

SUMMARY
Watershed Technical Workgroup (WTWG)
Teleconference
Monday, October 7th, 2013
www.chesapeakebay.net/calendar/event/20845/

SUMMARY OF ACTIONS AND DECISIONS

DECISION: The three expert panel reports for Agricultural Nutrient Management, Cover Crops, and Conservation Tillage were approved for submission to the WQGIT.

MINUTES

Welcome, Introduction and Announcements

- Ted Tesler (PA DEP; WTWG Chair) welcomed participants and convened the meeting at 10:00AM. He verified participants and reviewed the day's agenda.
- Matt Johnston (UMD, CBPO; WTWG Coordinator) noted the September minutes (Attachment A) were not ready for approval and would be considered during a future call.
- Matt Johnston explained that EPA would like to track numeric implementation by federal agencies, so the states should indicate in their annual progress reports when a practice is federal.
 - Alana Hartman noted that many of the BMPs received from federal facilities do not match CBP definitions.
 - Johnston: That's something we have to work through, especially for recently approved BMPs. It's still important to track the BMPs so perhaps they can be credited in future years if it is a practice that does not currently receive credit.
- Johnston explained the federal government shutdown delayed revisions to the 2013 base conditions. Maryland and DC pointed out an error in their data, but the revised information cannot be shared until the shutdown is over. The animal and septic numbers will be shared at that point as well. He noted comments had been received in the previous round. He asked if one week be sufficient for the states to review.
 - Tesler: Pennsylvania has some internal numbers and we would like some time to compare them.
 - Johnston: To clarify, the Bay Program was only seeking comments on potential future improvements to the data, but land uses and animal populations will remain as projected for 2013.
 - James Davis-Martin: We had previously commented that the spreadsheet should also reflect what changed in the land use base conditions from previous years. Second, there may be unintended consequences based on decisions to change projection methods for agriculture. Is that something we plan to revisit?
 - Johnston: On the first point, we were in the midst of working on that spreadsheet when the government doors were shut. On the second point, we cannot revisit that decision for 2013 Progress, but it is something the Partnership can certainly discuss for next year.

- Davis-Martin: That raises some concern, especially since 2013 is the end of a Milestone period. Changes in the agricultural methods may result in a dramatic change in land use that may be difficult to explain to constituents.
- Johnston: This will continue to be a problem as we continue to integrate new data and improve our methods.
- Davis-Martin: We should try to keep certain measurements static, using the same assumptions that we had when we set the Milestones. This might not be the case for the 2013 Milestone and progress run.

Review and Discussion of Expert Panel Reports and Technical Appendices

- Jack Meisinger described recommendations for the Phase 5.3.2 Watershed Model from the expert panel on cover crops. For more details view the [draft report](#) that was shared with the workgroup.
 - Devereux: So late planted oats would not count?
 - Meisinger: Correct
 - Devereux: What happens the following season after a farmer plants a legume cover crop?
 - Meisinger: Typically all the land grants give credit for leguminous cover crops since less fertilizer is needed the following season. We did not approve the late plantings because they do not produce enough biomass.
 - Devereux: Was there concern about the influx of nitrogen from the legume?
 - Meisinger: Should not be concern as long as they follow a nutrient management plan.
 - Devereux noted the model does not currently account for reduced application of fertilizer following legume cover crop.
 - Mark Dubin (UMD, CBPO; Agriculture Workgroup Coordinator): the panel and AgWg are more interested in how the Phase 6 WSM can account for leguminous cover crops and future applications of nutrients.
 - Johnston: This is something the Agriculture Modeling Subcommittee can look into.
 - Meisinger explained that the grass mixtures were simplified to reduce the number of base entries. Previously there were 21 base entries that would have made reporting much more complicated in combination with planting methods.
 - Johnston explained the technical appendix for the panel's recommendations [pages 16-19].
 - Meisinger pointed out that the legume cover crops have pretty low efficiencies, but the numbers are higher when a generic grass is included.
 - Tesler noted that if there were no objections the various panel reports they would be submitted to the WQGIT.
- Chris Brosch (Virginia Tech; VA DEQ) explained recommendations for the Phase 5.3.2 Watershed Model from the expert panel on agricultural nutrient management. View the [draft report](#) that was shared with the workgroup for more details. The land use change BMP will only be available for test runs in the model, and unavailable for progress runs. Under the panel's recommendations it will only be an efficiency BMP for progress runs.

- Greg Sandi (MDE): are these nutrient management (NM) BMPs stackable within the nutrient management group?
 - Johnston: Not stackable within the nutrient management group. Will report only tier 1, or only enhanced, or only decision. The old way was to report the acres and then re-report the acres as enhanced.
- Tesler: So this will be ready for 2013 Progress and included in NEIEN?
 - Johnston: Correct.
- Davis-Martin: Will you revisit the non-cropland nutrient management tier one BMP?
 - Brosch: If we can find literature to support other land uses getting a different efficiency, then we will.
- Tim Sexton (VA DCR) explained recommendations for the Phase 5.3.2 Watershed Model from the expert panel on conservation tillage. View [the draft report](#) and [presentation](#) that was shared with the workgroup for more details.
 - Keeling: if the NM land use goes away, then the conservation tillage could not be applied to NLO, only LWM.
 - Johnston: That's correct.
- Keeling motioned to accept the recommendations from the three expert panels for consideration by the WQGIT. Beth Horsey (MDA) seconded.
- Tesler called a vote; no objections were raised to the reports. The reports were approved for submission to the WQGIT.
- **DECISION:** The expert panel reports were approved for submission to the WQGIT.
- Jenn Volk (U. of Delaware) asked WTWG members to contact their WQGIT representatives about the report to ensure they are briefed and ready to consider the reports at the next WQGIT conference call.

Approval of Panel Reports and Technical Appendices for 2013 Progress

- Aaron Ristow (Upper Susquehanna Coalition) asked for an update on the cost-shared data from USGS.
 - Devereux explained that she has received the FSA data and has some questions to ask FSA. She is still waiting for NRCS data. Before the shutdown, would have received the data by October 15th. It will take a few days to process the data once it is received after the shutdown.

Maryland Agricultural BMPs and Functional Equivalent BMPs

- John Rhoderick (MDA) noted that the Maryland Department of Agriculture has been working with Dana York (Green Earth Connection, LLC) and the CBPO for the past couple years on this effort.
- York described the background and methods for Maryland's effort to document, certify, and credit functional equivalent BMPs. She recapped recommendations from the [AgWG meeting on September 26th, 2013](#) and summarized the 15 non-cost shared practices that are reportable under the proposed framework. [View the presentation](#) for more details.
- Davis-Martin: So do buffers that are less than 35' get the same credit as a 35' buffer?
 - Johnston: We could take the width, but the current CBP-approved definition requires a minimum width of 35 feet.

- Devereux: It can still be submitted to NEIEN, but Scenario Builder only credits buffers that meet the definition.
- Rhoderick noted that Maryland regulations require at least a 10' buffer.
- Johnston noted there is currently an expert panel on riparian buffers. Perhaps that panel could be asked about the width issue.
- Dubin: it is available and currently reportable...???
- Keeling: are there Agriculture experts on the riparian buffer panel? There are agricultural commitments involved, so there needs to be more than just forestry experts.
 - Dubin: the forestry workgroup has not reached out to the AgWG about the panel at this point.
 - Keeling noted there is an EPA document that looked into buffers. That document was unable to substantiate larger nitrogen reductions due to increased width.
 - Horsey noted there is also a University of Maryland study on this issue.
- York explained the steps and criteria to achieve functional equivalence and report it.
 - Ristow: New York has a mechanism in place – its AEM program – to take a similar approach to what MDA is describing. Would New York need to follow Maryland's lead and seek partnership approval for crediting functional equivalents?
 - Johnston: Maryland is the first state to bring forward an approach for reporting functionally equivalent BMPs to NEIEN. Other states would likely be asked to put together similar reports to Maryland's in which the technical specifications of each functionally equivalent practice is clearly defined.
- Devereux asked for clarification about the approval of the functional equivalents proposal. She asked if the Maryland proposal would need to go through an expert panel?
 - Johnston: The WTWG and Ag Workgroup can approve the functional equivalent BMPs for NEIEN immediately. However, some sort of panel or group would likely be needed to review the report and approve the use of these functional equivalent BMPs before they are credited in the modeling tools.
- Dubin: the AGWG communicated with Jenn Volk (WQGIT Vice-Chair) who directed the AgWG to take the lead on this. There are a couple options available to the workgroup. The AgWG will be able to make a determination when Maryland has a final product.
- Johnston: Since York mapped the MDA practices to NRCS practices, we already have enough information to start adding the practices to the Appendix for planning and tracking purposes, but they will remain turned off and will not receive credit until they are approved by the Partnership.

2013 NEIEN Appendix Updates and Approval

- Johnston reviewed changes to the Appendix. He noted that the appendix was not shared in advance since it needs to go through Tetra Tech.
 - He noted the workgroup did not need to act on the appendix that day. Members should review it and provide any comments or corrections.
- **ACTION:** WTWG members to review the Appendix and provide comments or corrections in advance of the October 15th WQGIT call.
- Tesler thanked participants for their time and discussion.

Adjourned

Participants

<u>Name</u>	<u>Affiliation</u>
Ted Tesler (Chair)	PA DEP
Matt Johnston (Coord.)	UMD, CBPO
Jeremy Hanson (Staff)	CRC, CBPO
Chris Brosch	Virginia Tech/ VA DEQ
James Davis-Martin	VA DEQ
Olivia Devereux	Devereux Environmental Consulting
Mark Dubin	UMD, CBPO
Marcia Fox	DE DNREC
Emma Giese	CRC, CBPO
Steve Gladding	NYS DEC
Alana Hartman	WV DEP
Beth Horsey	MDA
Bill Keeling	VA DEQ
Jack Meisinger	USDA-ARS
Dave Montali	WV DEP
Aaron Ristow	USC
Greg Sandi	MDE
Tim Sexton	VA DCR
Sally Szydlowski	Water Stewardship
Jenn Volk	U. of Delaware
Dana York	Green Earth Connection, LLC