

**MINUTES**  
**Chesapeake Bay Program**  
**Urban Stormwater Workgroup (USWG) Conference Call**  
**August 14<sup>th</sup>, 2012**  
**10:00 AM – 12:00 PM**  
<http://www.chesapeakebay.net/calendar/event/18487/>

**Decision & Action Items**

**DECISION:** The June meeting minutes were accepted.

**DECISION:** The Urban Stormwater Workgroup (USWG) supports the recommendation to form an expert panel on floating wetlands early next year (2013).

**DECISION:** The USWG forwards algal turf scrubbers for the Water Quality Goal Implementation Team's (WQGIT) consideration to convene an expert panel.

**DECISION:** The elements of the draft USWG Decision Framework were approved for further development.

**ACTION:** Members interested in volunteering, or nominating someone, for the Street Sweeping Panel when it reconvenes should email Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)).

**ACTION:** Names of volunteers and nominees for the USWG's BMP Verification sub-workgroup should be emailed to Tom ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)). Representation from each state is needed, and participation from non-MS4 areas is desired.

**ACTION:** The USWG is encouraged to provide feedback to Lucinda Power ([Power.Lucinda@epamail.epa.gov](mailto:Power.Lucinda@epamail.epa.gov)) on the draft USWG Decision Framework.

**ACTION:** The USWG should contact Lucinda ([Power.Lucinda@epamail.epa.gov](mailto:Power.Lucinda@epamail.epa.gov)) with any questions or comments on the Chesapeake Bay Program's draft 2013 grant guidance.

**ACTION:** Members who made comments during the meeting on Larry Merrill's (Chair, Water Quality Goal Implementation Team) overview of the midpoint assessment should send their statements to Jeremy Hanson ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and copy Norm Goulet ([ngoulet@novaregion.org](mailto:ngoulet@novaregion.org)) and Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) by August 22, 2012.

**ACTION:** USWG members should send their input on the Midpoint Assessment to Jeremy Hanson ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and copy Norm Goulet ([ngoulet@novaregion.org](mailto:ngoulet@novaregion.org)) and Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) by Wednesday, August 22<sup>nd</sup>.

**ACTION:** Once comments are received on the midpoint assessment, Schueler and Goulet will send the list to the USWG by September 14<sup>th</sup> in order to confirm the USWG's priorities prior to the October WQGIT meeting.

**Minutes**

**1. Welcome/Introduction and Review of 6/12 minutes**

- Norm Goulet (Northern Virginia Regional Commission) began by asking for comments or objections to the [minutes from June 12](#)
  - None were raised, so the minutes were accepted
- Goulet thanked everyone for their attendance and outlined the call's [agenda](#)
  - No additions or changes to the agenda were requested

**2. Expert Panel Updates**

- Tom Schueler (Chesapeake Stormwater Network) updated the workgroup on changes to the [stormwater retrofits](#) and [performance standards](#) reports
  - The recommendations were materially unchanged
  - Among the changes made, a table of statewide nutrient loading rates was removed at the request of the Watershed Technical Workgroup (WTWG)
- Schueler explained that the reports were conditionally approved by the [Water Quality Goal Implementation Team \(WQGIT\) on August 13<sup>th</sup>](#) and that he would soon have a revised final version ready for the WTWG and WQGIT
- Randy Greer (Delaware DNREC) recalled a proposal from the modelers in June to discount the performance standard BMP to account for non-captured pervious runoff
  - Schueler clarified that two discounts were considered: 1) for nitrate that is never captured by the practice, and 2) nitrate that escapes through groundwater
    - The USWG and the WTWG agreed to exclude the first discount based on a lack of science and information; the second discount was included, which reduced the nitrogen reduction curve by about 10-20%
- Schueler noted that two other expert panels (urban fertilizer management and stream restoration) are close to reaching a consensus on their recommendations; the reports will likely be submitted to the USWG sometime in the fall
  - He also commented that the two newest panels (illicit discharge elimination; erosion and sediment controls) held introductory calls in July
- Schueler and Goulet mentioned plans to reconvene the street sweeping panel
- Goulet commended Schueler for all his time and effort spent coordinating the panels

**ACTION:** Members interested in volunteering, or nominating someone, for the Street Sweeping Panel when it reconvenes should email Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)).

### 3. Outcome of floating wetlands and algal turf scrubber workshop

- Schueler described the [New Technologies Technical Workshop](#) on algal turf scrubbers™ and floating wetlands, sponsored by the Chesapeake Stormwater Network (CSN) on 7/25
  - He recognized Sarah Lane (Maryland DNR), Cecilia Lane (CSN), and Kevin Sellner (Chesapeake Research Consortium) for planning the workshop
- He summarized the [recommendations](#) that resulted from the Workshop:
  - Additional studies and information on floating wetlands will be released over the next 6-9 months, so it was recommended that the USWG convene an expert panel in early 2013
  - Algal turf scrubbers™ will be recommended to the WQGIT as an expert panel, which would likely be sponsored by the WTWG
- Hearing no further questions or comments from the Workgroup, Schueler requested that the recommendations go forward
- Goulet asked if there were any objections to this request; hearing none, the recommendations were moved forward

**DECISION:** The USWG supports the recommendation to form an expert panel on floating wetlands early next year (2013).

**DECISION:** The USWG forwards algal turf scrubbers for the Water Quality Goal Implementation Team's (WQGIT) consideration to convene an expert panel.

#### 4. CBP BMP Verification Update

- Goulet briefed participants on the Chesapeake Bay Program's (CBP) efforts to create a BMP verification framework, lead by the [BMP Verification Committee](#)
  - He outlined the major elements of the verification framework and their status:
    - BMP Verification Review Panel
      - Nominations were collected and the Verification Committee planned to narrow down the list during their [8/16 conference call](#)
    - [Draft] verification principles
      - The four principles: practice reporting; scientific rigor; public confidence; adaptive management
      - **POST-MEETING NOTE:** the Committee added a fifth principle (sector equity) on 8/16, among other revisions
        - For the latest versions of all the BMP Verification framework materials, visit the 8/16 event page: <http://www.chesapeakebay.net/calendar/event/18556/> or the Committee's webpage: [http://www.chesapeakebay.net/groups/group/best\\_management\\_practices\\_bmp\\_verification\\_committee](http://www.chesapeakebay.net/groups/group/best_management_practices_bmp_verification_committee)
    - Workgroup/sector verification protocols
      - The sector workgroups presented their draft verification protocols to the Committee on June 19<sup>th</sup> (view the materials at: <http://www.chesapeakebay.net/calendar/event/18404/>)
        - Goulet and Schueler presented the USWG's draft protocols at this meeting
- Goulet visited the need for a non-MS4 subgroup to help develop protocols for stormwater BMP verification and tracking in non-MS4 areas
  - He noted most local government USWG members are from MS4 areas; he encouraged the USWG to brainstorm how to recruit people with non-MS4 experience
  - Goulet commented that the subgroup would need at least one participant from each jurisdiction's stormwater agency; the group would then be expanded to state TMDL folks
  - Schueler observed that the push for BMP verification will remain significant between now and 2017, so he encouraged the USWG members to be involved
- Randy Greer asked if the BMP verification and 2017 Midpoint Assessment discussions put NEIEN (National Environmental Information Exchange Network) "on the table"
  - Goulet responded that NEIEN will remain in place, but he recalled a discussion at the June BMP Verification meeting where the NEIEN operators stated that NEIEN is flexible and should not hold up the development of new Urban BMP credits.
  - **POST-MEETING NOTE:** The [6/19 meeting summary](#) (bottom of p.4) states: "NEIEN exchange network is very flexible and can handle just about any type of data."
    - This statement is followed by this action item (top of p.5):

“The Urban Stormwater Workgroup would like to work directly with Marty Hurd and his Tetra Tech NEIEN team on ensuring the jurisdictions’ NEIEN nodes and systems are positioned to fully report the full suite of stormwater practices and treatments.”

- Schueler noted that only two names had been nominated for the USWG’s verification subgroup thus far: Rebecca Stack and Richard Klein
- Goulet reiterated the importance of local participation on the subgroup
- Schueler pointed out that the subgroup will have a fairly constrained lifespan (through end of 2012), so participation should not be seen as a long-term burden

**ACTION:** Jeremy Hanson will email the state agencies to request names of their volunteers for the USWG’s BMP verification subgroup

**ACTION:** Jeremy Hanson will contact the USWG to request volunteers and nominations for the USWG’s BMP verification subgroup

## 5. USWG Decision Framework

- Lucinda Power (EPA) described the purpose and function of the [draft USWG decision framework](#) and noted that the WQGIT reviewed its own decision framework in July: [http://www.chesapeakebay.net/channel\\_files/18146/applying\\_the\\_decision\\_framework\\_to\\_the\\_bay\\_tmdl\\_draft\\_july\\_10\\_updated\\_version\\_with\\_wqgit\\_revisions.pdf](http://www.chesapeakebay.net/channel_files/18146/applying_the_decision_framework_to_the_bay_tmdl_draft_july_10_updated_version_with_wqgit_revisions.pdf)
- Power reviewed the seven elements of the USWG’s draft framework
- She asked if there were any questions or objections about the seven elements
- Goulet asked if there were any objections to Lucinda moving forward to further develop the seven elements
  - No objections were raised

**ACTION:** The USWG is encouraged to provide feedback to Lucinda Power ([Power.Lucinda@epamail.epa.gov](mailto:Power.Lucinda@epamail.epa.gov)) on the draft USWG Decision Framework.

**DECISION:** The elements of the draft USWG Decision Framework were approved for further development.

## 6. Chesapeake Bay Stormwater Grant Guidance

- Power summarized the priorities for stormwater practices and approaches described in the CBP’s [draft 2013 grant guidance](#)
- She emphasized the guidance is still in draft form, but wanted the USWG to be aware of its development and pending submission to the Bay jurisdictions for their review and comment.

**ACTION:** The USWG should contact Lucinda ([Power.Lucinda@epamail.epa.gov](mailto:Power.Lucinda@epamail.epa.gov)) with any questions or comments on the CBP’s draft 2013 grant guidance.

## 7. USWG Priorities for 2017 Midpoint Assessment

- Goulet described current efforts to refine the Bay Program’s modeling tools for the next phase of the model by 2017
  - Larry Merrill (Chair, WQGIT) sent a request to the workgroups to solicit feedback in preparation for the WQGIT’s October meeting

- Goulet mentioned that the WQGIT approved the formation of a new Land Use Workgroup, which will be co-chaired by Jennifer Tribo (Hampton Roads Planning District Commission) and Karl Berger (Metropolitan Washington Council of Governments)
- Schueler noted that the urban nutrient management panel will recommend refined pervious area classification in the next version of the model
- Randy Greer noted that Delaware would like a discussion about modeled sediment loads from Delaware's urban areas and if they are accurate or warrant improvement in the next version of the model; urban areas account for 10% of Delaware's land area, but about one-third of the total sediment load
- Jenny Tribo mentioned her concerns about SSOs (sanitary sewer overflows) that are currently not included in the model, but may be handled through the Illicit Discharge panel
  - She hopes the land use workgroup can address issues related to land use data
  - She commented that federal lands can be refined in the next phase of the model
- Schueler noted that local managers desire better tools to show the progress they are making locally through their implementation efforts
  - Goulet saw this as a high priority too, and noted that MWCOG and others are exploring this
- Ray Bahr (Maryland Department of Environment) brought up three points:
  - Will the 2017 model update allow States to revisit previously submitted BMPs (pre-2012) with the new efficiency rates based on the expert panel's recommendations in 2012?
  - Annual growth predictions from the Watershed Model are used for offset analysis and there are new verification procedures for BMP implementation; will there be verification procedures to ground-truth the model's prediction of growth?
  - Many stormwater BMPs may not receive as-built (completion inspections) for 5 or 10 years down the line, so the BMPs are in place but have not been accounted in the Watershed Model. This can make the urban sector look as if it's growing with no BMPs, which is not totally accurate. How can BMPs for new development that are not complete be counted?
- Dave Montali (West Virginia DEP) commented that the model may not accurately represent West Virginia's pollutant loading rates
- Randy Greer noted that the BMP review process is daunting for vendors of proprietary systems
  - Goulet responded that the Watershed Model will not incorporate specific proprietary systems, but if there is a sufficient number of systems they can be added to the model as a category
- Karl Berger pointed out that part of the increase in urban loads between versions of the Phase 5 model resulted from new methodologies to estimate impervious/pervious lands in rural, suburban/exurban areas
  - He noted that the loads are not necessarily equal to urban areas although the model assumes they are, and this could be a potential improvement in the next version of the Watershed Model
  - He commented that the priorities need to be closely coordinated with the Land Use Workgroup to help set the Workgroup's scope

- Kim Burgess posed questions on how to use the data better, with two areas of focus
  - Look at density of practices: from an ecosystem perspective, does it payoff to cluster vegetative practices?
  - During five years, especially in urban areas, certain factors may influence water quality, e.g., how do infrastructure improvements/funding affect loading rates and monitoring data?
- Steve Stewart expressed concerns that low-density and high-density urban areas have the same loading rates, despite different hydrologic characteristics
  - Goulet agreed that this is a major issue, probably in the top five
  - Stewart also commented that the calibration needs to include more calibration points and account for practices that may take years to result in an improvement in water quality.
- Goulet requested that anyone who voiced comments should send them in writing to Jeremy Hanson ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and copy Norm Goulet ([ngoulet@novaregion.org](mailto:ngoulet@novaregion.org)) and Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) by August 22, 2012
- Goulet commented that the request lists from the jurisdictions will far exceed the capacity of the modelers in terms of time and resources, so it is important to prioritize the requests given those constraints
- Goulet requested Jeremy Hanson to message the Workgroup requesting any additional comments on the midpoint assessment
- Once comments are received, Schueler and Goulet will send the list to the USWG by September 14<sup>th</sup> to set the USWG's priorities prior to the October WQGIT meeting

**POST-MEETING NOTE:** As mentioned in an August 16<sup>th</sup> email to the USWG, initial feedback is requested by noon, Wednesday, August 22<sup>nd</sup>. Please email comments to Jeremy ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and a copy to Norm Goulet ([ngoulet@novaregion.org](mailto:ngoulet@novaregion.org)).

**Key points** articulated by Larry are:

1. 2010 Bay TMDL - Calls for a midpoint assessment that will allow Bay Program partners to confirm that practices committed to in the WIPs will result in the necessary pollutant reductions identified in the Bay TMDL to achieve water quality standards.
2. Focus remains on implementation of restoration practices
3. Will continue evaluation of:
  - a. the tools and programs available to measure the effectiveness of these practices
  - b. as well as assist the overall implementation effort.
4. The goal of the October WQGIT meeting will be to discuss recommendations for a process for moving forward with this work.

**Input and priorities** requested from the work group on what should be included in the midpoint assessment:

1. The current data inputs
2. Decision-support tools including the Chesapeake Bay Program models, and
3. Programs that support local WIP implementation and accountability.

**ACTION:** Members who made comments during the meeting on Larry Merrill's (Chair, Water Quality Goal Implementation Team) should send their statements to Jeremy Hanson ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and copy Norm Goulet ([ngoulet@novaregion.org](mailto:ngoulet@novaregion.org)) and Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) by August 22, 2012.

**ACTION:** Any other USWG members should also send their input on the Midpoint Assessment to Jeremy Hanson ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and copy Norm Goulet ([ngoulet@novaregion.org](mailto:ngoulet@novaregion.org)) and Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) by Wednesday, August 22<sup>nd</sup>.

**ACTION:** Once comments are received, Schueler and Goulet will send the list to the USWG by September 14<sup>th</sup> to set the USWG's priorities prior to the October WQGIT meeting.

The next USWG conference call is scheduled for **Tuesday, September 18<sup>th</sup> at 10:00 AM.**

### Participants

<u>Name</u>	<u>Affiliation</u>	<u>Email</u>
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