BMP, we are really only talking about the initial verification that the system received the reported inputs and operated as expected. There is no long term follow-up.
- Davis-Martin: Concerns remain on verification, as well as policy questions. Are there any objections to approving the report, knowing that we are still waiting on additional feedback from the Management Board?
 - Dave Montali (WV DEP): I think the report ought to move forward with caveats. I think the panel has done a good job characterizing volatilization, and the Modeling Workgroup is working on better characterizing it. If the Management Board comes back with a requested change, I see that as a separate step.
 - Spano: I agree with Dave, I think it needs to be framed that way.
- Davis-Martin: Are there any objections to approving the panel's technical recommendations, with the caveat that additional information is forthcoming related to air deposition and other policy issues?
 - No objections were raised.

DECISION: The WQGIT approved the Manure Treatment Technology Expert Panel's report and technical recommendations. Application of the recommendations in the Partnership's Phase 6 Watershed Model is contingent upon forthcoming decisions from the Modeling Workgroup on how to improve the simulation of air emissions and deposition from the technologies, as well as from the Management Board on the policy implications of the BMP.

Urban Tree Canopy Expert Panel report – Neely Law, CWP

The WQGIT was asked to approve the Urban Tree Canopy BMP Expert Panel report. The report was approved by the Forestry Workgroup on June 23rd contingent upon the addition of the Urban Forest Planting BMP, was endorsed by the USWG on July 26th, and approved by the WTWG on September 1st.

Discussion:

- Jim George (MDE): In a park setting where there are trees over turfgrass, the shading is often such that there isn't a lot of turfgrass and there is a lot of erosion.

- Neely Law (CWP): The panel did look at the level to which we can best characterize all the different types of planting scenarios given the size and location of tree canopy. That situation would require pretty intensive rainfall if the canopy is mature. That was accounted for in the land use loading rate, which used total annual rainfall to address those types of factors.
- Davis Martin: Are there any objections to approving the Urban Tree Canopy panel report?
 - No objections were raised.

DECISION: The WQGIT approved the Urban Tree Canopy Expert Panel's report and recommendations.

Phase 6 Nutrient Management Expert Panel Report – Mark Dubin, UMD

Mark provided an overview of the Phase 6 Nutrient Management Expert Panel's recommendations in preparation for a WQGIT decision on September 26th.

Discussion:

- Dubin: The Nutrient Management Expert Panel's preliminary draft report was released and has gone through a Partnership review period that concluded at the end of August. We received a number of comments, and have discussed some of those in the AGWG. The panel is in the process of working through those comments and those responses will be addressed and reflected in the next version of the report. We have a presentation at the AGWG meeting in conjunction with the WTWG on Thursday, September 15th, where we will provide an update. We are on a good path, but one that will take us past September 30th in order to get full Partnership agreement.
- Davis-Martin: I believe this was one of the reports we originally expected to review for approval on September 26th. It sounds like that will not be the case?
 - Dubin: The report will be released to the Partnership prior to the September 22nd AGWG meeting, but based on such a limited review period, I would not expect them to be able to reach a decision at that point, which would push us beyond the September 26th WQGIT meeting.
- Davis-Martin: Do you believe there is a path to consensus on this report?
 - Dubin: I believe it will take some work. Rich Batiuk (EPA, CBPO) is working on a document that will complement the report from EPA's perspective on regulatory considerations. Those types of supplementary materials will help with the path forward. I think there is consensus on the general structure/approach but there will be some work on the details.
- Ted Tesler (PA DEP): When will comments come back to the AGWG?
 - Dubin: We expect to receive a revised final draft from the panel for posting at the beginning of next week, September 19th.
- Davis-Martin: This is one of the most important BMP expert panel reports. It is a highly utilized BMP and has a very large impact on the Phase 6 Watershed Model calibration.

We are operating in a bit of a void in our Phase 6 Beta versions, so this remains an important practice to drive towards consensus and approve as soon as possible.

- Johnston: For all the BMPs with such a short deadline, we have been working with the AGWG to put preliminary recommendations into the Beta versions of the Phase 6 Watershed Model. Beta 3 already has these panel recommendations built in. If anything changes, we will make that change, but we do not have a Beta 4 that shows either no nutrient management or the Phase 5.3.2 nutrient management definitions.
- Davis-Martin: Mark, do you foresee any changes as a result of the comment period and through the consensus-building process that you feel we could pass on to the Scenario Builder team to start incorporating into Beta 4?
 - Dubin: We are working closely with Matt Johnston and the Chesapeake Bay Program Office to develop the technical appendix. The Agriculture Modeling Subcommittee is also involved, as well as the WTWG.
- Davis-Martin: Have you given thought to how to roll things back if we need to?
 - Johnston: The decision would need to be a choice between zero nutrient management acres, Phase 5.3.2 nutrient management definitions, or the new preliminary panel recommendations. If we went back to the Phase 5.3.2 definitions, we would need to go back to the states and ask them to re-report their acres using those definitions. We do have a way to back it out and make it zero. The real problem would be going back to the Phase 5.3.2 format.
- Diebel: Having a contingency is something we should be considering if the data input deadlines are coming up.

Adjourned

List of Call Participants

Member Name	Affiliation
James Davis-Martin (Chair)	VA DEQ
Teresa Koon (Vice-Chair)	WV DEP
Lucinda Power (Coordinator)	EPA
David Wood (Staff)	CRC
Lindsey Gordon (Staff)	CRC
John Schneider	DE DNREC
Mary Searing	DOEE
Dinorah Dalmasy	MDE
Jim George	MDE
Lee Currey	MDE
Paul Emmart	MDE
Jason Keppler	MDA
Alisha Mulkey	MDA
Bruce Michael	MD DNR
Sara Latessa	NYSDEC

Janice Vollero	PA DEP
Kristen Wolf	PA DEP
Ted Tesler	PA DEP
Jill Whitcomb	PA DEP
Dave Montali	WV DEP
Suzanne Trevena	EPA, R3
Jen Sincock	EPA, R3
Ann Carkhuff	EPA, R3
Chris Day	EPA, R3
Lew Linker	EPA, CBPO
Jeff Sweeney	EPA, CBPO
Bill Angstadt	Angstadt Consulting
Tanya Spano	MWCOG
Beth McGee	CBF
Jenn Volk	U of Delaware
Sarah Diebel	DOD
Norm Goulet	NVRC
Tom Schueler	CSN
Cecilia Lane	CSN
Matt Johnston	UMD
Mark Dubin	UMD
Sally Claggett	USFS
Jessica Blackburn	CAC
Jeremy Hanson	VT
Peter Thomas	CoalTech Energy
Whitney Katchmark	HRPDC
Kevin McGonigal	SRBC
Neely Law	CWP