

**SUMMARY**  
**Chesapeake Bay Program**  
**Watershed Technical Workgroup (WTWG) Conference Call**  
Monday, February 4<sup>th</sup>, 2013  
10:00 AM to 12:00 PM  
<http://www.chesapeakebay.net/calendar/event/19136/>

**DECISIONS & ACTION ITEMS**

**DECISION:** The November, December, and January minutes were accepted as written, pending the one correction noted for December.

**ACTION:** Members review the curves in the expert panel reports, to see what credit a 0.5 inch default would give. Johnston will present the 0.5 inch and 1 inch default options for the USWG's consideration on February 19<sup>th</sup>.

**ACTION:** Alana and Matt will use the comments received thus far to draft a more detailed document to discuss in March, but meanwhile will communicate the WTWG's work to date and concerns about the project to the Verification Committee.

**DECISION:** The revised Open Enrollment Protocol was accepted as written.

**ACTION:** The fourth bullet in the charge will be modified to state that protocols will be developed without specific reference to monitoring, and include a statement about permitted and non-permitted facilities.

**ACTION:** The revised charge will be forwarded to the nominated panelists.

**Calendar change:** The July 1 conference call meeting has been moved to July 8, 10 am -12 pm.

**MINUTES**

**Welcome and Introductions**

- Alana Hartman (WV Dept. of Environmental Protection; Chair, WTWG) convened the call at 10:00AM.

**Approval of November, December and January meeting minutes**

- Hartman asked for comments or concerns on the three sets of minutes from November, December, and January (*Attachments A, B and C*, respectively).
  - She noted a comment from Bill Keeling (VA Dept. of Conservation and Recreation) regarding a section of the December minutes.
  - No other comments were raised.
- **DECISION:** The November, December, and January minutes were accepted as written, pending the one correction noted for December.

- **Calendar change:** The July 1 conference call meeting has been moved to July 8, 10 am - 12 pm.

### **Stormwater Performance Standards and Retrofits** – *Matt Johnston*

- Matt Johnston (Univ. of Maryland, Chesapeake Bay Program Office; Coordinator, WTWG) summarized comments received from the states, and facilitated a discussion about how to best implement the panels’ recommendations.
  - For more details, view his presentation [here](#).
  - Johnston reviewed Table 3 “How to define runoff capture in each Bay state” from the performance standards report.
  - Johnston asked the workgroup to consider setting a deadline, e.g. 2018, by which jurisdictions must switch to reporting according to the panels’ recommendations. This deadline could be revisited annually after each round of Progress reporting, when WTWG could discuss how we are progressing toward that goal and what the barriers are.
  - Johnston also asked to workgroup to consider setting a default of 1 inch runoff storage volume per impervious acre that could apply to any new stormwater or retrofit project that does not submit all the reporting requirements recommended by the expert panel.
- James Davis-Martin (VA DCR) asked whether the panel intended to make reporting more site-specific, because this seems to be a concerning trend in recent BMP expert panel reports.
- Norm Goulet (Northern Virginia Regional Commission; Chair, Urban Stormwater Workgroup): The panel was cognizant that each state handles and reports implementation differently, and the panel did not want to dictate a specific method.
- Neely Law (Center for Watershed Protection, CBPO): If a state does not meet the performance standards and retrofits reporting requirements, they would have an option to use the default values.
- Davis-Martin: Agree it makes sense that more intensive reporting would earn more credit. Concern that with historically reported structural practices, setting a deadline would either force a default to apply, or commit the jurisdictions to collecting detailed information on each of those historical practices.
  - Johnston: We are talking about new practices or retrofits, not historic practices.
- Davis-Martin: so historic BMPs reported under the old system would stay the same under the old requirements. Which specific practices are we expected to phase out? E.g. homeowner rain gardens that didn’t have an engineering report?
  - Johnston: There’s a list in the panel’s report. Homeowner practices are currently being discussed within the Partnership, but we do not yet know how homeowner BMPs will fit into the stormwater performance standards, if at all.
- Keeling: Still concerned that phase out is not viable. Not everything will be done under these performance standards but will be reported to the state.
- Johnston: Tom Schueler and I are drafting a flow-chart for the February Urban Stormwater Workgroup (USWG) meeting, which I can share in March to make reporting simpler. We also have the defaults. Seems like we need more time for the concepts to simmer and revisit this in March when the flowchart will be available, to make decisions

on 1) the reporting requirements, 2) a potential 2018 or other deadline for adopting new reporting methods, and 3) default values.

- Davis-Martin: Suggest not presenting the reporting fields as “required.” Agree with only the two that are highlighted [runoff storage volume in acre feet, and impervious acres] being required.
- Keeling: Any other basis for default of 1” standard? A lower default may ensure people are motivated to report the additional detail.
- Goulet: The panel did not address defaults, so a decision would fall to the Urban Stormwater workgroup.
- Sarah Lane (UMD, MD Dept. of Natural Resources): should we consider the fact that verification protocols will be finalized soon, thus making these decisions out of date?
- Johnston: no, because people need guidance soon for their 2013 progress reporting.
- **ACTION:** Members review the curves in the expert panel reports, to see what credit a 0.5 inch default would give. Johnston will present the 0.5 inch and 1 inch default options for the USWG’s consideration on February 19<sup>th</sup>.

### **Cleaning up Historical BMP Data**

- Johnston led a continued discussion of plans to clean up historical BMP data, based on feedback and ideas received from the jurisdictions.
  - For more details, view his [presentation](#).
  - There were some common elements among jurisdictions, e.g. using GIS snapshots for certain years, then extrapolating in-between
- Johnston: By mid-2015, will need historic record back to mid-1980s, or as far back as available, for the calibration.
- Keeling: The focus of verification should be new or future BMPs, not historic.
- Goulet clarified that the source sector verification protocols are merely recommendations to the Verification Committee and Review Panel; the protocols are not decisions or commitments by the source sectors or the verification committee.
- Johnston described some of the thoughts on the historic data clean-up from the jurisdictions [slides 4-9].
- Keeling: For Phase 6, suggest doing “backout” earlier in the process, rather than the end. We should also discuss which NEIEN BMPs are mapped to SB BMPs and avoid changing those mappings in the midst of this process. Davis-Martin: So will the states need to submit the historical records through NEIEN or as input decks?
  - Jeff Sweeney (EPA, CBPO): We don’t know yet. The WTWG can help to decide.
- Keeling: the appendix for historical practices needs to be static, it should not be changed when the appendix is modified for annual progress. Would it be possible to keep a static version for the history cleanup exercise, and a more flexible version for Progress purposes?
- Hurd: yes.
- Devereux: data similar to what was provided to the jurisdictions in November, from the USGS data sharing agreement, is available back to the early 90’s. Jurisdictions may request this from Devereux. Some might be easy to provide quickly, other data can be provided by November.

- Johnston explained that he and Hartman will update the BMP Verification Committee about the historic BMP clean-up on February 21<sup>st</sup>. He asked if the jurisdictions could provide final workplans in time for March.
  - Keeling: Virginia would not be able to provide a final workplan by March.
  - Tesler: Pennsylvania would need more information about the process before committing to a date for a final workplan.
- Keeling: Suggest that we call them “lines of effort” instead of “work plans.”
- Keeling: Would prefer that the jurisdictions are allowed to do what they can and then present on what they did to the Verification groups, as opposed to planning it out and presenting it now.
  - Sweeney: The concern would be that the former approach could potentially be a waste of effort if the Review Panel or Committee disagrees with a state’s methods after they’ve cleaned up all their data.
- Hartman: we could use this opportunity to tell the Verification Committee that the jurisdictions intend to focus on implementation and new practices going forward.
- Dave Montali (WV DEP): Seems the historic clean-up is more important for the Phase 6 model calibration than for verification.
- **ACTION:** Alana and Matt will use the comments received thus far to draft a more detailed document to discuss in March, but meanwhile will communicate the WTWG’s work to date and concerns about the project to the Verification Committee.

#### **Agriculture Workgroup Model Workshop**

- Mark Dubin (UMD, CBPO) explained the Agriculture Workgroup (AgWG) has been identified as the lead for multiple model-related Midpoint Assessment priorities, including: (1) Agricultural Modeling Baseline/Input Data and Assumptions, and (2) Agricultural Model Data Processing. As a first step towards identifying potential opportunities and prioritizing supporting activities to address these priorities, the AgWG is proposing to sponsor a two-day workshop in early spring 2013 (See [Attachment D](#))
- Let Dubin know if you would like to help with planning. Otherwise, watch for more information.

#### **Final Approval of NEIEN Appendix Protocol**

- Johnston explained the WQGIT suggested a change to the protocol, and asked the WTWG to consider the revision and provide final approval.
  - He described the changes, which are included in [Attachment E](#) as red text.
- Davis-Martin asked for clarification that December 1<sup>st</sup> would be the date that was meant by “initial progress reporting deadline.”
- Keeling: So if a new BMP is approved after December 1<sup>st</sup>, it would need to wait until the next progress year to be reported under the new recommendations.
  - Johnston: That’s how I interpreted it as well.
- Johnston asked for additional comments or objections to the protocol.
  - None were raised.
- **DECISION:** The revised Protocol was accepted as written.

#### **Final Approval of Algal Turf Scrubbers Panel Nominations**

- Sarah Lane (UMD, MD Dept. of Natural Resources) explained the Scientific and Technical Advisory Committee (STAC) completed its review of the Algal Turf Scrubbers Panel nominees, and members are asked to approve the final list of nominees. Once approved, letters of invitation will go out to the nominees.
  - Additions to the charge are in red text in [Attachment F](#)
- Davis-Martin: From the WQGIT perspective, charges for panels have been moving towards site-specific removal rates. Why does this new BMP include site-specific reporting in its charge?
- Lane explained that ATS is a very controlled system, similar to a point source, so it is possible to know the exact concentrations or loads entering and leaving the site. This bullet came out of the summer workshop.
- Davis-Martin: concerned about potential data collection and reporting burdens for a private enterprise.
- Lane: I have been thinking it might help to characterize differences between permitted sites and non-permitted sites, to address that problem.
- Dubin: this effort seems similar to an analysis done by the dairy waste panel. Will that work be considered?
- Lane, Beth Horsey and John Rhoderick were at the previous WTWG meeting where we first discussed the charge, and Rhoderick mentioned the study you're referring to. No agriculture nominees were put forward, but the study will be considered. However, the panel will likely focus on smaller operations rather than the large-scale operations that require acres of land.
- **ACTION:** The fourth bullet in the charge will be modified to state that protocols will be developed without specific reference to monitoring, and include a statement about permitted and non-permitted facilities.
- **ACTION:** The revised charge will then be forwarded to the nominated panelists.

## 2012 Progress

- Olivia Devereux (Devereux Environmental Consulting): We will provide reports to the jurisdictions tomorrow. The scenarios have been run through NEIEN, SB, and the watershed model.
  - She noted final submissions are due February 22<sup>nd</sup>. Progress run needs to be finalized by March 1<sup>st</sup>. We hope to discuss lessons learned from this year's progress in April.

## Adjourned 12:00 pm

### Next meeting:

Monday, March 4<sup>th</sup>, 2013

10:00AM – 3:00PM

Joe Macknis Memorial Conference Room (Fish Shack)

410 Severn Ave, Annapolis, MD 21403

<http://www.chesapeakebay.net/calendar/event/19137/>

### Conference call participants

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