

CHESAPEAKE BAY PROGRAM
WATER QUALITY GOAL IMPLEMENTATION TEAM
NOVEMBER 12, 2013 CONFERENCE CALL MINUTES
Conference Call Phone Number: 866-299-3188 **Code:** 410-267-5731
Adobe Connect: <https://epa.connectsolutions.com/waterqualitygit/>

ACTION ITEMS AND DECISIONS

ACTION: Brian Benham will discuss with Jenn Volk, Lucinda Power and Rich Batiuk options for partnership input in the proposed panel process.

DECISION: WQGIT members approved the Shallow Water Assessment method.

MINUTES

1. Welcome/Confirm Call Participants and Updates

- Jenn Volk, Acting Chair, welcomed everyone to the call and confirmed call participants.

2. Virginia Tech Cooperative Agreement

- Brian Benham (Virginia Tech) gave an overview of the recently awarded [cooperative agreement](#) with Virginia Tech.
- Rich Batiuk (EPA): The RFP was initiated in response to partnership concerns about the efficiency of panel process.
- James Davis-Martin (VA): Will the jurisdictions have input in the expert panel nomination process?
 - Brian Benham: The panel chairs would be responsible for identifying appropriate experts to serve on the panels. The project lead and coordinator are intended to be liaisons to the partnership.
- JDM (VA): Will this new process limit jurisdictions' flexibility to re-direct panels to meet partnership's needs?
 - Lucinda Power (EPA): The incremental decision making that was decided by WQGIT was written into the BMP protocol. This process will continue to follow the BMP protocol.
- Beth McGee (CBF): Concern that the WQGIT is not a part of the evaluation process in selecting panel chairs.
- JDM (VA): Recommend keeping the entire process within the partnership at all stages.
 - Benham: Additional members could participate on the advisory committee.
 - Batiuk: Recommend that Brian and Jenn work with Rich and Lucinda to work out these individual issues.
- Volk: What is the process for BMP panels that are already convened?
 - Power: Recommend that these existing panels continue on their current process, and that newly convened panels would follow the new process. However, this distinction is not yet final and suggestions are welcome.

ACTION: Brian Benham will discuss with Jenn Volk, Lucinda Power and Rich Batiuk options for partnership input in the proposed panel process.

3. Shallow Water Assessment in the Open Water Designated Use

- Peter Tango reviewed the discussion on the Shallow Water Assessment method, which was presented to the WQGIT in October.
 - Historically the shallow water was included in the open water segments in terms of assessments.
 - The recommendation is to keep shallow water within the open water designated use, and to continue to support the CBP partners' option for assigning sub segmentation of shallow water habitat in special cases.
 - Jenn Volk: If there are no objections, WQGIT will approve this method.
 - No objections were raised.

DECISION: WQGIT members approved the Shallow Water Assessment method.

4. BMP Verification

- Rich Batiuk (EPA) updated WQGIT members on the progress of developing the BMP Verification Framework and the [proposed schedule](#) and next steps in the coming months.
- Once the workgroups are in agreement on next steps, the verification committee will be requesting WQGIT approval.
- Ted Tesler (PA): Noted difficulty of a final approval date that is a year out.
 - Batiuk: Both the committee and the panel of experts need time to come to agreement. Given that this is the first approach of its type, best to ensure that everyone approves. Will likely return to WQGIT in January to discuss this topic further.
- Davis-Martin (VA): Noted that only allowing jurisdictions half a year to develop the enhanced BMP tracking, verification and reporting may not be enough time. The timeframe coincides with progress reporting too.
 - Batiuk: Expecting that jurisdictions can begin working on this before PSC approval, when most of the major issues have been resolved.

5. Functional Equivalence of Best Management Practices

- On behalf of the Maryland Department of Agriculture, Dana York presented [recommendations from MDA](#) for crediting non cost-shared BMPs, which were recently shared with the Agriculture and Watershed Technical Workgroups.
- McGee: What was the most common uncounted practice found?
 - York: Buffers of varying widths, stream exclusion with only a single strand of electric fence, animal waste structures for horses, and switchgrass planting on Eastern Shore.
- McGee: What was the reason for crediting smaller width buffers?
 - York: There is currently no expert panel recommendation on buffer width. A future panel will be asked to address this and make recommendations.
- Ann Swanson (CBC): Recommend a process to address the buffer width.
 - York: Maryland hopes to use the data collected by reporting non cost-shared for a future expert panel to use in forming their recommendations.

- Dave Montali (WV): Are horse operations reported in animal units?
 - York: Reported both as animal units and as a system.
- Davis-Martin (VA): Noted the difference between determining functional equivalence to NRCS standards rather than to Chesapeake Bay Program definitions.
 - York: It was necessary to have very specific definition for field staff to assess functional equivalency. Conservation districts' field staff were familiar with NRCS standards. Whether or not a Functionally Equivalent BMP receives the same BMP efficiency will be a separate decision.
- Davis-Martin (VA): There could be even more reportable non cost-share BMPs, not limited to just those meeting NRCS standards.
 - York: MDA is only proposing the 14 BMPs listed here.

6. Wastewater Indicator

- Tanya Spano, Wastewater Workgroup Coordinator, reported on Maryland's planned use of a [supplemental indicator](#), following recommendation by the Wastewater Workgroup. This supplemental indicator is not intended to replace the indicator used by everyone else.
- McGee (CBF): What is the difference between the former supplemental indicator and this new indicator?
 - Greg Busch (MD): The former counted permits and showed progress, this one reflects loads accounting for rainfall.
 - Spano: Accounting for rainfall will become important in the future.
- Nita Sylvester (EPA): Is the Wastewater Workgroup planning to eliminate the past supplemental indicator?
 - Spano: The workgroup has not yet discussed this.
 - Sylvester (EPA): Note that the current indicator supplies information for all jurisdictions, while this new one only accounts for MD. The workgroup should keep this in mind.

Adjourned

Next WQGIT Conference Call:

December 9, 2013

1:30 P.M. – 3:30 P.M.

Participants

Jennifer Volk (vice chair) U Delaware

Lucinda Power (Coordinator) CBPO

Eric Aschenbach, VDH

Rich Batiuk, EPA

Brian Benham, VT

Karl Berger, MWCOG

Pat Buckley, PA DEP

Dinorah Dalmasy MDE

James Davis-Martin, VA DCR

Steve Hann, HRMML

David Koran, USACE

Beth McGee, CBF
Bruce Michael, MD DNR
Dave Montali, WV DEP
George Onyullo, DDOE
John Schneider, DNREC
Kim Snell-Zarcone, Conservation PA
Helen Stewart, MD DNR
Ann Swanson, CBC
Jeff Sweeney, CBPO
Nita Sylvester, EPA
Peter Tango, USGS
Larry Tennity, NRCS DE
Ted Tesler, PA DEP
Emma Giese, CBPO
Ruth Izraeli, EPA
Aaron Ristow, Upper Susquehanna Coalition
Bill Angstadt, Delaware Maryland Agribusiness Association
Tanya Spano, MWCOG
Dana York, MDA
Ron Entringer, NY
Matt Monroe, WV
Alana Hartman, WV DEP
Suzanne Trevena, EPA
Jen Sincock, EPA
Greg Busch, MDE
Julie Mawhorter, USFS