

WTWTG members and interested parties,

Please respond to David Wood by COB, May 21 with: 1) your jurisdiction's preference on the options below; and 2) any comments on the options below. If we receive any substantive comments that alter the options, we will edit them accordingly and send out new options following the May 21 deadline.

### **Options for Simulating BMPs on Extractive Land Use in Phase 5 (2015 Progress)**

**Option 1 (No Change):** This option would allow each state to continue submitting Abandoned Mine Reclamation in the way they have always submitted the BMP. Abandoned Mine Reclamation converts extractive areas to forest. There would be no addition of Erosion and Sediment Control on Extractive lands. The BMP would remain interim, and would only be available for planning scenarios. This option would not violate the calibration of the Phase 5.3.2 Watershed Model, but would make it difficult to compare extractive loads from 2015 Progress to 2015 Milestones for states who used Erosion and Sediment Control on Extractive in 2015 Milestones.

**Option 2 (AMR on All Extractive Lands):** This option would allow each state to submit Abandoned Mine Reclamation on all extractive lands in an attempt to simulate permit effluent limits on extractive lands. Abandoned Mine Reclamation converts extractive areas to forest. There would be no addition of Erosion and Sediment Control 1 on extractive lands. The BMP would remain interim, and would only be available for planning scenarios. This option would violate calibration of the Phase 5.3.2 Watershed Model, and would likely over-estimate reductions to sediment and nutrients that are occurring on these lands due to permit effluent limits. This option would still make it difficult to compare extractive loads from 2015 Progress to 2015 Milestones for states who used Erosion and Sediment Control on Extractive in 2015 Milestones.

**Option 3 (ESC on Disturbed Land and AMR on Undisturbed):** This option would allow each state to submit Abandoned Mine Reclamation on only the undisturbed portion of each state's extractive lands to reflect forest cover or plantings on undisturbed areas. This option would also allow each state to submit Erosion and Sediment Control on Extractive on the disturbed portion of extractive lands to reflect permit effluent limits. This BMP reduces nutrients 25% of N, and 40% of P and TSS from extractive lands. The BMP would no longer remain interim. This option would violate calibration of the Phase 5.3.2 Watershed Model, and may over-estimate reductions to sediment and nutrients that are occurring on these lands due to permit effluent limits. This option would make it less difficult to compare extractive loads from 2015 Progress to 2015 Milestones for those states who used Erosion and Sediment Control on Extractive in 2015 Milestones.

## **Options for Simulating Extractive Land Use in Phase 6**

**Option 1 (Transition to Open Space):** This option would remove the extractive land use from the Phase 6 Watershed Model, and instead lump those actively disturbed acres into the Open Space category. The Open Space category is also the category that will house railroad and electrical line right-of-ways as well as other lands that are not typically treated by best management practices and are not easily classified as developed, agricultural or natural. This option was proposed for the following reasons:

- 1) It is unlikely BMPs will be developed for these lands as they are regulated under NPDES permit effluent limits.
- 2) It is very difficult to estimate land use acres for extractive lands based upon all the data that has been provided by jurisdictions to the Chesapeake Bay Program. Much of the data is unreliable, point data, rather than polygons and active and abandoned areas.
- 3) There have been no efforts to estimate the loading rate for extractive lands outside of using the current Phase 5 loading rates which were derived from the Phase 5 construction loading rates for nutrients and sediment.

**Option 2 (?):** There was no other option provided at today's meeting. If the Partnership wishes to have an extractive lands category in the Phase 6 Model, all three of the items under Option 1 above will need to be addressed prior to calibration in October. This will require developing a BMP expert panel to define BMPs for this land use, conducting an extensive effort to collect, report and analyze polygon data from 1985 through 2015 to estimate land use acres, and undergo an analysis of land use loading rates for these acres.