

**CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
MAY 21ST, 2012 CONFERENCE CALL**

ACTION ITEMS AND DECISIONS

ACTION: WQGIT members will consider a potential face-to-face meeting in the fall and will provide feedback regarding scheduling. A scheduling decision on the face-to-face meeting will be asked for on the 6/11/12 conference call.

ACTION: Rich Batiuk and CBP Verification Committee will change language of Draft Verification Principles, Principle 1: Bullet 4 from “no longer functional or removed from the landscape” to “functional and present on the landscape” to be consistent with the other bulleted text.

ACTION: Rich Batiuk will present the concerns raised by the WQGIT regarding historical BMP reporting to the BMP Verification Committee.

ACTION: Rich Batiuk will present concerns regarding the request for clear assurance of crediting verified BMPs to the BMP Verification Committee. The Committee will determine appropriate language in the Principles document to address this issue. Rich will bring revisions back to the WQGIT for review and feedback.

ACTION: Regarding the Draft Verification Principles, Principle 5, Rich Batiuk will raise the concerns about the Business Confidentiality Clause to the attention of the BMP Verification Committee, including concerns about both crediting all practices and protecting privacy.

ACTION: Revisions to the Principles document will be shared with the WQGIT as soon as possible. Concerns that are not immediately addressed in revised document will be appended to the document to illustrate pending decisions/language considerations.

ACTION: Rich Batiuk will bring to the attention of the BMP Verification Committee the suggestion of including language in the BMP Verification Review Panel Charge to address assured crediting of verified practices. The Committee will also determine if this is a Verification Panel issue, or if it should be addressed within another element of the larger BMP verification framework.

ACTION: Language will be added to page 2 of the draft Review Panel Membership and Charge document clearly stating that “specific members are sought from the following types of members, but there is no requirement for ensuring all of these potential members are included on the panel.”

DECISION: WQGIT will review revised Principles prior to sending the document to the source sector workgroups and Vital Habitats GIT.

DECISION: WQGIT approved sending the revised draft Review Panel Membership and Charge document to the sector workgroups and Vital Habitats GIT’s workgroups for nomination of specific members with incorporation of the above requested changes to the text.

Minutes

Welcome/Confirm Call Participants and Updates – Larry Merrill, Chair

- See [WQGIT and Workgroup Updates](#).
- Discussion of next Executive Council (EC) meeting:

- Possible July 9th date; therefore potential conflict with July 9th WQGIT conference call.
- Goal team will be notified well in advance if WQGIT call is rescheduled.
- Decision Framework-Adaptive Management Updates:
 - Revising a WQGIT Decision Framework-Adaptive Management white paper.
 - Paper will be presented in 6/11/12 call for WQGIT comment and review.

Discussion, Updates from other WQGIT members:

- Marel Raub: The Chesapeake Bay Commission recently released “[Nutrient Trading for the Chesapeake Bay: An Economic Study](#),” and presented the report’s findings in the [May 16th Trading and Offsets Workgroup meeting](#).
 - Contact CBC with any questions or interest for an in-person briefing.

Sharing Proposed 2012 WQGIT Schedule – Larry Merrill

- Note that July agenda includes a summation of other GITs work.
 - If interested, the Sustainable Fisheries GIT is meeting 6/11-12/12 at the Westin Hotel in Annapolis. See [calendar event](#) for more details. Contact Larry for further details.
- Potential WQGIT face-to-face meeting in the Fall

ACTION: WQGIT members will consider a potential face-to-face meeting in the fall and will provide feedback regarding scheduling. A scheduling decision on the face-to-face meeting will be asked for on the 6/11/12 conference call.

Review of Draft CBP BMP Verification Principles and Expert Panel – Rich Batiuk

- Two decisions are sought during this conference call:
 - 1) WQGIT approval to share the [CBP Verification Committee’s Revised Draft BMP Verification Principles](#) with other source sector workgroups and the Stream Health Workgroup and Wetland Action Team of the Vital Habitats GIT.
 - These draft principles are important to share with the sector workgroups and Habitat GIT, providing a guide to verification work while these groups develop their BMP protocols.
 - 2) WQGIT concurrence to move the BMP Expert Panel Charge and BMP Expert Panel Proposed Membership forward to the source sector workgroups and Vital Habitats GIT to continue the nomination process.
 - See Revised [Attachment B - Verification Review Panel Charge Membership](#); [Attachment C - NAS Chesapeake Bay Evaluation Committee Members](#); and [Attachment D - CBC Economics of Trading Advisory Council Members](#).
- Revised [Draft Verification Principles](#): document reflects changes made from the BMP Verification Committee’s 5/18 conference call.
 - The principles are designed to be applicable across all source sectors, all jurisdictions, and all mechanisms for funding practices.
 - The draft principles will be used to guide development of BMP protocols by source sector workgroups and Vital Habitat GIT’s stream and wetlands workgroups.

Discussion:

- Teresa Koon – Misunderstanding of Principle 1: Bullet 4 that states BMPs must be “no longer functional or removed from the landscape.”

ACTION: Rich Batiuk and CBP Verification Committee will change language of Draft Verification Principles, Principle 1: Bullet 4 from “no longer functional or removed from the landscape” to “functional and present on the landscape” to be consistent with the other bulleted text.

- Jim George – Concern with changes to the reporting process as current annual reporting is only for current year progress. How will the reporting process change to address past year implementation and BMPs that are no longer functional. While the principles can capture this, the reporting process constrains.
 - Rich Batiuk – Need to develop a protocol for differentiating between annual vs. ongoing BMPs; clarify BMP life-span; and clean up historical BMPs to address the concerns raised by Jim George. BMP Verification Committee will examine these three issues during its June 19 face to face meeting and will focus on reviewing the jurisdictions’ tracking and reporting systems during its scheduled July 19 conference call.

ACTION: Rich Batiuk will present the concerns raised by the WQGIT regarding historical BMP reporting to the BMP Verification Committee.

- Norm Goulet –Urban Stormwater Workgroup is assuming a significant overhaul in the reporting and tracking process. For example, increased MS4 inspections.
 - Rich Batiuk – Agriculture Workgroup members are basically comfortable with existing cost-share system for tracking, verifying and reporting practices; therefore, no significant changes expected there. However, significant changes and additions to the tracking, verification and reporting process for non cost-share programs are very likely.
- James Davis-Martin – Current NEIEN system doesn’t allow negative values for BMP reporting; therefore, trouble reporting a removed BMP.
 - Rich Batiuk – Marty Hurd and partnership’s NEIEN team will lay out options and proposed methods for better correlation of the NEIEN system and verification protocols for the Verification Committee at the June 19 meeting. Then this issue will be worked on over the course of summer and fall, with recommendations brought back to the WQGIT in the September/October timeframe.
- Collin Burrell – Will the source sector BMP verification protocols provide the jurisdictions with protocols addressing families of related practices/systems?
 - Rich Batiuk – Yes, the objective is to provide a system of protocols will be organized to verify similar practices, structures, or systems. Each source sector workgroup is working to determine appropriate groups or “families” of similar BMPs/systems.
- James Davis-Martin – Principles provide good guidelines to develop a means of verifying state information and BMP functionality. However, if states expend the effort to complete the verification processes, is there assurance that all of these verified practices will receive credit in the model? Feels that this point warrants its own principle.
 - Rich Batiuk – These are fair concerns. BMP Verification Committee is drafting preamble to address these and other overarching issues which may not be at the level of principles, but need to be clearly stated up front. Will bring these issues

back to the Committee to determine if these concerns could be included in preamble or require their own principle to fully address the concerns.

- James Davis-Martin – Advocates including the assurance of model credit for all verified practices as a principle. These BMP Verification Principles address BMPs reported, not BMPs credited, which should also be clearly established.

ACTION: Rich Batiuk will present concerns regarding the request for clear assurance of crediting verified BMPs to the BMP Verification Committee. The Committee will determine appropriate language in the Principles document to address this issue. Rich will bring revisions back to the WQGIT for review and feedback.

- Pat Buckley – Regarding Principle 5, concern of protecting confidentiality.
 - Rich Batiuk – Scale of the public reporting of tracked data will not include individual farms, but will be aggregated up the appropriate scale to continue to protect business confidentiality as it done with the cost-shared practices. USGS is working to establish procedures for reporting the data at appropriate scale.
 - Matt Monroe – WV also concerned with this principle, as decreased confidentiality may stifle enrollment in their program.

ACTION: Regarding the Draft Verification Principles, Principle 5, Rich Batiuk will raise the concerns about the Business Confidentiality Clause to the attention of the BMP Verification Committee, including concerns about both crediting all practices and protecting privacy.

ACTION: Revisions to the Principles document will be shared with the WQGIT as soon as possible. Concerns that are not immediately addressed in revised document will be appended to the document to illustrate pending decisions/language considerations.

DECISION: WQGIT will review revised Principles prior to sending the document to the source sector workgroups and Vital Habitats GIT.

- Review of [BMP Verification Review Panel Charge and Membership](#)
 - Purpose of the panel of outside experts is principally to review the jurisdictions' draft BMP verification programs. The Review Panel's feedback will be provided to the Partnership through the Management Board or PSC, which will ultimately be responsible for approval of the proposed jurisdictional BMP verification programs. Similar role as BMP expert panels.
 - Seeking feedback and/or agreement to share this document with source sector workgroups and other GITs in order seek specific nominations for Review Panel members.

Discussion:

- Jim George – This panel will examine state verification programs; however, not all of these programs are in place yet.
 - Rich Batiuk – We recognize that not all pieces are in place now or even in the near future, but this review process will determine if states are meeting expectations. This issue is on the agenda for August 16 BMP Verification Committee's conference call.
- James Davis-Martin – Advocates for the charge to include assurance that the model will accept verified BMPs and provide adequate credit.
 - Sarah Diebel – Echoes Virginia's perspective that the effort of BMP implementation and verification should warrant credit in the model.

- Larry Merrill – If these changes are incorporated in the Verification Principles, they will also be reflected in the Review Panel’s charge.

ACTION: Rich Batiuk will bring to the attention of the BMP Verification Committee the suggestion of including language in the BMP Verification Review Panel Charge to address assured crediting of verified practices. The Committee will also determine if this is a Verification Panel issue, or if it should be addressed within another element of the larger BMP verification framework.

- Pat Buckley – Concerns with perception of requiring Panel members to be drawn from second list on page 2 of the Charge document

ACTION: Language will be added to page 2 of the draft Review Panel Membership and Charge document clearly stating that “specific members are sought from the following types of members, but there is no requirement for ensuring all of these potential members are included on the panel.”

DECISION: WQGIT approved sending the revised draft Review Panel Membership and Charge document to the sector workgroups and Vital Habitats GIT’s workgroups for nomination of specific members with incorporation of the above requested changes to the text.

- Rich Batiuk – Please note the BMP Verification Committee’s tentative schedule, included as [Attachment E](#). Another presentation to the WQGIT is scheduled for October for approval to proceed forward to the Management Board and PSC with a comprehensive BMP verification program package at that time.
 - Larry Merrill – Possibly include this as an agenda topic for the fall WQGIT face-to-face meeting.

TMDL Benefits and Costs Analyses – Kevin DeBell and David Simpson

Discussion:

- Helen Stewart – In MD’s cost evaluations, inequity of total cost estimations exist because agricultural BMPs only consider the cost of what is paid to the farmer and not administrative and design expenses. However, many stormwater total cost estimates include more costs sources.
 - Kevin DeBell – Methods of accounting for these other costs, like administrative costs, are currently being investigated.
- Helen Stewart – Issue of value of BMP investment, e.g. comparing the values of different practices to determine the most valuable practice to implement.
 - David Simpson – Currently, attempting to quantify co-benefits of practices.
- Pat Buckley – What is the timeframe used for this study?
 - Kevin DeBell – Total costs of WIPs were examined; therefore, assuming inclusion of progress from 1985 forward and comparing total costs to amount of progress identified in 2009 progress run. This distinguishes WIP activities from work that was previously completed.
- Beth McGee – What was the geographic range of study and were upstream benefits included, or just Bay and tidal waters?
 - David Simpson – Currently making an effort to get additional data on upstream water quality benefits, but more benefit transfer work will be applied to this issue
- Ann Swanson – How is TMDL impact differentiated from all water quality policies (e.g. CWA or state requirements)?

- Kevin DeBell – With costs, selectively examining each source sector (sector by sector, practice by practice) to understand what would be done after the TMDL and what would have been done anyway, without the Bay TMDL.
- David Simpson – Also note that the cost study is working carefully with the benefits study to present correlating report.
- Ann Swanson – How much change is expected in unit cost information?
 - Kevin DeBell – Little change expected in these numbers, but ongoing work with Urban Stormwater Workgroup and USDA to determine best unit cost estimates.

Next WQGIT Conference Call:

Monday, June 11th, 2012

1:30 P.M. – 3:30 P.M

Participants

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