

Principals Staff Committee Meeting
Actions and Decisions
May 26, 2016

Attendees:

Lisa Wainger, STAC	Jeff Laitila, DOD Navy	Nicki Kasi, PA DEP
Charlie Stek, CAC	Diane Davis, DC DOE	Nicole Lehmer, CRC
Penny Gross, LGAC	Jackie Lendrum, NY DEC	Emily Freeman, CRC
Chuck Hunt, NPS	Jason Dubow, MD DEP	Carin Bisland, EPA
Gayle Barry, USDA	Karl Blankenship, Bay Journal	Greg Barranco, EPA
Edwin Kee, DE DOA	Seth Logan	Kristen Saunders, UMCES
Shawn Garvin, EPA	Reggie Parrish, EPA	Mary Gattis, LGAC
Jim Edward, EPA	Chris Day, EPA	Renee Kelly, STAC
Molly Ward, Chair, VA Nat. Res.	Daniel Rosen	Julie Winters, EPA
Russ Baxter, VA Nat. Res.	Lindsey Thomas	Peyton Robertson, NOAA
David Paylor, VA DEQ	James Davis Martin, VA DEQ	Scott Philips, USGS
Ann Swanson, CBC	Mark Belton, MD DNR	Tom Wenz, CBP
Marel King, CBC	Lee Currey, MD DOE	Rachel Felver, AFB
Tommy Wells, DC DOE	Linda Miller, EPA	Ben Grumbles, MD DOE
Pat Montanio, NOAA	Scott Mandirola, WV DEP	Dana Aunkst, PA DEP
Jennifer Greiner, USFWS	Ben Sears, NY DEC	
Mike Tupper, USGS	Col Ed Chamberlayne, USACE	

Actions and Decisions

Independent Evaluator

Decision: No consensus was formed by the PSC but the preferred independent evaluator option is the National Academy of Science. The recommendation will move forward to the Executive Council.

Water Quality Issues

Decision: The Principals' Staff Committee adopted the following six policy challenges as presented as the focus of follow-up work by the CBP Water Quality Goal Implementation Team's source sector workgroups and the CBP Scientific, Technical, Analysis and Reporting (STAR)

Team's Integrated Trends Analysis Team:

- River input nitrogen loads flattening out, river input phosphorus loads increasing in the past decade
- Identification of the highest yielding areas are in the lower Susquehanna, Eastern Shore, and middle Potomac for nitrogen, phosphorus
- Further load reductions from wastewater and atmospheric deposition are close to tapped out
- Agriculture being asked for most of the remaining reductions by 2025
- Pennsylvania agriculture on the hook for a significant portion of all the remaining nitrogen load reductions by 2025
- Phosphorus saturated soils and groundwater lags will hinder timely water quality responses

Decision: The Principals' Staff Committee agreed to add a focus on the challenge of achieving the remaining pollutant load reduction levels currently assigned to the urban stormwater sector to the list of six policy challenges presented to and adopted by the Principals' Staff Committee.

Action: Chesapeake Bay Program Office staff will prepare and then distribute jurisdiction-specific versions of the 1985 and 2015 nitrogen and phosphorus source sector pie charts to each of the jurisdictions.

Decision: The Principals' Staff Committee charged each of the Partnership's Water Quality Goal Implementation Team source sector workgroups—agriculture, forestry urban stormwater, and wastewater treatment—and the Modeling Workgroup (given its work on quantifying the water quality benefits from Clean Air Act implementation) to turn increasing attention towards evaluating and analyzing the challenges to meeting their 2025 goals and the pollutant load reduction opportunities for their source sector in preparation for the jurisdictions' development of the Phase III WIPs. Part of this charge includes analyzing what additional load reductions are possible from their respective source sectors—agriculture, urban stormwater, wastewater treatment, septic systems, and atmospheric deposition—by 2025 within and across the jurisdictions.

Engaging Local Partners

Decision: The Principals' Staff Committee charged Local Government Advisory Committee with responsibility for convening a forum involving all the recent and existing entities within the Chesapeake Bay Program partnership with a specific focus on local engagement and lead a discussion on how best the partnership can move forward on local engagement.

BMP Expert Panels

Action: The PSC accepted the updated status of the existing 19 BMP expert panels

Midpoint Assessment Schedule

Action: The PSC requested that date for the draft WIPs coming to EPA be changed from September 2018 to August 2018.

Environmental Finance Symposium

Action: The Principals' Staff Committee requested Environmental Finance Center provide for an early distribution of the preliminary draft Environmental Financing Symposium report to the partners so there can be continued translation of the findings and recommendation coming from the symposium into the work of the jurisdictions' on preparing for their Phase III WIPs.

EC Planning

Action: The EC Planning Committee will review the following suggestions to add to the EC agenda; follow up from EC 2015 actions, update from the USACE report, and an update on environmental literacy. The EC planning team will then create a finalized agenda for the PSC to review and approve

Next Meeting

- Molly Ward proposed that the September PSC meeting be changed to a conference call and bumped up to September 19th

- The last PSC meeting of the year would then occur in either October or November and would potentially be located in PA

Meeting Discussion

Independent Evaluator – Carin Bisland

WV suggested the SAB but will need to follow up with WV and NY due to poor phone connection. From funding perspective we know how SAB will be taken care of. No consensus on SAB or NAS but NAS is the preferred option. MD, DE, VA, DC, CBC, PA vote for NAS. NY did not weigh in.

Decision: NAS is the preferred option amongst PSC members, it will go to the EC

Preliminary Findings from Watershed and Tidal WQ Monitoring Trends – Rich Batiuk

Watershed

Ann Swanson, CBC: Put a focus on the five geographic areas identified for nitrogen and phosphorus in terms of what are the connections between the observed monitoring trends and the changes in the source sectors.

Ben Grumbles, MD DNR/ Dana Aunkst, PA DEP: Put a focus on Conowingo Dam and the lower Susquehanna River and provide a very clear storyline back to the jurisdictions about the causes of the increasing trend in phosphorus at Conowingo Dam when upstream stations are showing downward trends.

Tidal Waters

Shawn Garvin, EPA: Very interested in better understanding the actual time lags themselves—nitrogen in groundwater, phosphorus saturated soils—as well as the anticipated time to an actual local and Bay water quality response.

SAV Trends

Strong interest in understanding the local and regional SAV trends over the past 40 years and the connections with local source reductions and other changes in the surrounding watersheds.

Mark Belton, MD DNR: In terms of the challenge we are facing with fully restoring eelgrass to the Bay, interested in understanding whether there are other SAV species which are on their northern extent of their range could end up inhabiting the lower Chesapeake Bay, essentially replacing eelgrass at some point in time.

Ann Swanson, CBC: Like we have done for nitrogen and phosphorus up in the Bay's watershed, we need to identify where are the specific areas in the Bay tidal waters where we have specific concerns about water clarity levels given past and recent trends in SAV.

Source Sector Trends

Ben Grumbles, MD DOE: There is a strong interest in understanding what the additional reductions are coming from continued and future implementation of the Clean Air Act's regulations and continuing to clearly communicate the strong connection between cleaner air and cleaner water. We need to put the focus on the trading opportunities between agriculture and urban stormwater, particularly given the source sector trends presented to the Principals' Staff Committee and the fact that we are going to rely on these two remaining source sector for the rest of the need pollutant load reductions by 2025.

Ann Swanson, CBC: Need to put a focus on the interrelationship between the agriculture and urban stormwater source sectors so that we can better quantify what is available for trading.

Molly Ward, PSC Chair: Molly Ward pointed out that in fact we have not topped out in terms of the possible reductions from the wastewater sector. They provided the example of work underway in the Hampton Roads region in the lower James River where the Hampton Roads Sanitation District is planning to eliminate the surface water discharge of its wastewater treatment facilities by re-directing that flow into groundwater, supporting groundwater recharge and to help address land subsidence.

Ed Kee, DE DOA: Ed Kee, in his CBP Partnership Agriculture Workgroup chair role, requested the Principals' Staff Committee's agreement to charge the Agriculture Workgroup to start tackling the more important 'getting the conservation practice implementation job done' challenges facing the agricultural community as a whole across the six states. As the Agriculture Workgroup completes its Midpoint Assessment related work related to its remaining BMP expert panels and its important contributions to the development, calibration, and partnership review of the Partnership's Phase 6 Bay Watershed Model and Phase 6 Scenario Builder, Secretary Kee wants to turn the full attention of the Agriculture Workgroup to the challenges illustrated by the shifts in the source sectors presented to the PSC.

Decision: The Principals' Staff Committee adopted the following six policy challenges as presented as the focus of follow-up work by the CBP Water Quality Goal Implementation Team's source sector workgroups and the CBP Scientific, Technical, Analysis and Reporting (STAR) Team's Integrated Trends Analysis Team:

- River input nitrogen loads flattening out, river input phosphorus loads increasing in the past decade
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Decision: The Principals' Staff Committee agreed to add a focus on the challenge of achieving the remaining pollutant load reduction levels currently assigned to the urban stormwater sector to the list of six policy challenges presented to and adopted by the Principals' Staff Committee.

The changing nature of watershed pollutant loads – sources and location- Rich Batiuk

Ann Swanson, CBC: Can the pie charts from slide 32 and 33 be provided for each state, important for the Phase 3 WIPs

Action: Chesapeake Bay Program Office staff will prepare and then distribute jurisdiction-specific versions of the 1985 and 2015 nitrogen and phosphorus source sector pie charts to each of the jurisdictions.

Ben Grumbles, MD DOE: Would like to have more details on what the additional reductions are coming from the Clean Air Act.

Ed Kee, DE DOA: Would like to know more about what further reductions from agriculture are likely by 2025. Pull together the best from the AgWG.

Decision: The Principals' Staff Committee charged each of the Partnership's Water Quality Goal Implementation Team source sector workgroups—agriculture, forestry urban

stormwater, and wastewater treatment—and the Modeling Workgroup (given its work on quantifying the water quality benefits from Clean Air Act implementation) to turn increasing attention towards evaluating and analyzing the challenges to meeting their 2025 goals and the pollutant load reduction opportunities for their source sector in preparation for the jurisdictions' development of the Phase III WIPs. Part of this charge includes analyzing what additional load reductions are possible from their respective source sectors—agriculture, urban stormwater, wastewater treatment, septic systems, and atmospheric deposition—by 2025 within and across the jurisdictions.

Engaging our Local Partners – Penny Gross

Introduction of LGAC and COG (Council of Governments), the importance of local governments in the agreement. Equity, actions based on good science, actions voluntarily, and local governments of all size.

Decision: The Principals' Staff Committee charged Local Government Advisory Committee with responsibility for convening a forum involving all the recent and existing entities within the Chesapeake Bay Program partnership with a specific focus on local engagement and lead a discussion on how best the partnership can move forward on local engagement.

USACE CB comprehensive plan- Col. Edward Chamberlayne

What projects have the best value to improving the Bay and using data such as Rich's to bring as many as 1 per state, hopefully more than that in each.

Look at projects that the USACE doesn't have the authority to do but will identify who could potentially support the project.

Will give priority to the projects that have the most value and limited conflict.

The USACE will work with NFWF to help with these projects.

Two year process and is fully funded.

Eager to give constant updates in this form or other forms.

Ann Swanson, CBC: this is hugely important, this didn't happen in a year or two, but the conversation to get this down took well over a decade between Charlie Stek and Amy Guise.

Completing our work on the partnerships BMP expert Panels during 2016 – Rich Batiuk

There are 19 diverse BMP expert panels convened and working on their respective charges, programmatic and policy issues continue to emerge beyond the challenges of converting available scientific finding and technical data into pollutant load reduction estimates by practice.

Action: The PSC accepts the updated status of the existing 19 BMP expert panels

MPA Schedule – Jim Edward

The MB recommended an adjusted schedule during their May meeting.

Recommending an edit to make the date of the draft WIPs coming to EPA to August of 2018 or the October to November.

Action: Change the September 2018 date to August

Bay Partnership Moving Forward – Shawn Garvin

What is the best way for the partnership to move forward

Need to look to the future rather than the past on Bay Program priorities

Env. Finance Symposium – Dan Nees

Final report will be produced the last week of August to move forward to the EC

The planning committee and the steering committee will get early drafts of the report.

Action: The Principals' Staff Committee requested Environmental Finance Center provide for an early distribution of the preliminary draft Environmental Financing Symposium report to the partners so there can be continued translation of the findings and recommendations coming from the symposium into the work of the jurisdictions' on preparing for their Phase III WIPs.

EC Planning – Russ Baxter

EC date chosen for Sept. 27th

Private Meeting: Action on the IE, Recommendations in the env finance report that the EC would follow up on, Brief version of the WQ trends, who will be the next chair, and advisory committee reports and recommendations.

Public meeting: highlights of the program report on new tools, WQ trends, key issues moving forward from each signatory, local engagement and concluding remarks.

Open it up to the press for questions

Mary Gattis, LGAC: Recommends having a follow up on recommendations from last year.

Ed Chambarlayne, USACE: Update the EC with the USACE report

Charlie Stek, CAC: Environmental literacy update to the EC

Next steps: these suggestions will be brought back to the EC planning team and will come back to the PSC with a more specific agenda and seek out the approval of the agenda.

- **Action: The EC Planning Committee will review the following suggestions to add to the EC agenda; follow up from EC 2015 actions, update from the USACE report, and an update on environmental literacy. The EC planning team will then create a finalized agenda for the PSC to review and approve.**

Concluding remarks, review of decisions, and next meeting:

The next meeting is scheduled for September 29th but a conference call will likely occur before the EC meeting and then the last PSC meeting would occur in October or November.

Proposed date for the conference call is the 19th.