

# CHESAPEAKE BAY PROGRAM WATER QUALITY GOAL IMPLEMENTATION TEAM

## NOVEMBER 14<sup>TH</sup>, 2011 CONFERENCE CALL

### DECISION AND ACTION ITEMS

**DECISION:** State representatives unanimously supported using Option 3 presented for the nitrogen to phosphorus exchange in the Phase II Watershed Implementation Plan: applying the N:P exchange rate consistently throughout the watershed.

**DECISION:** Jurisdictions support using Option 3 presented for evaluating the 2009-2011 milestones as defined as individual qualitative self reports:

- Report out on individual practices from their 2009 milestone factsheet and provide a percent completion based on practices implemented
- Status evaluation is subjective, i.e. on track, ahead/behind schedule
- Allow jurisdictions to provide narrative for supplemental actions

**DECISION:** WQGIT recommends that MB/PSC consider April 30<sup>th</sup> deadline for developing a work plan to carry out the NAS recommendations, rather than the January 31<sup>st</sup> deadline in deference to other jurisdiction deadlines.

### MINUTES

Welcome/Confirm Call Participants and Updates – Larry Merrill, Chair

#### *Toxics Workgroup*

- Good attendance at first meeting reviewing assessment work that jurisdictions currently do and what would be useful
- Additional members welcome
- Hoping to complete draft report in Spring 2012
- Toxics Workgroup in under the STAR team because it is a cross-sector workgroup between the Water Quality, Fisheries, and Habitat

#### *Draft Federal Milestones*

- Draft Federal Milestones available on Executive Order website
- Under 30 day comment period

#### *Future WQGIT Schedule*

- WQGIT call for December scheduled on the 12<sup>th</sup>, close to Phase II WIP deadlines, will discuss rescheduling

#### Finalizing N:P Exchange Ratio Decision – Lewis Linker

**DECISION:** State representatives unanimously supported using Option 3 presented for the nitrogen to phosphorus exchange in the Phase II Watershed Implementation Plan: applying the N:P exchange rate consistently throughout the watershed.

#### Options for Evaluating 2009-2011 Milestone Load Reductions – Suzanne Trevena

Discussion:

- The straight line projection is a mathematical calculation that subtracts 60% of the difference between 2009 progress run and the Ph II WIP planning targets from the 2009 progress run to determine jurisdictions' target loads for 2017. Eg, {2017 = [2009 – 0.6\*(2009 – Ph II Planning Target)]}. The model runs for 2009 and the target would be based on model version 5.3.2.
- 2011 progress run practices are due into NEIEN by December 31<sup>st</sup> and evaluation would begin after that date, so we are trying to have that process for evaluating 2009 – 2011 milestones in place by then.

- We will take into consideration the changes between now and when these milestones were committed to, when determining if consequences would be taken.
- The new N:P ratios just agreed to could be used in evaluation of 2009-2011 milestones.
- The states support the proposed Option 3 for the evaluation of 2009-2011 milestones. The stated reason was that the model issues and milestone development occurred prior to the TMDL. States also express the wish to reconsider for future milestones and their concern with the remaining uncertainty.
- Beth McGee, CBF, stated that she, as a representative of the environmental community scrutinizing the TMDL, was concerned with the subjective nature of Option 3.
- The states countered that they are not in a position to truly evaluate these milestones in a way that could satisfy the environmental community given the concerns with the models.
- Direct comparison of milestones run through the updated model to the targets in the updated model is not possible as a fourth option, because not all states submitted input decks with their milestones and they do not have the capacity to recreate them now.

**DECISION:** Jurisdictions support using Option 3 presented for evaluating the 2009-2011 milestones as defined as individual qualitative self reports:

- Report out on individual practices from their 2009 milestone factsheet and provide a percent completion based on practices implemented
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#### Management Board Recommendations for PSC – Jeff Horan

Memo: [Memo MB to PSC IE Recommendations Final v11-3-2011](#)

Handout: [CBP Partner Suggested Responses to May 2011 NRC Report v11-1-2011](#)

#### *Discussion:*

- Pat Buckley commented that the error in the NAS recommendation document that Pennsylvania identified has yet to be corrected. WQGIT management committed to follow-up on this issue.
- Pennsylvania, West Virginia and Virginia share the minority opinion that CBP has an adaptive management framework in place currently and endorse using this system rather than using an independent evaluator in order to conserve and prioritize funds. Rich Eskin proposed the use of the EPA review office or GAO to perform this review if cost is an issue. Jeff Horan replied that an internal process was considering involving GIT 6.
- Russ Perkinson expressed concern with the proposed date of getting a work plan to the Management Board by January 31 and proposed a April 30<sup>th</sup> deadline.

**DECISION:** WQGIT recommends that MB/PSC consider April 30<sup>th</sup> deadline for developing a work plan to carry out the NAS recommendations, rather than the January 31<sup>st</sup> deadline in deference to other jurisdiction deadlines.

#### Update on Nutrient and Sediment Trends – Joel Blomquist, Mike Langland

- USGS team is a resource WQGIT can use
- Resources for monitoring are expanding
- Data will be published in report in early 2012 available through Bay Barometer and ChesapeakeStat
- All available data is used in these trends, but the term of data collection is considered in how the data is used.

## Participants

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