CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
June 22, 2015 CONFERENCE CALL
Meeting Minutes

Summary of Action and Decision Items

ACTION: Lucinda will revise the draft WQGIT Governance Protocols to include language that gives workgroups the opportunity to define their own membership. The workgroup membership definition would then have to be approved by the WQGIT and appended to the WQGIT Governance Protocols. There will be further discussion on membership definitions during the July 13 WQGIT conference call.

ACTION: Lucinda will draft an email to the workgroup chairs, co-chairs, and Advisory Committees to solicit their feedback on being official members of the WQGIT.

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

- James Davis-Martin convened the call and verified call participants.
- Davis-Martin: *The Protocol for Setting Targets, Planning BMPs and Reporting Progress for Federal Facilities and Lands* was approved by the Management Board. The Management Board also recommended that the Federal Facilities Targets Action Team and the Federal Facilities Team merge to form a workgroup under the WQGIT. The reasoning is the benefit of having more interactions between the federal facilities representatives and the state agency representatives.
  - o Greg Allen (EPA): A kickoff meeting for the new Federal Facilities Workgroup is being held this Wednesday (June 24). I will be coordinating the group and we are working on getting Bay Program staff support.
- Davis-Martin: Draft verification program plans are due June 30. Also due June 30 are the draft historic BMP data submissions through NEIEN. Jeff, is NEIEN ready to accept historic data submissions yet?
  - o Jeff Sweeney (EPA, CBPO): I'll need to check on when it will be good to go, but it will be this week.
  - o Davis-Martin: An email will be sent out to your Watershed Technical Workgroup representatives when NEIEN is ready to go.

WQGIT Governance Protocols – James Davis-Martin, Chair

- James reviewed the proposed revisions to the WQGIT Governance Protocols that were made to reflect recent changes in the Chesapeake Bay Program partnership's governance document. Substantive changes include an expanded definition of consensus decision-making; removal of supermajority voting; procedures for selecting a WQGIT Chair and Vice-Chair; and a definition of WQGIT and WQGIT Workgroup membership.

Discussion:

- Davis-Martin: The document with the proposed revisions to the Governance Protocols was sent out for review and comment on June 9. Comments were due last Friday, June 19.
- Lucinda Power (EPA, CBPO): I received comments from the Agriculture Workgroup (AgWG) and from EPA Region III this morning that haven't been addressed yet in this document.
- Davis-Martin: Most of the changes in the Governance Protocols have to do with the decision by the Management Board and Principals Staff Committee to eliminate non-consensus decision making from all groups below the Management Board level. Therefore, all decisions by the WQGIT and its subordinate workgroups must be made by consensus. If consensus can't be reached, the decision will be elevated to the next level along with a poll of the opinions on the issue. One of the comments from the AgWG was that we make sure we are clear that in an attempt to reach consensus, it is done between the members of the group who are actually participating. I think a small adjustment in the language can account for that.
- Norm Goulet (NVRC, USWG Chair): Workgroups historically just served an advisory role to the WQGIT members. This version of the Governance Protocols makes it seem as though workgroup members are now voting members of the WQGIT.
    - Davis-Martin: There are no longer voting members at the WQGIT and workgroup levels, but the subordinate workgroup chairs would be included as a part of the consensus building membership under this proposal.
- Dianne McNally (EPA Region III): In the draft I see in front of me, it says that a link to the Chesapeake Bay Program (CBP) partnership's Governance Protocol will be provided. Do we have that yet?
    - Allen: It is being finalized.
- McNally: Before we approve our WQGIT Governance Protocols, we should be able to see the final CBP partnership's Governance Protocol.
- Davis-Martin: So each GIT will define its own membership, and therefore the most substantive changes are involving the formalization of membership. Please note that in no way is this definition of membership meant to cut down on participation, or to ever discourage participation in any way. It is only intended to define the group from which we would need to achieve consensus on a decision. All other participants are highly encouraged to continue to provide their input.
- Goulet: I am good with the workgroup chair aspect of this proposal. My biggest concern is obtaining consensus among 43 members. Obtaining consensus among ten or fifteen is hard enough. The ten at large members, while I see where you are trying to go, is just a concern. I am really not trying to be exclusionary, I just don't want the decision making process to get bogged down.
    - Davis-Martin: I see where you are coming from, and we expressed those concerns to the Management Board. The only evidence I can suggest to help ease those concerns is that we haven't had to go to a vote in the GIT yet, so we have technically been reaching consensus with a group larger than 43 up to this point. So I just hope it isn't as big of a concern as we fear it could be.

- McNally: I want to agree with Norm's comments. I am concerned with the size of the official membership. Why are the workgroup chairs and advisory committees part of the GIT membership? They are already built into the CBP structure. I would advocate for whittling this down a bit and recognizing that there is already a partnership structure in place. I would also like clarification on what happens if a member cannot be present at the meeting, how we would get their input?
  - Davis-Martin: If a member can't attend a meeting where a decision is being called for, the member can either send a proxy to fill in for them, or just submit comments in writing prior to the meeting. If there are disagreements, the best approach I think would be to send a proxy in order to try to work through to consensus. If the member does not send a proxy or send in comments, they have missed their chance to weigh in on that particular issue.
- Goulet: The value of the workgroup chairs is that many decisions are cross-workgroup issues, and this is the only venue to hear those. While I can't attend every workgroup and advisory committee meeting, this is the best way to participate in those discussions. I think it is imperative for workgroup chairs to participate.
- Davis-Martin: When we established a supermajority voting process, I think that was when the voting was limited to just the signatories. I agree that the group is large but I think it is large by necessity. I agree with Norm, I don't think that we should cut out the workgroup chairs and I also don't think we should cut out the advisory committees. A lot of the revisions in the CBP partnership Governance Protocol were in fact driven by comments from the advisory committees and I think these revisions were meant to include them.
  - McNally: Well I think what Norm was suggesting was that we could involve them as advisory participants as opposed to consensus building members.
- Dave Montali (WV DEP): I am in a number of these roles. If one of the workgroups brought an issue for decision to the GIT, how could the leader of the subgroup give consensus on a change without taking it back to his/her workgroup?
  - Davis-Martin: I hear your point, especially when it comes to a member filling two roles. I think we have been handling issues like that in our current structure, however.
- Power: Just to highlight an earlier point, we have never had to utilize a supermajority vote at the WQGIT level. I think the points raised are valid, but in practice, we have already been following the procedures described in these proposed revisions. It wouldn't really change the way we operate. It may seem like because we are changing the Governance Protocols, that we are changing the way we do business, but that isn't really the case.
  - Montali: While we may not have had many heated discussions recently that would have required us to use a supermajority vote, there are several discussions coming down the road that could potentially be more heated. It is important for those discussions that we have a clear definition of the membership from whom we would need to reach consensus, and that the number isn't too cumbersome.
    - McNally: I think that is a good point Dave.
  - Power: You are right, but I do think we need to be as inclusive as possible. If we are exclusionary, that could be a problem for the Management Board. Personally,

I don't see why we wouldn't let advisory committees or workgroup chairs become members.

- Davis-Martin: Input from those who might fall into the at-large category? Thoughts on this document, and how it would treat you and your groups?
    - Scott Phillips (USGS): USGS is really just trying to provide science to support the workgroups. Is that a role that would put us in the at-large category?
    - Davis-Martin: So we would have a member to represent STAR, but if that member is not you, you may want to volunteer as an at-large member. Norm could be another example. When his term as chair of the USWG ends, he may want to become an at-large member.
        - Phillips: Given those examples, I think the at-large role would work for science providers.
    - Davis-Martin: Science providers will also have the option to just be participants and presenters and choose not to be members at all. But this proposal leaves the door open for either.
    - Kevin McGonigal (SRBC): I would just add that I have similar concerns about being a voting member. We see ourselves in a supporting role for the WQGIT and we are fine with defaulting on some issues to our membership states.
- Davis-Martin: My bias is that the signatory reps should be a large proportion of representatives on the group.
- Montali: I just think the workgroup chairs and advisory committees should just be advisory. I think ten at-large members is also too high and I would suggest three to five instead.
- Davis-Martin: We can have a conversation about membership definitions at the workgroup level as well. I think that the number of at-large members relative to signatory members on workgroups should stay proportionate to what we decide for the WQGIT.
- Power: Is the suggestion to remove workgroup chairs from the formal membership and instead just have their role be advisory?
    - Goulet: If at-large members are on the table, I think workgroup chairs need to remain official members as well. I think advisory committee members would share a similar concern. For proportionality at the workgroup level, the majority of the experts on the Urban Stormwater Workgroup are local government representatives and they are not proportionate to the nine signatories.
- Davis-Martin: So you think at-large membership would need to be larger at the workgroup level?
    - Allen: I agree with that. The Toxic Contaminants Workgroup would be very hard-pressed to keep the number of at-large members limited to ten. I was going to propose language to provide flexibility for the workgroups. I would suggest that under the first bullet on signatories, that workgroups are allowed a minimum of one member each.
- Davis-Martin: Should we try to write this Governance Protocol for the WQGIT with the expectation that each workgroup will also have a full document that defines their membership, and which would be forwarded to the WQGIT for approval? That would

provide flexibility for the workgroups and could be added on as appendices to the WQGIT Governance Protocols.

- o Emma Giese (CRC): The AgWG talked about this last week, and they are already planning on making specific adjustments as it pertains to membership.
- o Power: I would be very supportive of that approach as long as the workgroups are only defining their membership. The rest of their governance would need to remain consistent with that of the WQGIT. These membership definitions would also have to be approved by the WQGIT and possibly the Management Board.
- o Allen: Yes, that would be a fine approach for us.
- Davis-Martin: So do we have consensus to allow workgroups to have the flexibility to define their own membership and to add language to that effect in the WQGIT Governance Protocols? The workgroup membership definitions would be appended to the WQGIT Governance Protocols once they are approved.
- Suzanne Trevena (EPA Region III): If a workgroup does not have ten at-large members, is just everyone who is on the call required to reach consensus?
  - o Davis-Martin: We are proposing that the workgroups would have some flexibility to define their own membership. I think at a minimum there needs to be some provision that allows folks to become new members, but there will be some flexibility.
- Montali: I don't think workgroups should feel like they need a minimum number of members from a particular membership group.
  - o Davis-Martin: The membership list should include an opportunity for all of those groups. It would then be their choice whether or not to participate.

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Nutrient Management Phase 5.3.2 Panel Update – Chris Brosch, NM Panel Coordinator

- Chris provided a briefing on the status of the Nutrient Management Phase 5.3.2 expert panel report, which is scheduled for release on June 25. WQGIT members are invited to attend the webinar briefing of the full report on July 1. Chris also discussed the next steps for the Nutrient Management Phase 5.3.2 panel and partnership review of the report.

Discussion:

- Davis-Martin: I would like to reiterate that those who were not supportive of the previous version of the report should please take advantage of the comment period early, so that comments can be incorporated and we can advance the report through the approval process smoothly.

- Chris Brosch (VT, VA DCR): I am also happy to answer emailed comments as well.
- Davis-Martin: Thank you very much, Chris, for your presentation and your continued work.

MEOWQT Workshop Report Readout – Jeni Keisman, USGS

- Jeni summarized the recommendations that emerged from the Management Effects on Water Quality Trends (MEOWQT) workshop, and provided some information regarding activities in process to address and implement those recommendations.

Discussion:

- Davis-Martin: I would suggest that the verification supporting activities you listed in your presentation fit more under recommendation 1 than recommendation 2.
  - Jeni Keisman (USGS): That's a good point, I will make that change.

Building Environmental Intelligence Report – Peter Tango, USGS

- Peter Tango briefed the Water Quality Goal Team on the recommendations from the Building Environmental Intelligence Report, formally known as Building and Sustaining Integrated Networks (BASIN). Highlights include ancillary funding opportunities, citizen science, and novel methods of collaboration in monitoring program adaptive management.

Discussion:

- Davis-Martin: Thank you, we look forward to seeing that report and continuing to support our monitoring networks.

MPA Schedule Update – Lucinda Power, EPA CBPO

- Power: I distributed an email this morning on behalf of Lew Linker (EPA, CBPO) related to local reservoirs and impoundments. Folks have an opportunity to provide more detailed information on their reservoirs in place of the current default assumptions. That data is due to Lew by August 7.
  - Davis-Martin: All reservoirs on the list will be included in Phase 6 of the Watershed Model. This is just an opportunity to move beyond the default values and provide better data. Responding with data will ensure better simulation.
- Power: Also, Peter Claggett (USGS) sent out an email on June 16 on the plan for the state and local jurisdictional review of the Phase 6 land uses. There will be three rounds of (rolling) review, with the first round occurring in the July-August, 2015 timeframe as opposed to original June-July, 2015 timeframe. All land use data sets are due by the end of May, 2016. USGS will be hosting a public webinar in September, 2015 to talk more about what this review plan looks like and I encourage all to participate. It might be good to bring Peter back in August to describe the plan in more detail.
  - Davis-Martin: I think that would be a good idea to have Peter present again. Peter has distributed the land cover review plan?

- Power: Yes, to the Land Use Workgroup, and comments are due from those members this Friday.

Adjourned

List of Call Participants

Member Name	Affiliation
James Davis-Martin (Chair)	VA DEQ
Lucinda Power (Coordinator)	EPA, CBPO
David Wood (Staff)	CRC
Emma Giese (Staff)	CRC
Karl Blankenship	Bay Journal
Bevin Bucheister	CBC
Beth McGee	CBF
Natalie Gardner	CRC, STAC
Sarah Sand	DDOE
John Schneider	DE DNREC
Steve Abbott	DE DNREC
Sheryl Quinn	Dept of the Navy
Dianne McNally	EPA, R3
Chris Day	EPA, R3
Jeff Sweeney	EPA, CBPO
Suzanne Trevena	EPA, R3
Ann Carkhuff	EPA, R3
Greg Allen	EPA,CBPO
Jenny Tribo	HRPDC
Jamie Mitchell	HRSD
Bruce Michael	MD DNR
Dinorah Dalmasy	MDE
Lindsay Thompson	MD Association of Soil Conservation Districts
Norm Goulet	NVRC
Ben Sears	NY DEC
Kevin McGonigal	SRBC
Matt Johnston	UMD
Scott Phillips	USGS
Lisa Ochsenhirt	V/MAMWA
Chris Brosch	VT, VA DCR
Dave Montali	WV DEP