Stream Health Workgroup

Meeting Minutes

June 3, 2015

FWS Office Annapolis, MD

10:00AM-12:00PM

**Participants:**

Rich Starr, FWS (Co-Chair)

Hannah Martin, CRC (Staff)

Bill Stack, CWP

Jens Geratz, Anne Arundel County Dept. of Public Works

Jennifer Greiner, FWS

Alison Armocida, MDNR

Erik Michelsen, Anne Arundel County Dept. of Public Works

Fred Kelly, Severn Riverkeeper

Alana Hartman, WVDEP

Chris Spaur, USACE Baltimore

Claire Buchanan, ICPRB

Kim Baggett, USACE Norfolk

Drew Atland, PA

Kip Mumaw, Ecosystem Services

Scott Stranko, MDNR

Ryan Cole

Ben Virts, Timmons Group

Rebecca Napier, Timmons Group

Matt Meyers, Fairfax County

Sarah Woodford-VADEQ

Mike Lovegreen, USC

John Jastram, USGS

Josh Burch, DDOE

Actions/Decisions

* Contact Neely Law if you have questions about the comments and how they were addressed in the Management Strategy.
  + Neely L. Law, PhD

Chesapeake Bay Program Office

Coordinator, Sediment Reduction & Stream Restoration Corridor

Co-Chair, Stream Health Work Group

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* Winters will share the documented findings on the permit analysis with Starr. Starr will review and report back to workgroup on how to proceed.
* The public release of CBT pooled monitoring RFP will be shared with the workgroup
* Language in the MStrat will be revised and shared with group for comment

Decisions:

* Beneficial to collaborate with Healthy Watershed GIT
  + Scott Stranko will be liaison between groups

**Minutes**

**Welcome and Introductions (Rich Starr, FWS)**

**Overview of Management Strategy Progress and Timeline (Bill Stack, CWP)**

The [Stream Health Management Strategy](http://www.chesapeakebay.net/managementstrategies/strategy/stream_health) (MStrat) was drafted to support the outcome in the Watershed Agreement, “Continually improve stream health and function throughout the watershed. Improve health and function of ten percent of stream miles above the 2008 baseline for the watershed.” The most recent draft was sent to the Chesapeake Bay Program’s Management board for review. The final draft needs to be completed by June 17th. Recommendations are included in the management strategy but specific actions are to be included in the biennial workplan, which will be developed as the next step in the process.

Comments from the Management Board identified two major gaps in the current draft of the Stream Health MStrat:

1. Finding common ground with the Maintain Healthy Watersheds Goal Implementation Team.
   1. Background information: The Maintain Healthy Watersheds GIT is working to protect/maintain 100% of state identified healthy waters and watersheds. Their data are state specific and not bay-wide like the Chessie BIBI, however the two efforts are still connected. The Healthy Watersheds GIT is working to protect pristine streams while the Stream Health Workgroup is working to improve the health and function of degraded streams. For this strategy, the Stream Health Workgroup could collaborate with the Healthy Watersheds GIT to identify the nexus between the Chessie BIBI and statewide data collection efforts to track and report stream health (from impaired, marginal to healthy). Those “marginal” streams that are not degraded or identified as healthy by the state may have the largest restoration potential. The overall goal would be to restore the marginal streams to the level of state defined healthy in order to be protected by the efforts of the Healthy Watershed GIT.
   2. Discussion:
      1. Stranko: Agree that the marginal streams have a great restoration potential because you can improve those and then they can be under the purview of the Healthy Watersheds GIT. There is room to work on the marginal streams because they would bring us the closest to the healthy end of the spectrum but the worst streams cannot be ignored.
      2. Buchanan: The metrics for both efforts need to be in a format that allows comparison. Recognize that metric development is an evolving process. Coordinate with Healthy Watershed GIT as they develop metrics. Good metrics will be able to point out the marginal watersheds.
      3. Spaur: Decision: Needs to include “watershed” in the revised language
      4. Michelsen: The impaired streams are straight forward from the regulatory perspective however once you get to marginal/healthy there is push back. If we want to focus efforts on the marginal areas because there is the most opportunity for uplift, will the regulatory barriers need be lowered?
         1. Starr: You won’t get the most lift at the marginal streams, but they could be the easiest/cheapest to address.
         2. Winters: Practitioners may not have the opportunity to work in these areas, not accurate to attach this to the permitting issue because it’s the willing partner issue in the marginal areas.
         3. Michelsen: Need community agreement on this topic and recognize that some cases are going to require some accommodations
      5. Spaur: the Agreement is not focused on straight in-stream restoration so the strategy needs to include talking about relieving other stressors
      6. Buchanan: Work on a degraded headwater stream could improve the downstream marginal stream
      7. Lovegreen: Important to keep ahold of the marginal concept; if left alone they will either heal or degrade. Teach people how to manage stream corridors. Change how communities treat the watershed and corridor
         1. Starr: Identify: where are those marginal streams? Are they starting to recover? Are there watershed stressors that need to be addressed? It will change the restoration solution (Channel evolution).
   3. Decision: Agree to collaborate with the Healthy Watersheds GIT to develop metrics to identify the marginal streams.
   4. Action: Revise text and share with group
   5. Decision: Scott Stranko will be liaison between Stream Health Workgroup and Maintain Healthy Watersheds GIT
2. Stream Restoration Permitting Issues
   1. Background information: Several efforts have occurred to summarize the issues surrounding permitting stream restoration projects. The common themes were organized in Stack’s presentation. These could be a potential action item for the stream health workplan.
   2. Discussion:
      1. Michelsen: Keep wetland language and would like to see the permitting requirements built to scale the implementation requirements
         1. Clearwater: Wetland issues occur when doing a stream project
      2. Kelly: Local folks have the strongest desire and best ability to make the improvements. There is language in the existing strategy from Executive Order written in 2012. Continued need to work on removing obstacles to permitting
         1. Starr: Need to write this properly to get the proper actions in the workplan. “need to look at regulatory process throughout the Bay states, looking for consistency”
         2. Michelsen: “streamline to expedite”
         3. Winters: Questioned ability to compare the jurisdictions regulatory process for permitting. Need to look at the efforts like Jana Davis (CBT) and MDE because it is case by case, law by law, jurisdiction by jurisdiction. Lack of uniformity.
         4. Michelsen: USACE federal level should be consistent. Maybe nationwide should be brought to Baltimore District.
         5. Action: Input EO permitting language into MStrat to ensure uniformity and rough alignment of efforts as well as stakeholder language.
            1. “The strategy is designed to directly support the restoration activities of local governmentt, watershed groups, county conservation districts, landowners and citizens”
            2. “Strengthen federal coordination on permits that impact wetlands. Resource agencies (FWS, NOAA, NPS) will increase participation in 2012 to engage fully in pre-application conferences on permits with regulatory agencies (EPA, USACE, Federal Energy Regulatory Commission)” under existing authorities subject to appropriations. Agencies will explore increased coordination on other licenses and permits (e.g., those related to hydropower, wind power, water infrastructure, natural gas extraction and highway projects). This approach will promote timely and collaborative decision-making on project permits, reduce costly permitting delays and strengthen permit conditions to minimize impacts to fish and wildlife habitat. It could also create incentives for mitigation in the form of wetland restoration and enhancement in priority watersheds.”
         6. Action: Delete the placeholder language on page 6.
      3. Winters: don’t think this is pending release of the CB TMDL permit, not good to call out a specific permit. Recommend to remove the specific permit name from potential actions
      4. Clearwater: Needs to include site characteristics; type and location.
      5. Starr: Reminded Work Group of the request for a funding proposal for TetraTech earlier 2015 to identify permitting commonalities across the watershed. Determine which phase of permitting took the longest and other detailed questions to build on the meetings that have happened in the past. This request is pending and undergoing further discussions with the Bay Program
         1. Winters: The request was viewed as redundant since there has been two years of analysis looking at it and all findings have been documented. Action: Winters will share the documented findings on the permit analysis with Starr. Starr will review and report back to workgroup on how to proceed.
      6. Buchanan: Stated necessity of Biological stressor ID (BSID) at the beginning of the stream restoration process.
         1. Stranko: Imperative to think of the other stressors beyond the TMDL for the chance to have biological improvement.
         2. Spaur: Submitted comments from USACE and brought up stressor ID throughout the document is in our comments. Needs to be strong throughout the document and specific item for the workplan looks reasonable for the future.
      7. Action: Revise text and share with group.

**Member Updates/Questions**

1. The STAC “Designing Sustainable Stream Restoration Projects within the Chesapeake Bay” [workshop report](http://www.chesapeake.org/pubs/340_Law2015.pdf) has been released and is available online

2. Jana Davis and Chesapeake Bay Trust released RFP to get different types of analytical work done related to pooled monitoring piece. Results about which proposals were accepted will be announced in coming weeks. Funding came from MDNR, EPA and CBT. This effort will result in good research on a variety of projects that will hopefully advance the science of streams.

Action: The public release will be shared with the workgroup

3. New MDE engineers will start at the end of the month and will be dedicated to stream restoration and wetland permit review. MDE is also working with USACE on joint permit application.

4. Design review checklist to be released by FWS and MDE

5. Upper Susquehanna Coalition is providing four regional emergency stream training for State Highway employees.

6. New approach in Chesapeake Bay Model to do cross sections on streams using LiDAR to include in the model. Peter Claggett (USGS) is working with WVU to study Difficult Run in Fairfax and use of LiDAR across the watershed to overlay features to floodplain factors and erosion by initially focusing on streams studied intently in Fairfax and verify to see if they can apply across the bay. Data from nested watersheds and comparing datasets to in-stream data to see if difference between loading is because of stream bank erosion. Stream bank erosion total source going to CB. Current model doesn’t consider streams that are greater 3rd order. Phase 6 approach tease out actual coming from stream corridor.

Action: Group might want to hear a presentation from Claggett.

<http://www.chesapeakebay.net/channel_files/22557/claggett_modelingwkgrp_040215.pdf> see slides 21-24 for the info Peter Claggett presented this spring.

**Next Steps for Workgroup**

-Schedule early July meeting.

-Draft workplan for responses