Pennsylvania Chesapeake Bay Phase 3 Watershed Implementation Plan (WIP)
Steering Committee
October 19, 2017 Meeting Minutes
Approved: November 30, 2017

Members Present:

Name	**Agency**
Patrick McDonnell	Department of Environmental Protection
Russell Redding	Department of Agriculture
Cindy Dunn	Department of Conservation and Natural Resources
Sara Nicholas, Alternate	
Karl Brown	State Conservation Commission
Brion Johnson	Pennvest
Andrew Dehoff	Susquehanna River Basin Commission (SRBC)
Andrew Gavin, Alternate	
Marel King, Alternate	Chesapeake Bay Commission
Matt Keefer	Forestry Workgroup Co-Chair
Katie Ombalski	Forestry Workgroup Co-chair
Doug Goodlander	Agriculture Workgroup Co-Chair
Greg Hostetter	Agriculture Workgroup Co-Chair
Lisa Schaefer	Local Planning Goals Co-Chair
Davitt Woodwell	Local Planning Goals Co-Chair
Steve Taglang	Local Planning Goals Co-Chair
John Brosious	Wastewater Workgroup Co-Chair
Jay Patel	Wastewater Workgroup Co-Chair
Felicia Dell	Stormwater Workgroup Co-Chair

Other Attendees:

Federal Agencies:

Matt Johnston, EPA Chesapeake Bay Program Office
Mike Langland, US Geological Survey
Lucinda Power, EPA Chesapeake Bay Program Office
Curtis Schrefkler, US Geological Survey
Emily Trentacoste, EPA Chesapeake Bay Program Office
Suzanne Trevena, EPA Region 3 (via webinar)

DEP:

Katie Hetherington-Cunfer
Nicki Kasi
Natahnee Shrawder
Kristen Wolf
Hayley Jeffords
Jessica Shirley
Ted Tesler

Other State Agencies:
Kenda Gordner, PennDOT
Kelly, O-Donnell, PDA (via webinar)
Sam Robinson, Governor's Office
Teddi Stark, DCNR

Other Governmental Agencies:
Kimberly Dagen, Susquehanna River Basin Commission
Tyler Shenk Susquehanna River Basin Commission
Jamie Shallenberger, Susquehanna River Basin Commission

Other:
Carol Collier, Academy of Natural Sciences (via webinar)
Ben Daniels, Greenlee
Ryan Davis, Alliance for the Chesapeake Bay
Frank Dukes, Institute for Environmental Negotiation, University of Virginia
William Fink, CVCC/CFG
Adrienne Gemberling, Chesapeake Conservancy (via webinar)
Shannon Gority, Capital Region Water
Jeremy Miller, Hampden Township
John Seitz, York County Planning
Kim Snell-Zarcone, Choose Clean Water (via webinar)
John Thomas, Hampden Township
Chris Thompson, Lancaster County Conservation District
Ezra Thrush, PennFuture (via webinar)
Kristopher Troup, North Londonderry Township (via webinar)
Roger Varner, Ecology and Environment, Inc. (via webinar)

Welcome and Introductions – Patrick McDonnell, Secretary, DEP
Secretary McDonnell opened the meeting at 1:00 pm.

Approval of Meeting Minutes – All
Approval of the meeting minutes for the August 24 and September 27 meetings of the Steering Committee was deferred to the November meeting to allow members sufficient time to review the draft documents.

Introduction of Facilitation and Engagement Team –
Jennifer Handke, Consulting With A Purpose
Dr. Frank Dukes, Institute of Environmental Negotiation
Nicki introduced the Facilitation and Engagement Team. They were contracted to help the committee and workgroups with future local engagement and the facilitation of future meetings. Frank and Jennifer discussed the skills and strengths they bring to the process as follows: Frank has considerable experience working on the Bay TMDL issues, both as a facilitator and as the evaluator who wrote about lessons from Phases I and II in the Chesapeake Bay Stakeholder Assessment. He and his Institute for Environmental Negotiation at the University of Virginia colleagues helped plan and facilitate the June 5 Kickoff and Listening Session. Jennifer also

brings extensive experience to the facilitation team. Before starting her consulting business in 2005, she was the creator and Director of the Center for Collaboration and Environmental Dispute Resolution at DEP. Examples of her work include designing public engagement and providing facilitation services for the 21Century Environment Commission and the Pennsylvania State Water Plan.

The 2017 Chesapeake Bay Midpoint Assessment, the Year of Decision – Lucinda Power, EPA Chesapeake Bay Program Office

Lucinda Power provided an overview of the major decisions facing the Chesapeake Bay Partnership relative to the Midpoint Assessment and the schedule for completing the assessment. These decisions include:

1. Final approval of the Phase 6 Modeling Tools.
2. Definition of Planning Targets by Jurisdiction and Major River Basin – these numbers are changing due to refinements to the modeling tools caused by the addition of best management practices and a new understanding of their effectiveness, the addition of high resolution land use data and the use of additional monitoring stations for calibration. These numbers will also be modified based on Partnership decisions to address changed conditions for Conowingo Dam, climate change and sector growth, described below.
3. Conowingo Dam – In 2010, when the original Total Maximum Daily Load (TMDL) was written, it was anticipated that this dam would not reach equilibrium for another 15 to 30 years. New research indicates that this dam has reached equilibrium early, where an additional nutrient and sediment loading is now reaching the Bay that must be accounted for and addressed. There are four options now being evaluated for allocating this additional loading. Another consideration is the timing for when this additional loading must be addressed.
4. Climate Change – Climate change will cause an increase in temperature, precipitation volume and precipitation intensity. These will all have different impacts within the watershed and in the estuary. Between now and 2025 these impacts are minimal. However, over time these impacts will become more pronounced. The Partnership is looking at both a quantitative and a qualitative option to deal with Climate Change between now and 2025 as part of the Phase 3 WIP.
5. Accounting for Growth – The additional nutrient and sediment loading that will result from an increase in population and change in land use over time must also be accounted for within the Phase 3 WIP. The states will be given the option of using one of three base scenarios to plan against for the Phase 3 WIP or devising their own strategy for accounting for this growth. The three scenarios are:
    a. Current Zoning – Growth focused towards local areas zoned to accommodate it.
    b. Current Zoning Plus – Current policy combined with growth focused in areas with planned infrastructure
    c. Conservation Plus – "Current Policy Plus" combined with aggressive land conservation, accelerated infill/redevelopment and upzoning urban and downzoning rural areas.

The next steps and schedule includes:

1. Final calibration of Phase 6 Modeling Tools
2. December 19-20, 2017 – Principal Staff Committee Meeting to make decisions described above

3. December 22 through April 20, 2018 – Review of draft planning targets
4. May 7, 2018 – Release of Final Planning Targets
5. February 8, 2019 – Draft Phase 3 WIP submitted for review
6. June 7, 2019 – Final Phase 3 WIP posted on website.

Some points from the Steering Committee:

- In looking at the methodology and the 20% difference between the most effective and the least effective basin, it doesn't look that bad in that no one basin is that different from another.
- The planning targets would have stayed the same if there had been no changes in the existing data and our understanding of that data. This is one reason why the 2017 Progress data will be assessed using the Phase 5.3.2 version of the Watershed Model.
- The initial loading of 1 million pounds of phosphorus from Conowingo can be as high as 1.6 million pounds if this loading is spread across the entire watershed. It doesn't decrease Pennsylvania's share that much to spread the load. However, it may make sense from a cost-effectiveness standpoint to spread the load across the watershed to get the last remaining pounds of phosphorus.
- Dredging is one possible solution for Conowingo that will probably be factored into the response, depending on the results of Maryland's pilot project.
- For the first time, the modeling tools now in place can start to link the implementation work in the watershed to the water quality response in the Bay in terms of such indicators as Submerged Aquatic Vegetation and size of oyster beds.

Potential Process to Develop Local Numeric Goals –
Lisa Schaefer, Co-Chair, Local Area Goals, Priority Areas & Practices Workgroup
Matt Johnston, University of Maryland, EPA Chesapeake Bay Program Office

Lisa Schaefer opened the discussion with an overview of the direction the workgroup has taken in developing a methodology for defining local planning goals. In looking at the tools and data shared by the Bay Program and the SRBC at previous meetings of the Steering Committee, the workgroup realized they needed to take a step back in the development of a "decision matrix" for the definition of local planning goals. They have a framework started for "cutting up the pie" that they want to present. After the presentation the workgroup has a series of questions for the steering committee, with the focus being on does this framework make sense as a starting point?

Matt Johnston provided an overview of a three-step process to define local numeric goals as follows:

1. Convert the Pennsylvania Planning Targets for the Bay ("diet) into the equivalent Local Pennsylvania stream "diet". This means converting the nutrient and sediment loadings delivered to the Bay to the equivalent edge of stream loading delivered to Pennsylvania local streams.
2. Choose a geographic scale to split up the diet. Matt presented four options including small watershed (HUC-10 or 12) of which there are 122, county (43), sub-basin (6) or major river basin (3). Keep in mind that whatever geographic scale is selected, the data can be provided to localities at any level.
3. Define the expectation for percent of effort to be achieved. Two options were presented including; (1) each area does the same percentage of all POSSIBLE BMPs, or (2) those areas with a greater impact to local waters would receive a greater percentage of effort.

Matt then provided an example as to how this would work using counties as the geographic scale selected. He further highlighted how this approach could be tiered and prioritized for implementation. The next step after the numeric goals is critical. This is where local engagement will be crucial. This is where key practices will be identified and what can actually be achieved defined to help the Steering Committee and workgroups determine priorities for funding, targeting and the refining of programs and policies.

Clarifying points from the Steering Committee:

1. Sector growth and projections would have to be added or subtracted from the original numeric goals.
2. The numeric goals can be broken out by sector and acreage.
3. The percentage of effort would be equal for each source sector within a local planning area.
4. This methodology does not address local impairments. There will need to be a separate analysis to see if the percent reduction achieved within each local area will also address the local stream impairment or not.

Feedback to the Local Area Goals, Priority Areas and Practices Workgroup – All

The workgroup presented the following question and decision points:
Does this process make sense as a way of examining what local areas should be and what goals should be given to those areas:
Decision point: Who makes the final determination on local areas and goals?
Decision point: Who makes the final determination on level of effort?
Decision point: What is needed from the Local Areas Goals Workgroup and when?

Karl Brown questioned whether or not this process makes sense. If this process means a way to allocate resources, then yes it does. If this means the locals get a number, what makes them act on that number? Lisa Schaefer's answer was that this would be the next step for local engagement. Steve Taglang added this is a way of breaking down the task into smaller numbers. Secretary Redding added that at least this gives us a common denominator. Now there needs to be a way to factor in other elements that are important to us. These factors need be embedded into the conversation so that this is more than a simple assignment of responsibility. Another critical decision of the steering committee has to be whether or not those with more of an impact have to do more with the understanding that they would also get more resources.

Chris Thompson from Lancaster County Conservation District asked what logic could be used to determine these goals besides county and why would that make sense. Matt Keefer responded that counties did not work last time. Regions should be considered, these fall nicely into basins or watersheds. Another member from the public stated that these goals need to be assigned to an entity that has the authority to allocate resources.

Brion Johnson moved and Steve Taglang seconded that; yes, this process does make sense and the workgroup should move forward to finalize this. It was further suggested that the workgroup come back to the Steering Committee with recommendations identifying the pros and cons for each of the four scales to use (see Step 2 above) and the level of effort, looking at equal

percentage and a difference of 20% between the most effective and least effective geographic unit. Motion passed unanimously. The workgroup also needs to look at defining a way to factor in the level of effort needed to address local water quality impairments. This means the level of effort could be different for each pollutant. Another key factor to identify and consider is the level of what is implementable.

Other next steps identified include:

1. Identifying who has the capacity, the authority and the desire to achieve these goals.
2. Identifying the gap, if any, that must be addressed and what does it take to address this gap.
3. Addressing the issue as to how to account for those programmatic activities that are inherently regulatory in nature that are implemented statewide. Should the reductions from these activities by allocated within each local goal or split out before the local numeric goals are calculated.
4. Further defining how these goals will be used, once they have been created.

Public Comment

John Thomas from Hampden Township stated that local governments such as his are preparing to get the work done. They know this is coming. The work can be done and they are ready to do it. However, they need a clear understanding of what needs to be done, something they do not currently have.

Steve Taglang moved to adjourn. Brion Johnson second. Meeting adjourned at 4:00 pm.