

CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
MAY 13TH, 2013 CONFERENCE CALL MINUTES

ACTION ITEMS AND DECISIONS

ACTION: Lucinda Power will draft a proposed BMP protocol amendment allowing incremental BMP Panel recommendations. This draft will be distributed to the WQGIT prior to the next call on 6/10.

DECISION: WQGIT members decided to delay the 2015 land use projection deadline from July 15th to September 3rd in order to allow new datasets to be incorporated.

ACTION: The annual progress vs. milestones issue will be brought before the USWG, LUWG and WTWG prior to a final decision by the WQGIT. The 2012 Ag census incorporation issue will also be addressed during this time.

DECISION: WQGIT Members approved the Urban Stream Restoration BMP Panel Report, with the understanding that any substantive changes made by the Panel during the “test drive period” will be brought back to the WQGIT for future approval. In addition, the following changes will be made to the Report:

- It will be made clear that the Panel “will” reconvene in the Fall 2013 timeframe (as opposed to “may”).
- Clarifications will be made in the Report to address the concern that some of the language seems to prevent reporting of some eligible streams.

MINUTES

1. Welcome and Introductions

- Russ Baxter, WQGIT Chair welcomed everyone to the call and confirmed participants.
- The Reducing Pollution and Supplemental Wastewater Indicators were posted on chesapeakebay.net on Tues 4/30.
- The “proposed final” drafts of EPA’s assessment of the Bay jurisdictions WIP/milestone progress went out to the jurisdictions on Thursday, 5/2 and Monday, 5/6 for the jurisdictions’ review. The federal assessment was distributed to the Federal Facilities Team and the Federal Office Directors on Wednesday, 5/8.
- The Chesapeake Bay Program Office has updated the table of the “BMP Expert Panels Approved, Underway, or Planned” on ChesapeakeStat: http://stat.chesapeakebay.net/?q=node/130&quicktabs_10=3 This update expanded the table to provide more information about the status, next steps, and expected report-out date of the expert panels. Another benefit will be more frequent updates. As the panels’ progress and their schedules change, the table will be updated on a more regular (at least monthly) basis, or as needed.

2. CBP Expert Panels and BMP Approval Process

- In preparation for the 2013 progress run and next set of two-year milestones, Russ Baxter provided an update on recent discussions with EPA on crediting agricultural practices through the BMP Panel process and the implication of these discussions for the WQGIT Workgroups over the course of the next several months.

- James Davis-Martin (VA DCR): VA recommended that the Agriculture Workgroup's expert panels have the opportunity to submit recommendations for Phase 5.3.2 in time for 2013 progress runs, while continuing to work on long term Phase 6.0 model recommendations.
- Dana York (MDA): Noted the importance of Poultry Litter Subcommittee recommendations for 2013 progress as well.
 - Lucinda Power (EPA): Clarified that the Poultry Litter Subcommittee is planning to have their final recommendations in time for 2013 progress.
- Matt Johnston (UMD): After concerns were raised in the AgWG, the CBPO modeling team is drafting a guidance document for the expert panels so that they are able to make recommendations for 2013 progress without violating model calibration.
- Katherine Antos (EPA): Due to support for BMP panels to make incremental recommendations, WQGIT could recommend an amendment to the BMP Protocol to clarify this change.
 - Pat Buckley (PA DEP): Would the amendment allow incremental updates to BMP efficiencies?
 - Antos: Clarified that the amendment would allow incremental recommendations. For example, rather than waiting for the Nutrient Management panel to finalize all panel recommendations, they would be able to submit their recommendations piece by piece.
 - Buckley: PA supports this addendum, and hopes that work would be done on the legacy sediment BMP associated with stream restoration prior to Phase 6.0.
- Baxter: Recommended that a draft amendment be distributed to the membership and finalized at the next WQGIT call.
- Davis-Martin: Recommended including the option for incremental recommendations in the charge for each panel as needed, rather than amending the protocol.
 - Baxter: Once a draft is agreed upon, WQGIT can recommend the best way to incorporate it into the decision making process.

ACTION: Lucinda Power will draft a proposed BMP protocol amendment allowing incremental BMP Panel recommendations. This draft will be distributed to the WQGIT prior to the next call on 6/10.

3. Next Steps for Toxic Contaminants

- Baxter: Consensus was not reached among the WQGIT on developing a toxic contaminants goal and outcome statement. There is still interest from the Chesapeake Bay Program partnership on including toxic contaminants in the new Chesapeake Bay Agreement.
- Scott Phillips and Greg Allen provided an overview of the [briefing paper](#) that was provided to the WQGIT in advance of the 5/13 call. The briefing paper will also be provided to the Management Board during their May 16th meeting.
- Scott Phillips: If anyone is interested in joining the ad hoc group, please contact Scott swphilli@usgs.gov or Greg allen.greg@epa.gov.

4. Development of the 2015 land use projections for the 2014-2015 milestones 26:12

- Peter Claggett and Matt Johnston discussed the plan for developing land use projections for the 2014-2015 milestone period, as well as new, incoming datasets that will become available before 2015.
- Claggett: The AgWG recently recommended using the USDA-NASS Agriculture census numbers as soon as they are available rather than using projections and interpolating.
- Johnston: The Milestone Workgroup requested land use and animal projections 6 months before the milestone input deck submission deadline on January 15, which means projections would be set by July 15. If this July 15 deadline were extended until September 3, these additional data

sets would be available. If jurisdictions agree to delay the deadline, 2013, 2014 and 2015 projections will be available September 3.

- Jim George: Requested applying the method for 2013, 2014, and 2015 to 2012 progress to give jurisdictions an idea of what the impact would be (not to change 2012 progress). Concerned those projections may have significant errors.
 - Johnston: Re-running previous years will not change progress (progress is always progress). When projections are updated, historical animal and land use data will be updated. In the short time period discussed here, the difference in land use should not be significant enough to impact milestone achievement.
- Jim George: Are animal numbers included in these projections?
 - Johnston: Yes, the AgWG recently approved a new way to project animals, which puts more weight on most recent Ag census numbers.
- Davis-Martin: If deadline postponed until September, what data will the projections be based on?
 - Claggett: Population will be projected from 2012 census as well as state population data sets.
 - Johnston: Animal numbers will be projected using the AgWG approved method with data from the 2007 Census of Agriculture.
- Power: Clarified that there are two decisions; 1) whether the deadline for milestone projections will be extended to September 3, and 2) whether the 2012 Census of Agriculture will be used to inform milestone projections.
 - Johnston: The Milestone Workgroup has requested that they be evaluated on the same land use background conditions that were used to develop the milestones. However, the 2012 Census of Agriculture will be available in early 2014, after the milestones are submitted. The AgWG strongly recommends that the WQGIT use the 2012 Census of Agriculture to project 2014 animals and land uses.
 - Claggett: New national land cover data representing 2011 will also be released in 2014, which will replace the 2006 data. In addition to that, local land use data will be included as it is collected.
- Davis-Martin: The Milestone Workgroup chose to use the 2015 land use for developing 2013/2014 milestones so that land uses would be consistent between developing and evaluating milestones.
 - Jim George: MD supported this method in order to isolate change in loads due to management actions from change in loads due to growth.
- Johnston: Noted that the AgWG's recommendation was to incorporate the most up to date animal and land use data for 2014 progress; they left milestone decisions to the Milestone Workgroup and to the WQGIT.
- Davis-Martin: Noted the communication challenge when progress is not used to determine milestone achievement.
- George: As long as milestones are set and assessed on the same basis, the effect of management actions can be assessed.
 - Antos: Noted that milestones are intended to account for growth.
- Norm Goulet: Recommended that the Land Use Workgroup and the Urban Stormwater Workgroup have a chance to review this issue before WQGIT makes a decision.
 - Baxter: WQGIT decision can be postponed until workgroups have had the chance to discuss.
 - Buckley: Recommended that the Watershed Technical Workgroup review the issue as well.
- Baxter: WQGIT can allow the workgroups time to discuss whether the additional data sets will be used for milestone projections, and return to the discussion in June.
- Baxter: Asked for any objections to postponing the availability of land use projections until September to allow for better data.

- George: MD is ok with a September 3rd deadline rather than July 15th.
- Davis-Martin: Request that when projections are provided in September for 2013, 2014 and 2015, include a schedule for expected availability of the additional data sets.

DECISION: WQGIT members decided to delay the 2015 land use projection deadline from July 15th to September 3rd in order to allow new datasets to be incorporated.

ACTION: The annual progress vs. milestones issue will be brought before the USWG, LUWG and WTWG prior to a final decision by the WQGIT. The 2012 Ag census incorporation issue will also be addressed during this time.

5. Approval of Urban Stream Restoration BMP Panel Report

- Tom Schueler, Bill Stack and Lisa Fraley-McNeal presented the [Urban Stream Restoration BMP Panel Report](#) for WQGIT member review and approval
- Pat Buckley: Requested to correct a name spelling, and to state that the panel 'will' reconvene (currently stated as 'may' reconvene). PA supports the panel report provided that these two changes are made.
- Dave Montali: If the reporting requirements are not met, will the fallback be the interim efficiency?
 - Johnston: Reporting requirements may be lengthy for some jurisdictions; the fallback would be the interim efficiency.
- Davis-Martin: Concerned that the language seems to prevent reporting of some eligible streams. Concerned about using language that bases what the model simulates as a basis for what is reported.
 - Schueler: Will clarify the language to address this concern.
- Sally Claggett: How does the protocol treat natural vegetation that was removed and what are the requirements for replacing the vegetation?
 - Stack: The panel did consider vegetation removal; however, the panel did not decide to make recommendations on that level of detail.
 - Schueler: Restoring an equivalent amount of vegetation or tree canopy is a qualifying condition to get the credit.
- Claggett: Is the influx of sediment during restoration work simulated in the model?
 - Schueler: The impact will be addressed by state and federal permits and regulation.
- Davis-Martin: Does this report apply to non-urban stream restoration until non-urban is considered separately?
 - Stack: Yes, the AgWG was supportive of these protocols until such time as an AgWG expert panel is convened to make recommendations for non-urban stream restoration specifically.
- Davis-Martin: Which land use designations get credit for these load reductions?
 - Johnston: Some BMPs are applied to specific land use groups; however, jurisdictions may request cross-sector land uses at any point.
 - George: Expecting this situation to come up in the future, when BMP credit may need to be shared between sectors.
 - Schueler: This can be taken up during the test period to see if it is a common phenomenon.
- George: Please clarify what is meant by the ongoing review process?
 - Schueler: This refers to the test drive period; any substantive changes made by the panel will be brought back to the WQGIT for future approval.
- Baxter asked for any objections to approving the panel report with PA's requested corrections.

- None heard.

DECISION: WQGIT Members approved the Urban Stream Restoration BMP Panel Report, with the understanding that any substantive changes made by the Panel during the “test drive period” will be brought back to the WQGIT for future approval. In addition, the following changes will be made to the Report:

- It will be made clear that the Panel “will” reconvene in the Fall 2013 timeframe (as opposed to “may”).
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Meeting Adjourned

Next WQGIT Conference Call:

Monday, June 10th, 2013

1:30 P.M. – 3:30 P.M.

Participants

Russ Baxter	VA-DEQ
Jenn Volk	UDel
Lucinda Power	EPA
Katherine Antos	CBPO
Greg Allen	CBPO
Karl Berger	MWCOG
Patricia Buckley	PA DEP
Collin Burrell	DDOE
Sally Claggett	USFS/CBPO
James Davis-Martin	VA DCR
Sarah Diebel	DOD
Norm Goulet	N. VA Regional Commission
Jeremy Hanson	CBPO
Alana Hartman	WV DEP
Matt Johnston	UMD
David Koran	USACE
Sarah Lane	MD DNR
Jackie Lendrum	NY DEC
Ross Mandel	ICPRB
Beth McGee	CBF
Kevin McGonigal	SRBC
Dianne McNally	EPA
Jim George	MDE
Vimal Amin	MDE
Jamie Mitchell	HRSD
Dave Montali	WV DEP
George Onyullo	DDOE
Scott Phillips	USGS
Marel A. Raub	CBC
John Schneider	DNREC
Tom Schueler	CBPO
Bill Stack	CWP

Lisa Fraley-McNeal	CWP
Kim Snell-Zarcone	Conservation PA
Nita Sylvester	EPA
Larry Tennity	NRCS DE
Jennifer Tribo	Hampton Roads
David Rider	EPA
Dana York	Green Earth Connection
Emma Giese	CBPO
Jessica Blackburn	CAC
Peter Claggett	USGS