



## Meeting Minutes

### Chesapeake Bay Program

#### Watershed Technical Workgroup (WTWG)/ Agriculture Workgroup (AgWG) Joint Conference Call

Thursday, November 6, 2014

10:00 AM to 3:30 PM

Meeting webpage: <http://www.chesapeakebay.net/S=0/calendar/event/21402/>

#### **Welcome, Introductions and Announcements – Ted Tesler, PADEP and Matt Johnston, UMD**

Matt Johnston (WTWG Coordinator) provided a brief update on various 2014 Progress-related topics.

- Johnston: Meeting minutes from previous months will be posted on website, and will be approved at December meeting.
- Johnston: Quick change to NEIEN codes list: 2014 version added CAFO, AFO, and AFO/CAFO codes so you can submit your animal BMPs into those specific codes. The NEIEN appendix reflects that update.
- Johnston: NEIEN team put together an [xml](#) that shows how multiple event status codes and stormwater performance standards can be entered into an xml. By next week, the NEIEN team will update the website with xml, codes list, det and other document updates. Matt will send that around next week.
- Johnston: States must start using state-unique identifier in your xml because some bmp protocols are now state-specific.
  - Bill Keeling (VA DEQ): NRCS fence is mapped to scenario builder grass buffers, which I feel like is mis-mapped. "Residue tillage management no till" is listed as grass, but should be mapped to conservation tillage. Or is that the equivalent of HRMSD?
  - Johnston: I will have to look at that. NRCS fence is mapping to grass buffer on trp. It is up to the states with regards to how to submit that because we don't have a way to break out what is riparian and what is not. The default is pasture.
  - James Davis-Martin (VA DEQ): If you want grass buffer as trp, you have to enter it as trp.
  - Johnston: We haven't added that to the appendix as a separate BMP name.
  - Olivia Devereux (Devereux Consulting): It used to be that way, James, but we changed it because it was determined to be confusing.
  - Keeling: NRCS suspects there is a higher correlation to submit grazing as fence whether it is trp or not. We should think about that for future progress years. It is not a request for this progress year, but must be cleaned up before we look at historic cleanup
- Johnston: I am proposing the default stream restoration rate be used as the default shoreline management rate with the caveat that, since we don't have nutrients described yet, it would just be sediment reduction.
  - No opposition was raised. The proposal was adopted.

**DECISION:** The WTWG approved the new default stream restoration rate as default shoreline management rate.

#### **Nominations for BMP Expert Panels – Jeremy Hanson, VT CBPO**

Jeremy Hanson reviewed the BMP panel queue and ask for nominations for panel representation for the upcoming Manure Treatment Technology Panel and Urban Tree Canopy Panel.

- Davis-Martin: More than one WTWG volunteer should be encouraged.
- Keeling: Maybe the second volunteer could be kept as an alternate?
- Johnston: I like the idea of having one WTWG member as an alternate.
- Hanson: I'm hoping for one single representative who is fully committed.

**ACTION:** Jeremy will announce WTWG representative to the expert panels by COB Friday, November 7<sup>th</sup>.

### **Forest Buffer BMP Panel Discussion – Sally Claggett, USFS and Judy Okay, US Forest Service**

Sally and Judy described changes made to the expert panel report and technical appendix since last reviewed by the WTWG and asked for WTWG approval.

- For more information, please see their [presentation](#).
- The full report and technical appendix are available on the [event webpage](#).

**Decision:** WTWG members will be asked to approve the report and appendix for changes in the Phase 5.3.2 Model. If decision cannot be reached, members will be asked to approve documents over email following the meeting.

- Ted Tesler (PA DEP): How will we know that it was on both sides of the stream if it is not explicitly stated in the data source?
  - Judy Okay (USFS, Panel Chair): It will have to be explicitly stated or they will not receive the in-stream credit.
- Devereux: Why do you need both acres and linear feet?
  - Okay: The credit applies to linear feet, so we need it to calculate the in-stream credit.
- Davis-Martin: If you had existing forest on one side, but newly established on one side, can you get the in-stream credit?
  - Okay: No, both sides must be new in order to prevent double counting. You get credit for one side, but not the in-stream credit.
- Sally Claggett (USFS, Panel Coordinator): To clarify: NRCS data is admissible, but not for the in stream credit from a double sided buffer.
- Keeling: We may need to cap the credit based on available load if no new land use is created for a stream corridor.
- Keeling: If we can't confirm that a buffer is 35 feet, we can't report it as a buffer. So at best, a state would get the land use change.
- Johnston: There is a concern the states aren't getting that kind of data from NRCS, will the Forestry Workgroup work with NRCS to get them to provide that data to the states?
  - Claggett: Rich Batiuk (EPA, CBP) has taken the lead in that, and yes, we are trying to get that data from NRCS.
- Davis-Martin: With regards to narrow grass/forest: when we talk about buffers, they always had to be at least 35 ft., while anything narrower than that was always considered a grass forest strip, or a tree planting. Why are we adding these practices?
  - Johnston: The Agriculture Workgroup requested these practices be defined so they can see a readout that separated upslope tree plantings versus ones that are near a stream bed.
- Davis-Martin: Did the group discuss transitional types of buffers?
  - Okay: No, it has always been understood that when you have a transitional buffer with several "zones," that the buffer next to the stream must be at least 35 ft.
- Dana York (Green Earth Connection): The Resource Improvement panel called our practice a nutrient exclusion, but took the term buffer out to distinguish it. Maybe you should use the same name, if it is the same thing.
- Keeling: What phase of the model is this practice going to be approved for?
  - Johnston: Narrow buffers are for this progress year. The in-stream processing credit and double sided buffer is for Phase 6.
- Johnston: Are there comments or concerns on the appendix?
- Keeling: Put an asterisk on the table that states the in-stream credit is for Phase 6. Also put a note that states when Phase 6 is added, we will figure out if caps are needed.
- Davis-Martin: There are a lot of concerns over credit renewal.
  - Johnston: That is a big question for this group, we may need to form a subgroup to figure that out for NEIEN.
- Davis-Martin: Once a practice is verified or contract renewed, will they get another 15 years of credit?
  - Claggett: If they reenroll with a new contract, they receive 15 more years. But there are other scenarios. We hope there is documentation of checks every year or so to make sure acreage is in place.
  - Davis-Martin: That seems excessive.

- Okay: We will need to come up with some type of contract with landowner to verify how long they will maintain their buffer, even though they may not reenroll with the government program.
- Claggett: We can monitor some of these using satellite info. Most homeowners (85%) have indicated they want to keep their buffers.
- Tesler: Matt and David will make the small revisions to the technical appendix, then we will ask for approval via email.

**ACTION:** David and Matt will make the following revisions to the technical appendix: add an asterisk that states the in-stream credit is for Phase 6, and incorporate a question that expresses that a cap will be look into for Phase 6.

#### **Grey Infrastructure BMP Panel Review -- Tom Schueler, CSN**

Tom reviewed the decision by the Urban Stormwater Workgroup to approve the programmatic credit for the Phase 5.3.2 Model, and presented the technical appendix.

- Davis-Martin: The first progress year for Phase 6 would be 2018, so please update that in the appendix.
- Davis-Martin: Question about Q5 in the appendix and the language that states the areas treated by this enhanced program credit excludes all other BMPs.
  - Johnston: Tom and I can clean up that language to make sure we are clear in stating that this credit would be applied last in a treatment train.
- Keeling: So we are being asked to be approve this for the next progress year? And the individual credit will be figured out when phase 6 is finalized?
  - Tom Schueler (CSN): Correct. My understanding of the September 23rd Urban Stormwater Workgroup is that the individual credit was approved for Phase 6, but not until then.
- Davis-Martin: Wasn't there discussion that these loads would be explicitly simulated in Phase 6?
  - Schueler: Yes. Basically, the Phase 6 model will explicitly account for these loads in some part of the model. Once the Modeling Workgroup decides where that explicit load will be, the credits will be applied there. We can have the same note as in the previous panel, that a cap will be considered.
- Davis-Martin: In the intro for Part 2 of the technical appendix, state that for individual credit, the panel assumes for Phase 6 that the loads are explicitly simulated. If you do that we won't need to mention caps.
  - Schueler: I have no problem adding that language.
- Davis-Martin: Can you explain the justification for the 10 year individual credit lifespan.
  - Schueler: Yes, based on the panel's assessment of the asset management, the design life for the pipes being used is 30-50 years, so if it is breaking in some areas, the 10 years is a conservative estimate. Most of these eligible sources are pipe discharges or rewired plumbing issues. The panel felt the credit duration was the hardest to define.
- Johnston: Are there any other questions on the report or the appendix?
  - No questions or comments were raised.
- Tesler: We will send revised language out, please comment if there are any last minute questions. We will have approval via email if no concerns are raised.

**ACTION:** Matt and Tom will clean up Q5 in the technical appendix to make clear the programmatic credit will come at the end of the sequence. They will also clean up the introduction to Part 2 to state that if the load is not explicit, caps will be considered. Also correct the statement that Phase 6 will likely be 2018 rather than 2017.

#### **Historical BMP Data Cleanup – Matt Johnston, UMD**

Matt will propose a sub-group that will be responsible for recommending how lifespans are incorporated into the NEIEN system to accommodate both the historical data cleanup effort and the verification of BMPs in the Phase 6 Model.

- Johnston: Please forward us any questions about historical data submission.
- Tesler: Pennsylvania will not be looking at historic data cleanup aggressively until we are done with our

progress.

- Johnston: Reminder that the deadline for a first draft of historical BMP data to calibrate the draft Phase 6 model is next summer. It is due in September 2015.
- Keeling: We need to look at NRCS historical data mapping.
- Johnston: Charge for the panel: I recommend we form a WTWG subgroup of any interested members to address issues related to reporting verification data and credit duration.
- Davis-Martin: This should be a joint group between the WTWG and BMP verification committee.
  - Johnston: We can ask for nominations from BMP verification committee.

**ACTION:** Please submit any questions about historic data submission to Matt ([mjohnston@chesapeakebay.net](mailto:mjohnston@chesapeakebay.net)) or Jeff ([jsweeney@chesapeakebay.net](mailto:jsweeney@chesapeakebay.net)).

**ACTION:** David and Matt will ask for volunteers from WTWG and BMP Verification Committee to serve on a subgroup that will be responsible for recommending how lifespans are incorporated into the NEIEN system to accommodate both the historical data cleanup effort and the verification of BMPs in the Phase 6 Model.

**12:15 pm          Lunch Recess**

### **Joint Watershed Technical and Agriculture Workgroup Agenda**

**1:00 pm          Re-Convene with Agriculture Workgroup**

**1:05pm          Conservation Tillage Panel Report –*Panel Members***

- Panel members will give an overview of the expert panel recommendations for Phase 5.3.2. Agriculture and Watershed Technical Workgroup members will have the opportunity to ask questions and provide feedback on the panel report.

**1:50pm          Cover Crop Panel Report - *Jack Meisinger, Panel Chair***

- Jack will give an overview of the expert panel recommendations for Phase 5.3.2. Agriculture and Watershed Technical Workgroup members will have the opportunity to ask questions and provide feedback on the panel report.

**2:35pm          Nutrient Management Panel Report – *Chris Brosch, Panel Chair***

- Chris will give an overview of the expert panel recommendations for Phase 5.3.2. Agriculture and Watershed Technical Workgroup members will have the opportunity to ask questions and provide feedback on the panel report.

**3:15              Allocation of Resources to Future Expert Panels – *Mark Dubin, AgWG Coordinator***

- Mark will present the proposed allocation of resources to support future BMP Expert Panels.

**3:30              Adjourn**