

**SUMMARY**  
**Chesapeake Bay Program**  
**Watershed Technical Workgroup (WTWG)**  
**July 8<sup>th</sup>, 2013, 10:00AM – 12:00 PM**  
Conference Call  
[www.chesapeakebay.net/calendar/event/19141/](http://www.chesapeakebay.net/calendar/event/19141/)

**ACTION ITEMS & DECISIONS**

**DECISION:** The June WTWG conference call minutes were approved.

**DECISION:** Ted Tesler was accepted as the new WTWG chair.

**ACTION:** send two names to Greg ([allen.greg@epa.gov](mailto:allen.greg@epa.gov)) and Johnston ([mjohnston@chesapeakebay.net](mailto:mjohnston@chesapeakebay.net)) to share: a WIP/Milestones lead, and Annual Progress lead for each state.

**DECISION:** The four questions/answers were accepted by the workgroup for the performance standards and retrofits FAQ documents.

**MINUTES**

**Welcome, Introductions, and Announcements**

- Alana Hartman (WV DEP; WTWG Chair) welcomed participants and reviewed the day's [agenda](#).

**Announcements and Election for New Chair**

- Hartman asked for changes or comments on the June minutes (Attachment A). None were raised; the minutes were accepted as submitted.
- **DECISION:** The June WTWG conference call minutes were approved.
- Hartman noted Ted Tesler was nominated to serve as the new WTWG Chair, who accepted the nomination the previous month. She called a vote to accept Ted Tesler as the new Chair.
  - No nays were voiced; Tesler was approved as the new Chair.
- **DECISION:** Ted Tesler was accepted as the new WTWG chair.
- Chris Brosch (Virginia Tech/VA DCR) provided an update on the agriculture nutrient management expert panel.
  - There will likely be a Phase 5.3.2 revision proposal from the panel in August or early September timeframe. Discussing a three tier system focused around applied nutrient management at spatial levels (field level, sub field level, etc.). The panel is having bi-monthly calls until recommendations are ready for the Agriculture Workgroup (AgWG) and WTWG.
- Matt Johnston (UMD, CBPO) clarified that definitions would be at the spatial scales, such as sub-field, but the credit or reductions would not be at that level.
- James Davis-Martin (VA DCR): is panel considering efficiencies?

- Brosch: No official decision yet, but they seem to be leaning that way for Phase 5.3.2.
- Davis-Martin: does panel envision this as a replacement for current nutrient management as well as enhanced and decision nutrient management, or is it an alternative to those?
  - Brosch: The idea is a complete reworking of the definitions.
- Horsey: is the goal to include these in 2013 Progress Run?
  - Brosch: That's the goal. Not sure if Tier 3 will get through in time, but shooting to get Tier 1 and Tier 2 done in time.
- Keeling: if manure is included in a nitrogen-based plan, will the over application of phosphorous be dealt with?
  - Brosch: If we change the crediting of nutrient management from a reduction in nutrient application to an effective efficiency, the way Scenario Builder parses out the nutrients will not be changed. There will still be some over-applications of phosphorous. The panel will choose a phosphorous reduction efficiency.
    - Johnston clarified the manure spread will remain the same, but if the panel chooses a reduction efficiency, the efficiency will be applied after the manure spread is calculated.

### **Federal Facilities Implementation Plans and Data**

- Johnston introduced Greg Allen (EPA, CBPO) from the federal facilities team. The goal is for federal agencies to start tracking progress for their facilities and set milestones like the states.
- Greg Allen noted a lot of progress was made between the Phase I and Phase II WIPs with regards to including federal facilities and progress. He thanked some of the participants for their efforts in that regard.
  - He explained the federal facilities team has set September and December deadlines to provide progress data to the jurisdictions in advance of the 2013 progress submission deadline.
- Allen: We are looking to leverage a website that can serve as a one-stop-shop as the federal facilities build capacity for tracking/reporting practices. We've made it clear to the federal partners that they should be proactive in working with states to build input decks and reporting progress. We hope that there may be some possible contract support to help scale up BMP reporting and tracking beyond Department of Defense. We'd like to potentially schedule some meetings between fed facilities team and WTWG members or more specifically the input deck experts. Perhaps there are other potential meetings that can happen between federal facilities team members and the jurisdictions.
- Allen: Aside from DC, there were no BMP-specific milestones set for federal lands. The goal is to have practice-specific milestones for federal agencies in other jurisdictions for future milestones.
- Hartman noted the one-stop-shop Greg is requesting might be this website: [http://www.chesapeakebay.net/about/programs/watershed\\_implementation\\_plan\\_tools/](http://www.chesapeakebay.net/about/programs/watershed_implementation_plan_tools/)
  - Jeremy Hanson (CRC, CBPO): We are actually working to update the info on the "WIP tools" site and migrate it over to Chesapeake Stat, so that it will be an improved/updated one-stop-shop. This migration may take some time. Unsure of the timeframe at this point.

- Bill Keeling (VA DCR): We probably don't have time to wait for this update to ChesapeakeStat for federal facilities to report their 2013 progress to the states. The easiest approach would be for federal facilities to submit BMPs implemented post-calibration. For example, Quantico is a MS4, so they have reported implementation, and would only need to submit implementation data since their previous submission. Land use is an issue in this version of the Watershed Model.
- Martin Hurd (DDOE): understand that Sarah Sand had developed contacts in the federal agencies and received implementation data from them. The data was not necessarily labeled as federal. New implementation tracking system is in development which will flag implementation as federal facilities.
- Allen: Thankful to hear from Hurd so we can pick up where Sarah left off. The federal facilities team's calls are one potential forum to continue these discussions. Jurisdictions would certainly be welcome to participate in those conference calls. Thankful to Bill Keeling for starting to think through how data should be submitted, and to whom.
  - Keeling suggested listing federal contacts on the website as well, so the jurisdictions can determine who to contact.
    - Allen: That is potentially a very large list, but we can work to provide that resource. We asked agencies to provide a contact for every facility.
- Johnston pointed out that jurisdictions can indicate in NEIEN when practices are federal. If there is such a large list of people who will potentially submit data, we may want to consider how we can triage that down to a few key people to submit all the data to the state.
- Allen: The federal facilities team would be a manageable list of contacts for the jurisdiction data managers. The federal agencies need to know what the jurisdictions' expectations are. It seems to mostly be a matter of the states letting federal partners to know what is needed.
  - Sarah Lane: for Maryland, might be best to work through the staff-level Bay Workgroup meetings, or Bay Cabinet meetings. All the state agencies involved in Bay restoration are present.
- Allen: It would be great to have a list of one or two contacts for each jurisdiction. We had this when we coordinated with federal partners for Phase I and II WIPs, but there have been changes since then.
  - Hurd: would have to confirm who the point of contact is for DC. It would be Steve Saari, Diane Davis, or me.
  - Keeling: I've been the one responsible for tracking and submitting BMPs for last nine years. Will continue duties until told otherwise.
  - Greg Sandi (MDE): MDE is handling the progress submissions and also a lot of the technical analysis for milestones development. Would be willing to serve as point of contact on this, at least for technical aspects of tracking and reporting.
  - Tesler: For Pennsylvania, any BMPs come through the regular permitting process. Not sure to what extent they are tracked on federal land and reported to DEP. Sarah Diebel has been very helpful.
  - Fox: No updates or changes for Delaware. We only have two federal facilities.
  - Gladding: USC handles the progress submissions for all BMPs in place. Not sure who the contact would be for federal facilities, or if federal partners would need

to pass data to DEC before passing it on to USC. Will find this out and report back.

- **ACTION:** WTWG members should send two names to Greg ([allen.greg@epa.gov](mailto:allen.greg@epa.gov)) and Johnston ([mjohnston@chesapeakebay.net](mailto:mjohnston@chesapeakebay.net)) to share: a WIP/Milestones lead, and Annual Progress lead for each state.
- Davis-Martin: in NEIEN and Scenario Builder, can we distinguish federal land use groups from non-federal, so we can attribute federal BMPs only to federal lands, and non-federal BMPs to non-federal lands.
  - Jess Rigelman (J7 LLC): there is an attribute that passes from NEIEN to Scenario Builder, but this has not been used before.
  - Hurd: There is an implementation modifier code in the NEIEN codes list, which can specify if implementation occurred on federal land or a combination of land types.
- Davis-Martin: Intent should be that federal agencies eventually are able to provide the XML file to the jurisdictions so they can simply plug it into NEIEN. Is that the goal?
  - Allen: Yes. First we need to build awareness and knowledge of the XML format in the federal agencies.
  - Davis-Martin: We also discussed Milestone input decks. Do you also anticipate facilities scale programmatic milestones being developed?
  - Allen: Yes, think so. The programmatic milestones were reflected in two ways. There were extensive and broad programmatic milestones in the Executive Order; in a way they were also described in the WIPs. Do not know exactly how this will play out.
    - Davis-Martin: Might be interesting question to bring to the Milestones Workgroup as well.
  - Keeling: is the fed facilities team following the BMP verification effort?
    - Allen: Off-hand not sure who
    - Hanson: Eddie DuRant (Dept. of Defense) was a participant on the BMP Verification Committee. Now that he retired Melanie Frisch (Dept. of Defense) serves on the Committee.
- Allen: Would appreciate an opportunity to set aside an hour to bring some federal facilities team members to the workgroup during its next meeting.
  - Hartman: Probably depends on the specificity of their concerns. Would not be a constructive use of time if the concerns or questions are specific to one jurisdiction.
  - Sandi: We need to follow-up with local governments, since some of the counties have been working with bases.
- Allen: We want to use time before deadline so that there is communication before the fall deliverables. Next fed facilities call will be late July or early August. Can discuss the approach then. Perhaps more efficient to have state specific calls and invite federal partners to join and ask questions.

#### **Technical Appendix Requirement for BMP Protocol**

- Johnston explained the recommended proposal ([Attachment B](#)). Essentially, the proposed addendum would allow panels to make incremental recommendations for the

near term. The panel could then make recommendations for the next version of the Model. So it essentially allows the panel to propose a portion of their report.

- Goulet: is this at the discretion of the panel?
  - Yes. If there are no recommendations for Phase 5.3.2, the it's the decision of the panel.
- Goulet: Suggest re-wording. Right now it seems worded for the states. Concern is that we could be adding to the workload of the panels. Should be at discretion of the experts.
- Davis-Martin: Think it should go either way. If the partnership requests interim recommendations for the current Model,
- Goulet: Would agree with the incremental recommendations if it is part of the charge. Could be disingenuous to ask for incremental recommendations halfway through the panel process.
- Johnston: The second portion of the addendum is about technical appendices. Previous panels' recommendations have been stalled because there were specific Scenario Builder considerations, reporting requirements, or other technical aspects that were not fully spelled out in the report. The technical appendices would be developed by the expert panel with assistance from the CBPO Modeling Team. The appendices would be developed as the panel drafts their report, so that both are available when the report is released for partnership approval.
  - Davis-Martin: concerned that this seems like Scenario Builder team is taking over the role for the WTWG to resolve these issues.
  - Johnston disagreed, noting the WTWG would still determine how these technical issues are resolved in the modeling tools. The technical appendix would simply allow the experts and the Modeling Team to develop the draft for the WTWG to consider.
  - Davis-Martin: The Scenario Builder team sometimes interprets the panel reports differently than the jurisdictions or the WTWG members. The Scenario Builder team could still make the initial attempt, but share it with the WTWG earlier on.
- Johnston asked for remaining comments or questions on the draft addendum.
  - None were raised.
- Johnston: will convey Goulet's and Davis-Martin's point to the WQGIT this afternoon.
- **Post-meeting note:** the addendum was presented to the Water Quality GIT on July 8<sup>th</sup> and accepted on July 16<sup>th</sup>.

### **Frequently Asked Technical Questions for Stormwater Performance Standards and Retrofits**

- Johnston explained the issues ([Attachment C](#)) were framed as “frequently asked questions” so they could be added to the reports as a technical appendix.
  - See the slides for more details.
- Historic BMP Data and [slide 2]
  - Jennifer Volk (University of Delaware): is removal of example 5 acres automatic, or do the states need to specify?
    - Johnston: That's correct, Scenario Builder will do it for you.
    - Tesler: will there be some kind of report to indicate this removal occurred?
      - Johnston: Yes. We can set that up.

- Practice lifespan [slide 3]
  - Johnston noted the partnership is still considering draft verification protocols, so the details on this could still change before the protocols are final.
  - Davis-Martin: so if there is a verification inspection after five years, would the 10 years be renewed?
    - Johnston: Correct.
  - Hurd: so if installed in 2013, inspected in 2018, would the record submitted in 2013 need to be updated?
    - Johnston: We'll be discussing how history will be handled going forward, since in the future, historical data will be pulled directly from NEIEN.
- Not enough land for practice [slide 4]
  - Davis-Martin: are extractive and construction included in this discussion as urban?
    - Johnston: No.
  - Davis-Martin: how does this align with scale aggregation proposal?
    - Johnston: We haven't worked that out yet. We'll take a look at that report back.
  - Keeling: It's my understanding that with roll-up there will not be a cutoff issue per se.
    - Rigelman: There is always potential for cutoff.
  - Davis-Martin: If a historical practice gets rolled up and distributed in a different land river segment
    - Johnston: Scenario Builder pulls directly from NEIEN each year. So for example, jurisdictions would always be able to adjust their 1997 wet pond distribution.
      - Keeling: It depends on what data is available and the scale submitted for Phase 6 historical implementation.
    - Johnston: Correct. This is an overarching issue, not just for performance standards and retrofits.
- Question from USWG—Could newer practices be credited first, before historical practices? [slide 5]
  - Johnston: the math works out the same. However, it would take a lot of effort to switch around this order, but the USWG suggested that these are our most important practices going forward. Could place retrofits or performance standards BMP at top of list for Scenario Builder's order of operations.
  - Johnston asked for comments or concerns.
    - Davis-Martin: Understand that the math makes the most sense. Downside is that if we lop off excess from the front end, we might be cutting off practices that still have full lifespan ahead, rather than ones that may be near end of lifespan.
    - Johnston: Correct, that's what this would help correct.
- Hartman called for votes on each issue.
  - Issue one
    - No objections raised, the text was accepted.
  - Issue two:

- Davis-Martin: This talks about a broader range of BMPs, maybe more appropriate as technical appendix to individual BMPs.
  - Goulet: this pertains just to performance standards and retrofits.
  - Davis-Martin: Then no objections.
  - No objections raised, the text was accepted as written.
- Issue three:
  - Keeling: We had noted the roll-up and potential resolution to cutoff.
  - Johnston: roll-up will not solve all cutoff, but it will solve a lot of it.
    - Keeling: when we submit WIPs and Milestones at statewide level there's no cutoff. So it depends what scale it is rolled up to.
    - That's an issue that affects other BMPs as well.
  - Davis-Martin: So this might be overwritten by a future decision on roll-up.
  - No objections raised, the text was accepted.
- Issue four
  - Goulet: The USWG has already discussed this in June, nothing's changed since then. It won't need to go to them.
  - No objections raised, the text was accepted.
- **DECISION:** The four questions/answers were accepted by the workgroup for the performance standards and retrofits FAQ documents.

### Update to 2006-2009 Data

- Johnston noted the time and moved on to introduce Vladi Royzman (Tetra Tech). See section below. After Royzman introduced himself, Johnston briefly reviewed some [slides on historic BMP data for progress](#).
- Johnston: Proposal to remove historical data from Scenario Builder and house all historical data in NEIEN, which would require CBPO, the jurisdictions, and Tetra Tech to convert all the data to XML.
- Johnston explained the recommendation for 2014 Progress, noting a decision would not need to be made that day: jurisdictions will have opportunity to edit 2006 through 2009 data directly into NEIEN.
  - Keeling: What about data that does not lend itself to the NEIEN schema?
    - Johnston: This may take significant time from the partners and that's why we're starting this effort now.
  - Davis-Martin noted confusion between the slide and the agenda.
    - Johnston: we'll tackle this in more detail at a future meeting.
  - Horsey: Is this proposal then floated by the sector workgroups? Would that be the appropriate place to start.
    - For NEIEN data, the WTWG is the appropriate place to start. First time this has been shared, so it has not yet been discussed by sector workgroups.
  - Volk: Is this an opportunity, or a requirement, to convert all this data?
    - Johnston: This recommendation says that the 2006, 2007, 2008 and 2009 data would be pulled from NEIEN, so the data would need to be there. But we can discuss if this should be more a 2015 issue.
  - Rigelman: Right now, data from 2010 and later is in NEIEN. The idea is that if we get the 2006-2009 data, then at least the jurisdictions have a starting point.

- Keeling: concerned about what is exactly in Scenario Builder. The 2008 Progress was done in Phase 4.3, so the data was submitted at that Watershed Model Segment Scale.
  - Rigelman: You would not have to use the data we give you from Scenario Builder. You would have the opportunity to change it.
- Hartman: We will table this for now since we are out of time. Can continue discussion at future meetings.

### **Introduction to New NEIEN Lead**

- Vladi Royzman (Tetra Tech) has worked with NEIEN since 2003.
  - Royzman explained some of Tetra Tech's focus over the coming months, including four different things:
    - Updates to the 2006-2009 data and mapping it to the NEIEN schema
    - Updates to the NEIEN schema
    - Updating the plug-in and nodes and enhancements to procedures
    - Supporting jurisdictions through 2013 Progress.
  - Johnston asked jurisdictions to forward specific requests for TetraTech support they would need to submit 2013 Progress data. He explained that the new TetraTech contract had very few hours, if any to support data submissions for this year. He explained that EPA's contract staff would look over the requests and get back to each jurisdiction.

### **Potential future agenda items**

- Hartman: perhaps we can discuss the possibility of an abandoned mine reclamation BMP expert panel.
  - No other agenda items were suggested.
- Tesler and others thanked Hartman for her year as Chair.

**Adjourned 12:00 PM**



### Conference Call Participants

<b><u>Name</u></b>	<b><u>Affiliation</u></b>
Alana Hartman (Chair)	WV DEP
Matt Johnston (Coord.)	UMD, CBPO
Jeremy Hanson (Staff)	CRC, CBPO
Greg Allen	EPA, CBPO
Bryan Bloch	DE DNREC
Chris Brosch	Virginia Tech/ VA DCR
James Davis-Martin	VA DCR
Olivia Devereux	Devereux Consulting
Marcia Fox	DE DNREC
Steve Gladding	NYS DEC
Norm Goulet	Northern VA Regional Commission
Beth Horsey	MDA
Marty Hurd	DDOE
Bill Keeling	VA DCR
Sarah Lane	UMD/MD DNR
Jess Rigelman	J7 LLC
Vladi Royzman	TetraTech
Greg Sandi	MDE
Ted Tesler (Chair-elect)	PA DEP
Jenn Volk	U. of Delaware
Dana York	Green Earth Connection, LLC