

SUMMARY
Watershed Technical Workgroup (WTWG)
Teleconference
Thursday, February 6th, 2013
<http://www.chesapeakebay.net/calendar/event/21243>

SUMMARY OF ACTIONS AND DECISIONS

DECISION: The December minutes were approved as submitted.

DECISION: The homeowner BMP memo was approved, as amended, for submission to the WQGIT.

ACTION: Schueler, Hanson and Johnston will coordinate with the representatives from WV, VA, and MD to resolve outstanding issues with the ESC recommendations. Proposed revisions will be shared during the next WTWG call.

MINUTES

Welcome, Introduction and Announcements

- Matt Johnston (University of Maryland, CBPO; WTWG Coordinator) convened the call, verified participants, and reviewed the [agenda](#).
- Johnston called for comments on the December workgroup minutes ([Attachment A](#)).
 - **DECISION:** The December minutes were approved as submitted.

Homeowner BMPs

- Tom Schueler (Chesapeake Stormwater Network; Urban Stormwater Workgroup Coordinator) directed the workgroup's attention to the homeowner BMPs crediting memo ([Attachment B](#)). He noted that Virginia suggested some edits to the memo, provided to the workgroup as [Attachment B.2](#).
 - View his [slides](#) for more details.
- Schueler explained that all of the practices were included in previously approved urban stormwater expert panel reports, notably the urban stormwater retrofits expert panel.
- Schueler explained the three requested actions for the WTWG:
 - Aggregation
 - Would allow localities to aggregate individual homeowner BMPS into a single practice at the county level for reporting to the state.
 - Enter homeowner BMP as a unique class of BMP in Scenario Builder
 - To prevent confusion and possible double-counting, aggregate homeowner BMP data will be entered as a unique practice in Scenario Builder.
 - NEIEN flexibility
 - Homeowner practices are individually small but collectively so numerous that it is neither practical nor useful to give them a specific individual geographic address in NEIEN.

- To receive credit, local governments still must maintain records for each individual homeowner BMP, including contact information and geographic information (lat/long or street address).
 - Local governments need to retain specific data records on individual practices in order to track and verify them over time.
- Schueler explained the verification approach for homeowner BMPs. He mentioned the USWG approved its revised verification guidance during the [January 21st USWG conference call](#).
- Goulet objected to Virginia’s proposed inclusion of septic pumpouts and septic connections in the memo, but was okay with other edits. He noted the memo was coming from the USWG, so if the WTWG or WQGIT would like to extend the homeowner BMP approach to septic systems and pumpouts, the Wastewater Treatment Workgroup (WWTWG) would need to follow the process that the USWG took.
 - Katherine Antos (EPA, CBPO): Agree with Goulet’s suggestion to ...when we spoke to DEQ they were raising septic systems as something that could be covered by homeowner BMPs. If the team feels it is something to pursue, then the WWTWG would be the ones to address it.
 - Johnston agreed with Goulet that the WWTWG they would need to go through their own process, like the USWG did.
 - Beth Horsey (MDA) also felt comfortable with the proposed edits from VA DEQ.
 - James Davis-Martin (VA DEQ): we talked about adding a clarification to the second bullet under number 3, to clarify distinction between five years for retrofits and different lifespan for urban nutrient management.
 - Schueler: Good point. We can add language to clarify the lifespan for the different BMPs. So, 3 years for urban nutrient management.
- Jim George (MDE): not sure the memo makes it clear who reports the data to the state. Do not want both the localities and the third parties report to the state to avoid double counting.
 - Schueler: will add language to item 1 on page 2: “which the local government would then report to the state.”
 - George: understand that one model limitation is that there is no nesting of BMPs so they all need their own unique geographic location. This may not be a problem in this case, but could it be?
 - Schueler: Do not expect that to be an issue unless the implementation becomes orders of magnitude higher than anticipated.
 - Antos: That is something the USWG’s latest verification guidance addresses. For practices that account for less than 1% of total urban reductions in a state, then a simpler approach for verification can apply to that practice.
 - Schueler: The Urban Stormwater Workgroup is comfortable with the verification approach and does not expect homeowner BMPs to account for more than 1% of reductions from the urban sector.
 - George: There will be homeowner BMPs in areas with new stormwater controls and in areas without new stormwater controls, but we will not be making a distinction between homeowner BMPs in those areas.
 - Schueler: Correct.

- Schueler summarized the changes: remove two septic edits, add clarification for local reporting to the state, and clarify tree planting and urban nutrient management durations.
 - Johnston called for objections to submitting the memo to the WQGIT, as amended; none were raised
 - **DECISION:** The homeowner BMP memo was approved, as amended, for submission to the WQGIT.

Recommendations of the expert panel on erosion and sediment control practices

- Schueler noted that he and Jeremy Hanson (Chesapeake Research Consortium, CBPO) served as co-facilitators for the expert panel on erosion and sediment controls. Hanson reviewed slides 2-19 with participants and Schueler reviewed slides 20-45.
 - View the [slides](#) for more details on the panel's recommendations.
 - View the full, long version, of the report as [Attachment C](#)
 - View the full, short version, of the report as [Attachment C.2](#)
 - View the Scenario Builder Technical Appendix (Appendix H) as [Attachment D](#)
- Johnston explained that the panel's recommended rates would be adjusted for the Phase 5.3.2 Watershed Model to avoid violating the calibration (slides 46-54). The Phase 6 Model will be able to incorporate the panel's full recommendations.
- Keeling: If we end up simulating nutrient applications to construction sites in the Phase 6 Model, would suggest having Urban Nutrient Management available as a BMP for construction.
 - Schueler: The panel did not address that possibility, so it is still on the table for Phase 6. It is rare for a construction site to have an urban nutrient management plan.
- Antos: If we make that change in phase 6, then we could discuss expanding UNM to apply to construction lands.
 - Keeling suggested that perhaps other BMPs could be expanded to be eligible practices for construction sites in Phase 6.
- Antos applauded the panel for their honest look at ESC practices and felt they did a thorough job reviewing the science. The phased approach that Johnston described for the Phase 5.3.2 Watershed Model makes sense; the adjusted sediment rates and the no-penalty for nutrients helps us measure actual changes in management. We can take a deeper look at this for the Phase 6 Model.
- Keeling noted that Phase 6 Model calibration is getting close. He asked what the drop dead date might be for land use loading targets for the calibration.
 - Schueler noted that STAC is sponsoring a workshop on urban loading rates, which will include dozens of researchers. Later this year there will be an expert panel to recommend urban loading rates for the Phase 6 Model. Construction will be one of the urban land uses considered during that workshop and panel.
 - Johnston noted decisions related to the Phase 6 calibration need to be made by October 2015.
- Dave Montali (WV DEP) asked about the characterization of the Phase 6 targets as stated in the report.
 - Johnston: There is more that needs to be done to determine the loads for phase 6. The panel did recommend that the current Phase 5.3.2 loading targets are fine for the current Model.

- Donner asked for clarification on pathway 1 as described in the panel’s mass balance for nutrients.
 - Schueler: Pathway 1 was nutrient loss from eroded soils. In the panel’s mass balance, of the sediment that leaves the site there are attached nutrients.
 - Donner: Agree with that approach, but when we apply ESC shouldn’t it reduce the nutrient load?
 - Johnston: Right now there are currently no fertilizer inputs for construction in the model. If we have an application in the next Model, then ESC could reduce that input, but that is still a question that needs to be answered. Do not want to fixate on the zero nutrient reduction, since we do not know how the Phase 6 Model will pan out.
- Davis-Martin: It appears that the pre-ESC load was 12 tons/ac/yr load.
 - Schueler: Correct. The current Model uses the loading rate of 24.4 tons/ac/yr, but the panel calculated all of its efficiencies based on its estimate of 12 tons/ac/yr.
 - Johnston explained the adjustments made to the sediment efficiencies make the panel’s rates relative to the current model rate. The panel found that level 1 ESC reduces sediment by 74 percent, but we are unable to change the current 40 sediment reduction rate for level 1 ESC in the Phase 5.3.2 Watershed Model. So we have to have to do it relative.
- Johnston noted that [the Maryland Department of Environment submitted comments on the ESC report](#). He asked Greg Sandi (MDE) to discuss MDE’s concerns.
- Sandi noted the workgroup already brushed on most of the subjects. The main concern was the report does not have language that the nutrient loads or removal rates will be reviewed by 2016. All the future model refinements centered around sediments. So one of our suggestions is to include revisiting the nutrient rates prior to 2017 as a research recommendation in the report.
 - Schueler: the panel had discussed reconvening in 2017. Open to reconvening the panel or another panel in the near future as needed. If the WTWG approves the report today we can incorporate Johnston’s slides and the nutrient research recommendations into the report.
- George: Maybe we could add TBD or some language to be more explicit that we will revisit the rates and not taking a specific position at this stage. There’s a concern that when 2017 rolls around, time may run out.
 - Schueler: Would be comfortable with a zero and an asterisk. The panel was pretty adamant that they could not assign a positive reduction rate based on the data, so would not be comfortable to characterize it as “TBD.” It is zero until the critical monitoring studies recommended by the panel are performed and provide evidence otherwise.
- George: Maybe it’s a matter of interpretation. Maybe the default should be that we do not know what the rate is, rather than zero.
- Davis-Martin agreed with George. The panel seemed clear that the rate should be zero based on assumptions and loadings in Phase 5.3.2, but the rate for Phase 6 will depend on how the Model is set up.
- Antos: what should the default be if we are unable to revisit the TBD or the zero?
 - George: I do not know right now. We feel we need to understand this better before making a decision.

- Schueler: will work with Johnston to have options on phasing the language.
- Montali: If we come back to this report down the road, everyone will reference back to the table of pathways. The biggest loss of nutrients is from the fertilizer applications.
 - Schueler: The panel described their uncertainties in the report, based on the available science. They provided research recommendations and priorities.
 - Montali: Also agree with a TBD category.
- Horsey: Personally do not see how we can make these changes without it going back to the Panel. We should take the same approach as the Modeling Workgroup and honor the panel's recommendations because they have the technical expertise.
 - Antos: Agree with that. Looking at page 39 of the report, the panel concludes the rate is zero, not TBD.
 - Davis-Martin: Think they are saying it is zero for 5.3.2, but depending how we change the nutrient applications in phase 6, it could change the recommendation.
 - George: For starters an asterisk is a good idea.
- Johnston noted the time and asked if the workgroup needs to see the revisions and language before making a decision. The workgroup does not seem ready to make a decision today.
 - Horsey reiterated she felt the report would need to go back to the panel.
 - Schueler: If there is a substantive scientific decision that needs to be made we will be sure to bring it to the panel. They met their charge and these are political and modeling decisions outside their charge.
 - Montali: Do the medium pathway loads represent the panel's best
 - Schueler: the panel concluded that the current target loads are in the range from low to high. Given all the technical assumptions articulated in Appendix B, they did not intend for each number of each pathway to be interpreted as what the target rate is.
- Johnston summarized that he we will work with Schueler and Hanson to bring back some revised language to WTWG.
 - **ACTION:** Schueler, Hanson and Johnston will coordinate with the representatives from WV, VA, and MD to resolve outstanding issues with the ESC recommendations. Proposed revisions will be shared during the next WTWG call.

2013 and 2015 Milestones

- Johnston noted the time. He noted that Hanson will post [a slide of next steps for progress and milestones](#) to the calendar entry. Johnston mentioned the deadline for data submissions was that day and all data were due into NEIEN by close of business. He thanked all the participants for their time and discussion.

Adjourned

Participants

<u>Name</u>	<u>Affiliation</u>
Matt Johnston (Coord.)	UMD, CBPO
Jeremy Hanson (Staff)	CRC, CBPO
Greg Busch	MDE
Sally Claggett	US Forest Service, CBPO
James Davis-Martin	VA DEQ
Olivia Devereux	Devereux Consulting
Sebastian Donner	WV DEP
Marcia Fox	DE DNREC
Jim George	MDE
Norm Goulet	Northern VA Regional Commission
Alana Hartman	WV DEP
Beth Horsey	MDA
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