



Chesapeake Bay Program

**Chesapeake Bay Program
Watershed Technical Workgroup (WTWG)
Meeting Minutes**

Thursday, March 4, 2021

10:00 AM to 12:00 PM

Calendar Page: [Link](#)

Summary of Actions and Decisions

Decision: WTWG approved the February Meeting Minutes

Action: WTWG should review the Draft Forestry Credit Duration Document and send any feedback to Sally Claggett (sally.claggett@usda.gov).

Action: WTWG will continue the discussion of backout and cut-off at their April meeting and ask for a decision.

Action: Bill Keeling and James Martin will present at a future WTWG meeting about the proposal to extend LU-change credit in the back-out procedure – while tree BMPs are immediately credited as mature stands when saplings are first reported as planted (**post meeting note:** this was originally scheduled for April, but due to scheduling conflicts has tentatively been move to May).

Agenda

10:00 AM – **Introductions and Announcements** – Cassandra Davis, NYSDEC

- Approval of February Meeting Minutes
 - **Decision:** WTWG approved the February Meeting Minutes
- Update on ICR Memo – David Wood, CSN
 - *No changes; still remains a land use change BMP.*
- BMP Verification Ad Hoc Action Team – Cassandra Davis, NYSDEC
 - *Questions? Reach out to Vanessa Van Note (vannote.vanessa@epa.gov)*
- Updates to CAST and Upcoming Webinars – Olivia Devereux, Devereux Consulting
 - *Next webinar will be on March 18th at 12 PM*
 - **Matt English:** Does anyone know if the Stream Restoration Protocol 5 has been added to the appendix?
 - **Jess Rigelman:** I have updates to the appendix out for review with the CBPO staff. I am expecting comments by Friday and will be adding them to the appendix next week (they will be draft, but they will be in the appendix). When CAST 2021 is released that is when the stream restoration protocol 5 goes into effect.
- 2020 Progress Schedule – Jeff Sweeney, EPA
 - Dana Aunkst will be sending letters out about verification to state and agency reps.

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- *James Martin*: I recognize the challenges of a new administration and those growing pains, and the unanticipated delays and I would ask that we recognize that the same thing happens at the state level.
- *Jeff Sweeney*: I totally agree.
- *Matt English*: Is it accurate to say that all data in NEIEN/ CAST by February 5th will be part of 2020 annual progress?
- *Jess Rigelman*: the data pulled on the 2nd is final. The only thing that changed was VA wastewater data. DOEE made a submission on the third and that data would not be in 2020 annual progress.
- *Jeff Sweeney*: there is still a possibility we may do another run of 2020 progress and then that data would be included.
- *Olivia Devereux*: Indicators are here: www.chesapeakeprogress.com/
- Other announcements

10:30 AM – Credit Duration Documentation – Sally Claggett, Forestry Workgroup

Sally Claggett will discuss credit duration documentation from the Forestry Workgroup

Discussion:

Olivia Devereux: I think we need to be clear that if it's inspected it's still valid

Sally Claggett: these tree practices do not need to be inspected because we expect them be picked up in the new land use data.

Jess Rigelman: Peter Claggett doesn't map BMPs (like buffer) he just maps trees.

Sally Claggett: The only distinction we are making that buffers are in a different category. Those are the ones that matter because of the upland efficiencies. Buffers are the only practice here that would continue to be monitored.

Cassie Davis: The Forestry WG is only tasked with determining lifespan for credit duration. Back out will be continued in the next presentation

James Martin: With practice lifespan and lifespan differential. The only different between those is between upland or riparian and my thinking is that riparian would be more vulnerable.

Sally Claggett: there's a higher bar for a forest planting (pre-site treatment, etc. more investment). Tree planting is different because we don't always know who does the planting, there's no maintenance. That's why with forest plantings they get the higher practice lifespan (there are longer lifespan for those in Ag settings than urban).

James Martin: I guess tree planting is one of those that has a pretty broad swath.

Sally Claggett: It's a good point because it is such a wide swath. Some a well-managed some are not, and that could be something we take a look at. The credit duration is an artifact of CAST. Even though we expect these to stay on the landscape for a long time we want to make sure they are functioning the way the model says it should be functioning. That is why we want it to be verified.

Jeff Sweeney: What happens if the contract is renewed? Does it stay there anyway? Do they harvest?

Sally Claggett: Harvest is not normally the intent, it's more that they don't want to commit to another 15 years

of monitoring. Usually, it's not done for production as it is, they don't want to be hindered if they sell the whole property. Most landowners want their buffer for WQ benefits. They don't want it for harvest. And even if they wanted to partially harvest it would still have the same function as before.

Kevin Du Bois: Would the lifespan also depend on the tree species? Some tree species don't live 80 years even under ideal conditions.

Sally Claggett: the thing with forestry is it's the natural land use. If you set up land for a buffer it will reforest itself. Forest is what happens to the land, even if tree's die, others will take its place.

Norm Goulet: If there is a maintenance plan and inspection frequency why is the credit duration not set to that interval like most BMPs?

Sally Claggett: I think that's how we are setting this credit duration. There are inspections going on for 15 years. The maintenance plan is also up in the air after 15 years. If there is no contract there after 15 years, there is no maintenance really needed any way.

Norm Goulet: that logic doesn't jive with the rest of the BMPs. We do the maintenance and inspections to ensure they are functioning as designed. 15 years is just a huge space of time for something to occur or not occur. There are a million things that could happen in 15 years.

Sally Claggett: the 15 years is established for the inspections and maintenance, after that anything could happen. Our point is that even if anything happened it would come back as forest. These practices are unique, and I don't think they compare well with urban practices. Usually, any conversion that happens is intentional after 15 years. What we are saying is that for the first 15 years they are inspected and maintained.

James Martin: the verification rules developed by the forestry team go beyond what normally occurs.

Sally Claggett: it doesn't necessary address the concentrated flow. Usually changes occur upland of the buffer that would affect it, not the buffer itself.

Norm Goulet: I agree that the natural succession will make them more forest as they go on. But I am concerned is for the 0-5 years.

Sally Claggett: the first year you establish a buffer the first 2 years its basically grass.

Norm Goulet: CAST doesn't care about that because you are getting the immediate benefit of the forest from month 0. If something goes hay wire in the 0-5 years, we won't catch it for the next 15 years.

Rebecca Hanmer: the forestry WG agreed that the most important thing to do is verify the establishment of the buffer. Credit duration we pegged at a different point, which is the end of the buffer. WE would have liked to have seen an absolute inspection after 5 years, but we got a lot of push back from AgWG folks and so right now it's only highly recommended.

Lisa Beatty: Why would they have the proposed that each of those forestry BMPs are not captured under the modeled land use?

Sally Claggett: all of these practices are land use practices except for a few on the bottom of the graph. The only thing we are asking here is the Forest buffers be considered differently. The land use conversion of the forest buffer credit would be picked up in the land use. The first three lines, it's a two-part credit. The second part of the credit is not modeled because the second part couldn't be picked up as land use because of the upland efficiency.

Action: WTWG should review the Draft Forestry Credit Duration Document and send any feedback to Sally Claggett (sally.claggett@usda.gov)

10:50 AM – Cut-Off, Back-Out and Credit Duration Procedures – Cassandra Davis, NYSDEC and Jeff Sweeney, EPA

Cassandra Davis and Jeff Sweeney will discuss the three model procedures – cut-off, back-out and credit duration.

Discussion:

Matt English: Can you clarify what you mean by imagery collected in 2017?

Jeff Sweeney: it's actually imagery of 2017. To complicate this even further we are going to get new high-resolution data this year which is going to change 2017. The new high-resolution data is centered on 2017. It takes a couple years to get one solid point

Bill Keeling: it's a spatial and temporal mosaic as well.

Kevin du Bois: I followed till you said back out is 2007. As I understand it you should take the date of when the tree was planted add 10 years and then the back out is the first year the tree is in the next land use cover change.

Jeff Sweeney: What is actually occurring is that we are going back ten years.

Jess Rigelman: you have to remember that back out is a CAST process for projects that come into CAST. All data coming into CAST is broken out to the BMPs that are on the ground. What we are saying is that the best imagery we have is from 2017, except for trees which could only be detected until 2007. So we would use the 2007 BMPs for trees and that is what would be counted in CAST.

Jeff Sweeney: for these BMPs we are disconnecting back- out from if we shift this whole thing back to 2007. You subtract the 2007 point now everything planted in 2007 is getting a land use conversion credit.

Kevin Du Bois: I think the thing that is throwing me is the terminology. In this instance what you are saying is the back out in 2007 is the start of when you received the land use credit.

Bill Keeling: compared to something you planted today; you are losing credit.

James Martin: it's backing -out the BMPs planted in 2007.

Cassie Davis: you are no longer tying it to the land use it is tied to the implementation date.

Jeff Sweeney: we will change that name as something else other than back -out.

Cassandra Davis: In 2017 those 2007 BMPs will be backed- out.

Jeff Sweeney: the tree BMPs are not all backed- out.

Kevin Du Bois: it's not ten years, it's the next available imagery date.

Cassie Davis: That's how it is now, but we are proposing every ten years.

Bill Keeling: it's hard to detect remotely, grass is still grass.

Cassie Davis: I see your point to changing the name since it's a different process to what we were originally using.

Jeff Sweeney: we give immediate credit to tree BMPs because we want to have management actions on the ground by 2025.

Bill Keeling: This is an abuse of the model. We are trying to use what was originally a planning tool. In that scenario giving full credit is justified. The problem is that we use the same model to say that "this was this year." That's where the problem is and maybe we need to have a different tool to reflect that. We need a

model for discovery, a model for accounting and a model for future projections.

James Martin: 2020 progress is a representation of a future condition. If every land use change BMP gets reported and subtracted the next year, how much progress will we make? You will never have more than 2-years of progress under the current rules. Every time the Land use rules are updated the back out date is established. That's why 2017 is the current date.

Jeff Sweeney: I agree, we should not be stopping a year after the planting, if you are thinking about what happens in reality. The tree BMPs gets a credit for a full mature tree stand when they are actually saplings. We do that because this is a management model, and the point is to give credit for the management action itself. If you do that, then you need to consider that for this proposal.

James Martin: When you give full credit for tree BMPs that is not a double counting issue. When you give credit for the tree BMPs and it's already been counted as the base condition, then it's a double counting issue.

Jeff Sweeney: the land use credit will go for at least 10 years (depending on land use imagery, when the trees were planted, etc.) That's a long time for the land use change credit. If we don't get new land use imagery for another 10 years, then we certainly would get a point of double counting because obviously the trees are there, but we haven't picked it up in the imagery.

Lisa Beatty: instead of giving this 10- years, why isn't it just whenever the imagery is updated?

Cassandra Davis: that's how it currently is.

James Martin: maybe it should be the date of the land use imagery minus 10 years. Your right it should be based on the land use cover data. Perhaps you could make a case that some of the those could account for other base conditions. Right now, the assumption is that every update to the land use negates every land use change BMPs.

Lisa Beatty: I think the reason it's hard to understand because you give it 10 years instead of saying it's just when the land use is updated.

Jess Rigelman: 10 years is based on Sally's presentation that before 10 years the trees aren't detected.

Jeff Sweeney: we are not asking for a decision today. Would it be possible for James or Bill to come back with a few slides to offer a different perspective?

Bill Keeling: it goes back to if the goal is a management tool, if the goal is to account for everything this year (Which is a misuse of the model) then we need to make sure that people understand it's not actually what happened in 2017, it's just an estimate based on 2025.

Jeff Sweeney: With what you are telling me, it would be good to have this discussion here as well.

Kevin Du Bois: it's not correct that making changes like this makes a difference. I am not sure the value of getting a number for "progress" is necessary because even that's artificial. Keeping it as a model of what will happen in the future might be good. I think we are trying to bend the model to do something it was not meant to do.

James Martin: it's because we call it 2020 progress and we report it as loads. The loads that result are the loads from those collections of practices implemented in a condition sometime in the future with an average hydrologic period. It's really a misnomer of 2020 progress. Everyone knows the biggest driver of weather, if you aren't going to simulate 2020 progress with 2020 hydrology then you are never going to accurately guess what 2020 progress will be.

Bill Keeling: maybe we should represent progress this way: we provide a set of loads with BMPs and then show what the load would be without BMPs.

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Lisa Beatty: It would be nice if we could get all this information sooner, instead of right before the meeting. As a suggestion, the way the BMP Verification AD Hoc Action Team runs their meetings is a good example. You could use this as a reference.

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12:00 PM – **Meeting Adjourn**

Next Meeting: April 1, 2021 from 10:00 to 12:00 PM

Call Participants

Jeff Sweeney, EPA
Cassie Davis, NYSDEC
Hilary Swartwood, CRC
Emily Dekar, USC
Greg Sandi, MDE
Elizabeth Hoffman, MDA
Mark Dubin, UMD
Ruth Cassilly, UMD
Jason Keppler, MDA
Brittany Sturgis, DNREC
Ted Tesler, PA DEP
Lisa Beatty, PA DEP
James Martin, VA DEQ
Arianna Johns, VA DEQ
Norm Goulet, NRVA
Matt English, DOEE
Alana Hartman, WV DEP
Sally Claggett, USFS
Olivia Devereux, Devereux Consulting
Jess Rigelman, J7
David Wood, CSN
Clint Gill, DDA
Lori Brown, DNREC
Kevin Du Bois, DoD

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Jessica Rodriguez, DoD

Rebecca Hanmer, FWG

Pat Thompson, EnergyWorks

Clare Sevcik, DNREC

Bill Keeling, VA DEQ