



**Chesapeake Bay Program**  
**Watershed Technical Workgroup (WTWG)**  
**Meeting Minutes**  
Thursday, February 4, 2021  
10:00 AM to 12:00 PM  
**Calendar Page:** [Link](#)

### Summary of Actions and Decisions

**Decision:** WTWG approved the December and January meeting minutes.

**Action:** WTWG will discuss back out and cut off procedures at their March meeting.

**Action:** WTWG will invite Sally Claggett from Forestry WG to discuss credit duration documentation at the March meeting. This will also be discussed at the Feb 12<sup>th</sup> BMP Verification Ad Hoc Action Team meeting.

### Meeting Minutes

10:00 AM – **Introductions and Announcements** – Cassandra Davis, NYSDEC (10 min.)

- Approval of December and January Meeting Minutes
  - **Decision:** WTWG approved the December and January meeting minutes
- Tuesday, February 2, 2021: Final opportunity to submit data to NEIEN by close of business.
- Monday, February 8, 2021: Final verification is completed for jurisdictions that made changes to the original data.
  - *Jeff Sweeney*: still a few key pieces of data missing for some states. Last run was supposed to be Tuesday, but we may need to do another. Also, thanks to all for the submissions, everyone did really well this year
- Other announcements

10:10 AM – **Diversity, Equity, Inclusion, and Justice (DEIJ) in the Chesapeake Bay Program** - Tuana Phillips, Diversity Workgroup Coordinator (EPA), and Olivia Devereux, Devereux Consulting

The Chesapeake Executive Council announced a DEIJ Statement in August 2020 to affirm our partnership's commitment to embrace DEIJ in all areas of the CBP. DEIJ and environmental justice are also priorities of the Biden-Harris administration. Tuana will review what each of the terms in DEIJ mean and we will discuss as a group how we can incorporate DEIJ into our work.

#### Discussion:

*Olivia Devereux*: Biden's EPA nominee Michael Reagan, he would restore science and transparency and focus minority communities, so hopefully there will be funding directed towards these efforts. I think it would be good to have the jurisdictions speak to each question.

*Greg Sandi, MDE*: This isn't a new initiative, but a renewed focus on DEIJ work for MD. One thing in particular, I think he is going to create a specific position to focus on DEIJ and how this can be integrated into different programs. For climate change and flooding issues in minority communities on the Eastern Shore and talk to your local governments to plan now because in the future it will be harder. We have been utilizing the inter-faith partners of the Chesapeake to reach communities we haven't been able to communicate with before.

**Cassie Davis, NYSDEC:** I really like the example with the bicycle. You can think of the bike as grants and funding and if people have access. We have a strategy for NY and have an office for environmental justice and mapped different communities. They have grants available for environmental justice and policies in place. Binghamton has received two of these grants. One was directed towards flooding another was for raised garden beds.

**Lisa Beatty, PA DEP:** PA has started a new diversity committee that is made up of staff from each bureau. We are focusing on addressing some diversity issues within PA by getting input from staff members to understand diversity issues within PA DEP and how we can reach out to other communities (ex. Translations, making sure we are reaching to the correct groups for public meetings, relating information for general public and putting in a place where diverse communities can hear it). The Diversity committee has HR staff on the meetings and are working on recruiting more diverse people through networking and mentorship. We also are trying to make a welcoming and more inclusive environment to retain diverse candidate. We have hired a consultant to help with this.

**Clare Sevcik, DNREC:** DE's DNREC has formed an internal EJ team. This team consists of reps from across the agency and has been charged with identifying areas within the agency where DEI and EJ issues are being overlooked, where DNREC could improve policies/regulations, and how to move forward to incorporate DEI into our personnel and our policies/priorities/projects.

Alana Hartman: WV's tributary team formed a small committee and had Tuana present on this topic and are taking the first small steps.

**Matt English, DOEE:** Wonderful presentation, I also appreciate the graphic. DC has inclusion and equity involved in a number of programs. Recently, we have new staff position that is like an equity analyst that sits in our equity branch. I am thankful that these are things we have been working on for a while but that there is now an increased emphasis on the needs here. There is a lot of hope for what it will bring to the agency.

**Norm Goulet, NOVA:** While I believe the effort is real and is needed, I am finding a disconnect between this and the main purpose of the Bay Program- which is the TMDL. How can we at the local level. Being forced of the regulatory level disavows equitable distribution at the local level. Unfortunately, at times that may be in conflict with this effort. I am struggling with how this relates to a TMDL.

**Tuana Phillips:** That's a very valid point in terms of having limited resources with doing this work. I think DEI is a lens that you apply to everything. There was study that looked at MDE funding to wetland restoration projects and found that those projects were disproportionate number of projects happening in wealthier neighborhoods. Unfortunately, what we see now is that DEI communities get most of the burden of these projects. If we want to restore the Bay, then we need everyone's help.

**Olivia Devereux:** If I look at the BMP history etc., we are not on track to achieve it by 2025 and we will need to change some things to meet it. If we include more people and reach out, then we may have a chance. It's not just about looking at a map and finding low-income nonwhite communities, but by including these other communities we might have different and additional ideas for practices or how to apply them in a different way. I see this as an opportunity to expand our reach. I think it's a new opportunity to get at BMPs and share what works and doesn't work. Looks like a number of states have started working on this or have funding involved and creative ideas for how you went out and engage this community. I think this conversation needs to continue. Frank Dawson commented that if you are talking about a BMP that some people put them in a wealthy community, but some are put in a low-income community because they think that no one will complain.

**Lisa Beatty, PA DEP:** I think discussing this is important and relating it to BMPs. We found a lot of our farming communities are Hispanic and we have been working on getting everything translated because they may not be engaging with these BMPs because they just don't know it's out there. One shift we are looking into is instead of checking the box that we implemented a BMP; we are going out and making sure that it's actually being used.

**Elizabeth Hoffman, MDA:** There is a significant portion of our poultry industry on MD's eastern shore that

speaks ESL and making sure our outreach is equitable is also something we pay attention to.

Tuana Phillips: I think those are really good points. There really is a missed opportunity by not including everyone in this work (ex. Latinos care more about climate change but are not engaged). Also, in urban environments another challenge is when projects are placed in a low-income community maintenance can be a challenge because they don't have the resources.

*Alana Hartman, WV DEP:* As groups come up with ways to track, it would be interesting to see how that pans out. Our more diverse populations are the MS4s and that is where a lot of the resources are going. By default, we are putting a lot of resources into those communities and maybe EJ screen that might be a way to track that we are improving those communities.

*Norm Goulet, NOVA:* The tool implies that if you are in an MS4 areas you have impaired stormwater. Normally the MS4s areas have better stormwater and I think there are some broad brushes being used to paint a picture that is not entirely accurate. It's hard to say we are going to track BMP implementation when it's not even in the local government's hands. I think we need to have an eye on the reality of what stormwater is and how it's being implemented.

Olivia: if are those types of policy constraints then DEIJ doesn't matter

*Greg Sandi, MDE:* One of the concepts that we face is the dollar/lb. and we use our resources based on what's the cheapest way to do restoration work. It's always cheaper to go into lower income areas because the property values are cheaper. That would be a potential barrier as well. We also have seen in some more affluent communities that they don't want stormwater management in their neighborhoods.

*James Martin, VA DEQ:* the interesting thing about that is that you may be implementing in those EJ communities with the intent of doing good with it still being perceived as continuing the same old process as putting the treatment facility etc. in those communities. It gets to the key which is the engagement and involvement piece. For example, we tried to get more diverse nominees for at-large nominees and we didn't get any.

*Greg Sandi, MDE:* We went to historically black colleges and we found that the perception is that environmental groups don't make enough money.

#### **11:00 AM – Verification Part 1: Updates on BMP Verification Ad Hoc Action Team – Vanessa Van Note, EPA**

Vanessa will update the group on the BMP Verification Ad Hoc Action Team.

#### **Discussion:**

*Bill Keeling:* there has been a continued discussion on back out here at this group. When there is back out, we lose the land use change portion regardless of what the credit duration is. I would be interested to see what this group decides.

*Vanessa Van Note:* Sally and Rebecca from the Forestry WG are going to be presenting at next Friday's meeting. For those, hopefully we will have more information next Friday. For other practices we are looking at it is not as much of a concern.

*Greg Sandi:* I have a deeper concern is the upland benefit that is removed. Is there a way to transfer that upland benefit to another practice?

*Jess Rigelman:* You actually don't lose the upland benefit.

*Bill Keeling:* The upland benefit wouldn't be applied to cropland alone its applied to ag land uses in general.

*Vanessa:* I don't know at the moment where WTWG stands for back out. In the BMP group we are only looking at credit durations.

*Bill Keeling :* Is the technical workgroup represented in this group?

*Vanessa Van Note:* Yes.

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**Lisa Beatty:** It seems to be in the BMP meeting and not in the WTWG. It's confusing where we are supposed to talk about this.

**Jeff Sweeney:** We have talked about it many times at WTWG. We haven't moved anywhere with it. It's not on today's agenda. We need a little bit of substantiation from the Forestry WG first. For the upland benefit, it was the Forestry WG who made that call.

**Greg Sandi:** does that mean we need to reevaluate it as a new BMP maybe? In a lot of cases these are more filtering practices and not true forest.

**Jeff Sweeney:** I don't think we need to dig into it. I think the Forestry WG can make the call. You really don't know on that whole drainage area what goes into that buffer and they wanted to expand on the crop type. If you took crops out of production and put into a buffer that the upland benefit to crop. I think at the time the Forestry WG thought it was treating everything above that too.

**Bill Keeling:** to the two points this Ad Hoc group is being asked. If credit durations are being extended etc. Don't we have to recalibrate the model.

**Jeff Sweeney:** NEIEN is actually the one who addresses this. There are ways that we may have to recalibrate the model there are some deltas that we can put in there and make a judgment on whether recalibration is necessary.

**Vanessa Van Note:** The reason why we started with credit duration first because that would be a simpler change to make in NEIEN than the partial credit from a modeling standpoint.

**Jess Rigelman:** It is an easier change. It wasn't a matter of ease; it was more a question of when this would go into the model. Making a change for partial credit would not make it in. It was more if you want an immediate change.

**Greg Sandi:** I have a more esoteric question: I have trouble wrapping my head around how many pounds being reduced that makes a difference. One of things we struggle with is the workload that goes around because of reduced staff. I certainly don't recommend going in and recalibrating.

**Jeff Sweeney:** we have gone in and set BMPs to 100-year durations. It's highly variable.

**Lisa Beatty:** November was the last time we talked about Back out. In March is the Forestry WG going to present their findings here?

**Jeff Sweeney:** Sally said she has documentation to substantiate extending this to 15 years. I think it's more a matter of digging up that documentation and does that substantiate it enough to make that change. I think it could be addressed in March.

**Cassie Davis:** It sounds like we need to have Sally from the forestry WG come and present and we can discuss back out as well.

**Action:** WTWG will discuss back out and cut off procedures at their March meeting.

**Action:** WTWG will invite Sally Claggett from Forestry WG to discuss credit duration documentation at the March meeting. This will also be discussed at the Feb 12<sup>th</sup> BMP Verification Ad Hoc Action Team meeting.

**11:30 AM – Verification Part 2: General Findings from 2020 Scenario Verification Analysis** - Jeff Sweeney, EPA

Jeff will give an overview of general findings from 2020 scenario verification analysis.

**Discussion:**

*No discussion at this time. Will be continued at next meeting.*

**12:00 PM – Meeting Adjourn**

**Next Meeting: March 4, 2021 from 10:00 to 12:00 PM**

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**Call Participants**

Hilary Swartwood, CRC  
Cassie Davis, NYSDEC  
Jeff Sweeney, EPA  
Arianna Johns, VA DEQ  
Bill Keeling, VA DEQ  
Dave Montali, Tetra Tech (WV)  
Elizabeth Hoffman, MDA  
Emily Dekar, USC  
James Martin, VA DEQ  
Matt English, DOEE  
Pat Thompson, Energy Works  
Lori Brown, DNREC  
Jessica Rigelman, J7  
Olivia Devereux, Devereux Consulting  
Alana Hartman, WV DEP  
Jessica Rodriguez, DoD  
Loretta Collins, UMD  
Ruth Cassilly, UMD  
Vanessa Van Note, EPA  
Tuana Phillips, EPA  
Clare Sevcik, DNREC  
Greg Sandi, MDE  
Sucharith Ravi, UMCES  
Norm Goulet, NOVA  
Ted Tesler, PA DEP  
Lisa Beatty, PA DEP