

Pennsylvania Chesapeake Bay Phase 3 Watershed Implementation Plan (WIP)
 Steering Committee
 April 3, 2017 Meeting Minutes
 Approved May 8, 2017

Members Present:

Name	Agency
Patrick McDonnell	Department of Environmental Protection (DEP)
Dana Aunkst, Alternate	
Cindy Adams Dunn	Department of Conservation and Natural Resources (DCNR)
Sara Nicholas, Alternate	
Russell Redding	Department of Agriculture (PDA)
Greg Hostetter, Alternate	
Carlton Haywood	Interstate Commission of Potomac River Basin (ICPRB)
Andrew Dehoff	Susquehanna River Basin Commission (SRBC)
Andrew Gavin	
Representative Garth Everett	Chesapeake Bay Commission (CBC)
Ann Swanson, Alternate	
Paul Marchetti	Pennsylvania Infrastructure Investment Authority (PENNVEST)
Brion Johnson	
Karl Brown	State Conservation Commission (SCC)

WELCOME

Acting Secretary Patrick McDonnell opened the first meeting of the steering committee by describing the expectations over the next year and a half to develop a written living document that the Commonwealth can all work with to achieve the goals of clean water. While DEP has the lead in finalizing the WIP with EPA and the Chesapeake Bay Program Partnership, this steering committee has a key role in developing the recommendations as to its content. He further emphasized the importance of the discussions over the coming months with the intent of achieving consensus whenever possible.

Secretary Cindy Dunn followed with a brief overview of what DCNR has to offer in the way of resources and priorities, with a focus on Land and River Conservation Programs and Riparian Buffers. Secretary Russell Redding followed with a summary of all the momentum that has been achieved in the agriculture community over the past year with the PA in the Balance initiative and the Chesapeake Bay Restoration Strategy. To move forward and continue to make progress will not be an easy lift. It will be necessary to be realistic and transparent with a common message of clean water and viable farms.

GAME PLAN FOR SUCCESS

Patrick McDonnell proceeded to provide an overview of the "Game Plan for Success" documents, highlighting the general working rules, the framework for the workgroups and the proposed outline for the final Phase 3 WIP. He emphasized that the workgroups need to be kept small, but all voices will be heard through additional public engagement efforts. A copy of these documents is posted to the DEP website. There were some questions regarding how Conowingo Dam will be addressed (a further

briefing on Conowingo Dam will be provided) and the timeline for the convening of the workgroups (late summer). Further comments received on the framework for the workgroups include:

- Communications will be critical, within each sector and across sectors. There was discussion of a communications workgroup, but the conclusion was to have DEP provide a more detailed presentation of the Communications Strategy now under development. The steering committee can be engaged through this strategy and coordination with appropriate communication office staff.
- Each workgroup should look at technology, what is needed and the greatest opportunities for innovative technology and how to fund innovative new approaches.
- Targeting should factor into each workgroup's discussion. Where BMPs are placed is as important as what, when and how they are implemented.
- Workgroups should identify what resources are needed, the policy decisions needed and any barriers to success. The plan can identify needed policy changes, without necessarily having all those changes in place right away.
- May need to look at composition of the steering committee and the co-chairs of workgroups to see: (1) what role the Natural Resources Conservation Service (NRCS) should play since they are the largest funding source for agricultural best management practice cost-share funding and (2) if an additional co-chair for the Agricultural Workgroup is needed due to the large impact of the agricultural sector on the Chesapeake Bay.
- Coordination and communication with EPA is critical. The DEP Chesapeake Bay Program Office (CBPO) has established a working team with representatives from both the Annapolis EPA Office and Region 3, Philadelphia to assist in the development of the Phase 3 WIP. Working drafts of the Phase 3 WIP will be shared with EPA as they are developed to ensure compliance problems with the EPA Expectations Documents are avoided. In addition, the workgroups are able to ask for EPA personnel to attend their meetings as needed.

Action: Members should send an email to Nicki with any comments or concerns about the composition of the workgroups and the co-chairs by the end of the week (April 7) so that the co-chairs can be present at the next meeting of the steering committee.

MIDPOINT ASSESSMENT AND EXPECTATIONS PRESENTATION

Nicki Kasi provided a presentation on progress made as demonstrated through the monitoring trends. She also identified the following four key expectations EPA identified in their Interim Expectations document published on January 19, 2017:

- Programmatic and numeric implementation commitments for 2018-2025
- Strategies for engagement of local, regional and federal partners in implementation
- Account for changed conditions: climate change, Conowingo Dam infill, growth
- Develop, implement local planning goals below the state-major basin scales

She also went over the schedule for the midpoint assessment now underway by the Chesapeake Bay Program and the development of the Phase 3 WIP. She identified the key component of the Phase 3 WIP will be the development of local planning goals. These goals can be defined as:

- Jurisdictional Boundaries (County, Township, Borough, Conservation District)
- Federal or State Facilities
- Regional Entity Boundaries (River Basin Commission, Planning Commission)
- Watershed or sub-watershed
- “Segment-shed” as defined in the TMDL
- Area with a defined need for pollutant reduction (ex. MS4s)
- Targeted area with high pollutant loadings

A copy of the presentation is posted to the DEP Website.

Comments from steering committee members:

- Need to add sediment charts to the presentation to understand the contributions from each sector to the sediment loadings.
- Need to look at the full picture when analyzing the monitoring data. In some sub-watersheds where the monitoring data shows progress there are still huge loads where significant progress can be made.
- A clear understanding of EPA’s expectations is needed. This is critical to prioritizing needs and leading the discussion about allocations of new and existing resources. Given the administrative cuts and the limited technical assistance capacity, conversations with EPA and the Chesapeake Bay Program Partnership may be necessary. The allocations to Pennsylvania should be comparable to the task.
- In developing the Phase 3 WIP, transparency will be critical concerning the tradeoffs Pennsylvania will be expected to make to achieve these reduction goals. Realistic expectations need to be established and a good faith effort made to achieve them. What is Pennsylvania willing to “trade away” to meet the TMDL goals?
- There are bigger issues in the agricultural community that must be part of this discussion.
- While Pennsylvania admits to not achieving the progress it committed to, the Phase 3 WIP needs to show the effort and commitment as to what the Commonwealth will do. If Pennsylvania shows this level of effort the agencies and the Bay Program Partnership will listen.
- Regardless of the Bay Program, due to Pennsylvania state law and existing court cases, there is an obligation for this effort to move forward. There will need to be a change in policy, both statutory and programmatic and some hard decisions made over the coming months. This effort needs to have a local water quality focus, with Commonwealth-wide effects.

FUTURE BRIEFINGS AND WRAP – UP

Patrick asked the members for topics where they wanted further information. A schedule for presenting these materials over the summer will be presented to the committee at the May meeting. Topics included:

- Phase 1 and 2 Watershed Implementation Plans – Panel discussion from local government and conservation district people.
 - Lessons Learned
 - Obstacles and Challenges
 - What does this plan mean to them

- Progress Made – DEP Chesapeake Bay Program Office
 - What has worked, what has helped us to achieve the progress we have made?
 - What is the investment we have made so far and where?
 - Current, up to date numbers by sector that everyone is comfortable with
 - Information should be by sector, by priority area
 - We are coming up short, why?
- Monitoring and Trends – Susquehanna River Basin Commission, DEP Bureau of Clean Water
 - Further detail on results and trends
 - How can monitoring be used to document progress
 - Further clarification on the right balance between monitoring and modeling
 - Background information to ask the right questions
- BMP Research – DEP Chesapeake Bay Program Office
 - What new evolving BMPs are out there, the results of the Bay Program Expert Panels
 - What BMPs are the other states using that are succeeding that we can utilize, what new practices are they going to rely upon
 - Other tracking tools
 - Best bang for the buck BMPs
- Midpoint Assessment Issues as they evolve – DEP Chesapeake Bay Program Office
 - Conowingo Dam
 - Sector Growth
 - Climate Change
- Communication Strategy

Members were reminded to send comments to Nicki concerning the framework for the workgroups and the Co-chairs by the end of the week (April 7). Meeting adjourned at 3:00 pm.