Chesapeake Bay Program
Watershed Technical Workgroup (WTWG)
Conference Call
Thursday, February 7, 2019
10:00 AM to 12:00 PM
Calendar Page: Link

Meeting Minutes

Summary of Actions and Decisions:

Decision*:* the WTWG approved the December 6 meeting minutes.

Action: At an upcoming WQGIT conference call, James Davis-Martin will propose using the MS4 boundary layer collected for Phase 6 land use to delineate the geographic boundaries where combined sewer systems occur in the Chesapeake Watershed. This proposal is intended to increase accuracy of land use designations following combined sewer separation practices reported in CAST.

10:00 AM – **Introductions and Announcements** – Ted Tesler, PA DEP or Jeff Sweeney, EPA CBPO

Introducing Meghan Crunkleton, consultant supporting Olivia Devereux on CAST
Matt Johnston is leaving as of Feb 8 to work for the County Executive in Anne Arundel County

Decision*:* the WTWG approved the December 6 meeting minutes.

10:10 AM – **Status of 2018 Progress Model Scenario and Schedule** –Jeff Sweeney, EPA CBPO

Jeff discussed the status of the 2018 Progress model scenario and possible adjustments to previously-published deadlines. The item will include an open discussion about the Progress scenario among WTWG members and attendees – which could include issues with submissions and findings.

There will be three more opportunities for jurisdictions to submit progress through February 22. Draft progress scenarios are available on CAST. Most recent is "V7". Validation reports are available on each jurisdiction's password protected ftp site. Responses to verification questions and issues was due January 9, and January 31 was the original deadline—has been extended to February 22.

Discussion:
- Ted Tesler asked about the letters that were sent out. PA is close to finishing the responses to the verification questions, although they have not met the Jan 9 deadline.
    - Sweeney: Thanks for the update. That reminds me that we have outstanding questions on manure transport to discuss later also.
- Bill Keeling: I want to leave a standing comment to remind everyone that we still need the August meeting next year.
- James Davis-Martin: I urge WTWG members to closely review the QAPP. QAPPs change every year and EPA does not always notify the states or solicit consensus on those decisions.

- Greg Sandi: This group is supposed to promote these kinds of information on dates and technical issues. I would ask that this group be informed and involved in the Partnership decision making process.
- Sweeney: This process has changed a lot since I first began working on progress several years ago. Now, progress is tied to CBIG and CBRAP funding and grant guidance. This year, there is an app for submitting WW information for significant facilities, and optional for the non-significant facilities. There was a lot of difficulty using that for the first time this year.
- Sandi: My point is that this is the kind of forum for those announcements to be made.
  - Sweeney: The next presentation is related to the WIPs and milestones, which has its own set of deadlines and requirements.
- Ted asked about the schedule for non-significant facilities.
  - Sweeney: WW data is supposed to be submitted every year. For non-significant facilities, that data doesn't change a lot year to year, you can submit the same data as the year before, but CBPO still needs a spreadsheet from you even if it's the same as in previous years.
  - Tesler: We may still not have all those facilities in the app before December 2019.
  - James Davis-Martin: We have had issues in VA importing significant facilities into the app and may be behind by December 2019.
  - Sweeney: I suggest that each jurisdiction dedicate staff time through this year to get those facilities in the app by December. This will take sustained effort through the year, starting as early as you possibly can.

10:50 AM **– BMP Verification and QAPPs** – Jeff Sweeney, EPA CBPO

Jeff will lead a discussion about the CBP office's review of BMP and wastewater data submitted in December for the 2018 Progress model assessment. This is related to some aspects of verification and getting a better understanding of the quality of the data.

Discussion of potential verification issues, for instance large (10 fold) increases in BMP implementation reporting in 2018 vs 2009 – 2017. Many states have received requests for responses to these dramatic changes in average rate of implementation. Also discussed QAPPs, back-out procedures, imagery use, and the PSC stopping rule (exception to allow updates to historical progress in NEIEN with each progress submission)

Discussion:
- James Davis-Martin asked about increased rates of reporting for 2017-2018. If states discovered historical BMPs and added them to the reported data, should those BMPs change only 2017-2018 implementation, or would that also change progress history. Why wouldn't the implementation data provided with the data determine what year exactly that BMP should be counted in?
- Jeff Sweeney: That's very possible, and it may be that the rate differential may flatten when we rerun historical progress. But we still want the states to explain that in their responses to these requests.
- Bill Keeling: it may also spike because of completed inspections.
  - Sweeney: Correct, that's another good example. Again, we want the states to detail the exact reasons in their responses.
- Davis-Martin: In the future, please refrain from labelling the verification issue as "over-

reporting," since it's clear that over-reporting may not be the cause of the discrepancy.

- Norm Goulet: For urban stormwater sector, we had misreporting in the past of stream restoration inspections, which we corrected this year. Therefore, the correction got loaded all at once into one progress year.
- Davis-Martin: During the Phase III WIP local outreach process, we showed our data to our local jurisdictions, which prompted them to correct any flagged discrepancies. That might also be contributing to the increases, since we don't usually have that level of communication with our local partners.
- Sweeney: All of this information should be written into your QAPP, so that we can document year-to-year variations that might contribute to changes in progress.
- James Davis-Martin asked if the implementation date is important
  - Sweeney: The dates are very important. We need to document as much as we can and as accurately as we can.
  - Olivia Devereux brought up aggregated agriculture BMPs due to issues with state NRCS verification.
- James Davis-Martin: This is a real problem for the burdens on progress and verification, on top of all that we are required to ask of our local partners. We need to reconvene the verification workgroup to hash out these issues so that we are not making unreasonable requests of our local partners' reporting. I still don't understand why we need to provide specific dates rather than just the progress year.
- Sweeney: We've documented that. It's also explained in the QAPP. And we can reconvene the verification workgroup, as well as continue discussions in this group. That is one purpose of this workgroup.
- Davis-Martin: What if the change to a BMP is not a new one, but just is a renamed old BMP?
  - Sweeney: My advice is to update your QAPP with a search and replace of the old name with the new.
  - Davis-Martin: You are asking us to update our QAPP more than once a year, which goes against the verification guidance.
  - Sweeney: your progress should have been done in December 3, but you have until the end of February now to update that.
  - Davis-Martin: Does this make the data quality better? This is a lot of extra effort you are asking us to do for not much gain.
  - Sweeney: This is not my decision, but you are welcome to reconvene the verification committee to work out these problems and bring decisions up through the workgroups.
  - Ted Tesler: Our QAPP is always out of date, there never seems to be a time when we are caught up with either changes to the QAPP or reporting requirements or changes to the data.
  - Sweeney: I agree, I think that having you submit QAPPs before you submit progress makes the process inefficient since you don't know how data will b changed or handled really before you finish work on progress. If it were up to me, I would only ask that you submit QAPPs with your final progress runs. I will continue on my soapbox on this issue at CBPO but for now we have to work with the process we have.
- Ted Tesler asked about BMPs that were kicked out of the progress runs? Do we have to document that in our QAPPS?
  - Sweeney: Nothing has been kicked out.
  - Tesler: If for some reason a BMP we have reported is not credited, how would we know if it's not documented in the QAPP?

- Sweeney: If you want to document that, you could make that change to add a short narrative in your QAPPs, but we don't have an established method yet to do that.
- James asked about the forestry Workgroup discussion, and how imagery is used to back out BMPs where imagery in the high resolution land cover shows that reported BMPs don't exist.
  - Sweeney: We don't have an established method yet but that is something that we will be using in our verification process in future years.
  - Bill Keeling: I think we need to make a distinction between backing out and aging out. Those are two separate issues, and the back out procedures need the whole Partnership to decide what should qualify for backout.
  - Sweeney: That is a discussion we should have, but we can't change it for this particular cycle. Especially, in the agricultural census there are some uncertainties that the current rules don't adequately address.
- Jeff Sweeney: With the PSC stopping rule, there are some exceptions. Matt Johnston also drafted a data input deadlines memo that describes what can be updated, and when that was distributed to the Partnership in December 2018.
- Jeff asked if James has particular requests for update on verification on Mondays WQGIT
  - Davis-Martin: Make clear your implications that data that is not updated. Jurisdictions want to understand what data may need updating and why, and to know that the protocols are going to be consistent. Ask for a change in mindset that data are guilty until proven innocent" I am concerned about implications that the states data are being falsified or over-reported or are in some way falsified. I have no problems with the QA/QC process, and I ask that this QA/QC process not unnecessarily burden the states with additional efforts.
  - Emily Dekar: We have until February 22 to update our QAPPs, so please let us know as soon as you can if we need to make updates to our QAPPs.
  - Sweeney: I will do my best to give you a heads up. In the past, verification has been a challenge. In the past, we have not put our progress runs because of verification issues that went unresolved till the fall. Verification can be a big issue that holds up progress, and we are trying to avoid that this year. Most of the jurisdictions are doing ok, but I just wanted to make you aware of the past difficulties in this process.

11:20 AM --**BMP Costs in CAST** –Olivia Devereux, Devereux Consulting

Olivia provided an update on the BMP costs in CAST. She will discuss the basis for the costs and review the new data for BMPs that previously did not have cost information. Current cost profiles are available on the CAST website. MD is updating MD cost data using the information in CAST (this information will not change the default cost profiles in CAST). Olivia also demonstrated how to adjust custom cost profiles from the defaults available, including cost per acre, cost per acre treated per year, and opportunity cost. Costs for some new BMPs and re-evaluated costs for a couple old BMPs include: manure gasification, septic BMPs (including three new septic BMPs for advanced technologies and new information for older septic BMPs), saturated buffers, denitrifying ditch bioreactors, and conservation landscaping.

Discussion:
- Davis-Martin: A single cost vs the cost over the whole lifespan of the process. I think that's a

little misleading since it just divides the total over the lifespan and doesn't account for year to year variations in costs.

- o Devereux: Your right, this is a simplification, as there might be different amounts varying from year to year, and from the first year of installation to the next years of maintenance.
- Devereux: These new cost profiles can be in CAST as early as this evening.
- James Davis-Martin asked if there are other BMPs with negative costs in operations and maintenance.
  - o Devereux: Yes, for instance dairy precision feeding have negative O and M costs which is an overall savings.
- Jeremy Hanson asked if the cost profile updates will be used to update the cost per acre treated (effectiveness) for scenarios.
  - o Devereux: That's a big lift, and it will be done but it will take a little while.

<u>11:45 AM</u> **– Classification of Ms4 and Non-MS4 Areas from CSS** – WTWG

Continued discussion of concerns raised about the classification of MS4 versus non-MS4 areas, the associated model land uses, and the BMPs that affect those land uses.

- Bill Keeling: We have CSS that are not in an MS4, and just because we separate them it does not turn them into MS4. This needs to be corrected in CAST.
- Jess Rigelman: This is technically doable, but we need approval from this group and the WQGIT to make that change. Every CSO has a designation as one NPDES and the land river segment(s) it's in. We could flag this to default to MS4 land use but include the option to change the land use type when you submit progress.
- Keeling: Will this be on us to include the end land use? Or would you be doing that designation?
  - o Rigelman: You would come to me and request that that designation be changed to the correct land use. And that would have to happen every year.
  - o Keeling: We won't have three CSOs left in VA, and all other CSOs have been separated, none of which are MS4. This came up specifically with the Covington CSS implementation.
- Davis-Martin: The MS4 boundary layer was collected by Peter Claggett for land use. That's a moving boundary, since MS4s can be changed by jurisdictions. Why wouldn't CBPO just use that current layer of MS4 boundaries to classify the designation for CSS?
  - o Rigelman: That functionality doesn't currently exist, the land use data comes to us pre-processed, so we don't have the functionality right now to do that comparison. Any change in the designation for CAST would have to be done manually by me.
  - o Davis-Martin: The world of CSO land gets smaller every year as more CSS is implemented. Why wouldn't we make a more fundamental change to allow this as an automated function?
  - o Norm Goulet: That MS4 layer is not going to see any changes for at least 6 years, so it

could be stable enough to potentially consider for a process like James Describes.

- o Jeff Sweeney suggested taking this proposal to the LUWG to determine what is possible in terms of using the MS4 land use layer for the purpose you discuss.
- Rigelman: VA needs to bring this proposal to the WQGIT on Monday.

Action: At an upcoming WQGIT conference call, James Davis-Martin will propose using the MS4 boundary layer collected for Phase 6 land use to delineate the geographic boundaries where combined sewer systems occur in the Chesapeake Watershed. This proposal is intended to increase accuracy of land use designations following combined sewer separation practices reported in CAST.

- Ted Tesler: This would be a manual correction requested by the states.
  - o Rigelman: Yes, the states need to make the request and then I will manually apply that to all scenarios.
- Bill Keeling asked if any of the jurisdictions are using all of the available cropland types for cover crops.

12:00 PM – **Adjourned**

Call Participants:
Ted Tesler, PA DEP
Jeff Sweeney, EPA CBPO
Emily Dekar, USC
Alanna Hartman, PA DEP
Greg Sandi, MDE
Jason Keppler, MDA
Tyler Monteith, DNREC
Bill Keeling, VA DEQ
Meghan Crunkleton, consultant
Olivia Devereux, Devereux Consulting
Jeremy Hanson, VT
Jess Rigelman, J7 Consulting LLC
Wade Cope, PA DEP
Pat Walsh, PA DEP
James Davis-Martin, VA DEQ