

THIS MEETING IS BEING RECORDED



Chesapeake Bay Program
Watershed Technical Workgroup (WTWG)
Meeting Minutes
Thursday, April 7, 2022
10:00 AM to 12:00 PM
Calendar Page: [Link](#)

Summary of Actions and Decisions

Action: WTWG will review the March minutes and if no changes are suggested, they will be considered final.

Action: WTWG members who are interested in reported BMP excess for 2021 Progress are encouraged to reach out to Jeff Sweeney for more information (sweeney.jeff@epa.gov)

Action: Jeff Sweeney will reach out to WTWG jurisdictional representatives for more information on how we can fix the conversion for animals per system and animal mortality fraction.

Action: Jeff Sweeney will reach out to FFWG to see if he can give this presentation at that Workgroup.

Action: the BMP Summary Report excel spreadsheet will be posted to the calendar page.

Agenda

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

- March Meeting Minutes available to review – Cassandra Davis, NYSDEC
 - **Action:** WTWG will review the minutes and if no changes are suggested, they will be considered final.
- 2021 Progress Reminders – Vanessa Van Note, EPA
- First WQGIT Newsletter Released in March – Hilary Swartwood, CRC
- *Reminder:* Request from FFWG for jurisdictional BMP data – Cassandra Davis, NYSDEC
- *Looking Ahead:* Reviewing Scope and Purpose and the WTWG [orientation guide](#) – Vanessa Van Note, EPA and Cassandra Davis, NYSDEC
 - This will be a subject for May. The WQGIT relied on this orientation guide quite heavily. Any changes / updates to this should be shared with Hilary and Jeremy to ensure continuity across each guide.
- Update on the Animal Mortality Technical Appendix – Jeremy Hanson, CRC
 - They will be working to streamline BMPs for Phase 6. They will try to simplify it and make it an efficiency to minimize the effects on the manure feed space loads. If you have questions, feel free to reach out to Jeremy Hanson (hansonj@chesapeake.org).
- Other announcements

10:30 AM – **Reported BMP Excess** – Jeff Sweeney, EPA- CBPO (45 minutes)

Jeff will present findings from a recent analysis of reported BMP excess (aka “cutoff”) focusing on any chronic issues among jurisdictions with particular BMPs and the accuracy of domains that BMPs are applied to.

Discussion:

Bill Keeling: It's very difficult in an aggregated data set to determine what animals are tied to which BMPs. I am having more problems with animal accounts per system. There is a big discrepancy between what we report and what you assume.

Jeff Sweeney: for the broilers, it's routed in production numbers rather than cycles. This is the reason we are seeing so much excess amongst the animal BMPs. But you can see how much will be waited towards broilers.

Leon Tillman: When we are looking at composters etc. NRCS reports this as a number – is that what is being reported?

Jeff Sweeney: we do not get numbers per system, which is what we would need. The issue here is how the Bay Program decided to define how many animal counts per system. This comes from a BMP Panel Report on how to define poultry numbers (slide 25).

Ted Tesler: I think if we could hybridize the animal data with CAFO data these larger operations would be better controlled.

Leon Tillman: NRCS doesn't record animals per system by project. There are scenarios for some animal BMPs that have number limits (ex. <500 AU, >500 AU, and <1200 AU). So approximate numbers are not captured.

Bill Keeling: in VA, we could give you the average animal count standing inventory and what our flocks are. Broilers we average 5-6 per year. Part of the issue is that those numbers don't look representative, at least for VA. The fact is that we have animal waste management on those facilities. Since we report at the HUC-12 scale we get a lot more information. However, it's based on the facility and what it is being used for [*Additional clarification added 06.02.2022:* How they design the system and the operation stems from the clean out frequency of poultry houses. It's highly variable].

Jeff Sweeney: We will be reaching out to jurisdictional reps to see what we can do about this conversion for animals per system and animal mortality fraction.

Jess Rigelman: in the model, for animal waste management, it is how much is spread on crops. This should represent the number of animals in one system at one time.

Bill Keeling: it depends on the cleaning process for the poultry house. They design the system for the cleaning process.

Mark Dubin: It's a little bit of a moot point on the crediting side since it's. Once we do implement the recommendation. Looking at some of the data I've worked with, it's sort of a combination of factors going on here. There are 8 commercial systems operating in VA. In NASS there are hundreds of flocks, but most of these are just backyard flocks.

Bill Keeling: the backyard guys with chicken coops are not getting cost-share for the systems we are reporting.

Mark Dubin: Agree, but you get that diluted factor due to those backyard flocks.

Norm Goulet: did you look at septic?

Jeff Sweeney: I did look at it, but it didn't make the top 15, which is surprising. When I provide that full database, you will see that there is excess there.

Norm Goulet: Isn't it kind of hard to run out of streets to sweep on? Are we running out of land masses to map in DoD facilities?

Jeff Sweeney: they know how many miles the machine is traveling and multiple by width. But we need the footprint for those machines.

Norm Goulet: I think it would be a good idea to give this presentation to the FFWG.

Jessica Rodriguez: Agree with Norm that it would be helpful to give a focused presentation on these issues to the FFWG. I plan to take these slides that apply to DoD and investigate the excess issues. I know we were aware of the issue in PA on the wetlands. We pond BMPs.

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Norm Goulet: I would be glad to work with you, Jessica, if you like.

Jessica Rodriguez: We do make some conversions regarding street sweeping based on information our installations report to us on street sweeping frequency and length traveled. So, we may need to investigate that and see if there are any issues there. Jeff, thanks for bringing this to our attention.

Lisa Beatty: From the information provided, PA would like a follow up meeting to discuss PA specific cut off issues.

Vanessa Van Note: Lisa, would you be interested in bringing it forward to the group at a coming meeting?

Lisa Beatty: I would first like to have an EPA/ DEP meeting. We also have been doing our own investigation and would like to share those results too. A possible date would be 4/ 19 during our bi-weekly meeting, but I will have to make sure that is the direction Jill would like to take.

Cassie Davis: I know with CAST21 we change the way we look at the Ag footprint. Did that impact cutoff?

Jeff Sweeney: I did not do that analysis yet. I would like to see who is interested in pursuing this further. The whole idea is that we can provide more information on this topic (county info, how many acres available for a particular BMP, land cover data, etc.) and let us know if it is correct. If it isn't correct, please provide us with other information. If we do that and start to see some chronic issues this could mean that maybe our rules are wrong for how we devise the areas in each sector (ag, wetlands, crop vs. pasture, etc.)

Bill Keeling: related to commodity cover crops, in VA I think this an artifact of the rotation on cropland concept and less to do with what is really out there. They are limited to double crop and small grains. In the past cover crops were applied to gross problems.

Jeff Sweeney: That is still the case for traditional cover crops.

Bill Keeling: but not for commodity cover crops, which where VA saw significant cutoff.

Jeff Sweeney: we do have commodity crops in the model, you shouldn't be reporting those again. What you should be reporting is how many of those acres do not see nutrients in the fall.

Bill Keeling: that is what we are reporting, but we are still getting lots of cutoff because in, my opinion, we hamstrung ourselves with how we describe cropland.

Jeff Sweeney: you are saying that double cropland and small grains is too small an area with how we define that. There is a lot that goes into trying to determine double crop areas. Every time we redo the model, we rethink that and take it to NRCS and say this is what we do, and they agree that that seems the most reasonable with info that we have. However, that area ultimately ends up being too small.

Bill Keeling: For commodity it comes right out of our SLH verification program, so those acres are legit. They do not get nutrients in the fall. It is one of the unintended consequences via rotations. I still haven't seen any mathematical benefit to doing it instead of not doing it. Plus, it is useless for what if scenarios.

Jeff Sweeney: are you submitting it at the county scale? Because we can give you the information and we can sort it out.

Mark Dubin: I worked with Dave Montali on the WV cutoff on commodity cover crops. Bill, preliminarily, what we think is occurring here that it maybe we have combined cover crops are being used with livestock reduction. Whether they are being grazed or more likely they're being harvested for the spring so it's not going commodity grain. I think that might be why we are seeing cutoff in some of these areas because producers might not be reporting those acres as part of the Census.

Bill Keeling: I will look were it's at in VA, I suspect it's mostly on our coastal plain which is animal poor.

Mark Dubin: we looked at a couple different counties in WV, and the counties in the areas that are more livestock intensive were getting the cutoff and the counties that were more grain production were not.

Norm Goulet: When we start looking at distribution in urban areas where we start running into cutoff problems with Urban BMPs, is that because we are starting to get a mix of point allocated facilities vs the smeared

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facilities across jurisdictions. Is there a possibility that we could address the smearing effect?

Jeff Sweeney: In a perfect world, if we had point location of all the BMPs this whole situation would be a lot easier to solve. I am not sure at what scale the jurisdictions are reporting the BMPs. You will get the smearing if it's anything larger than the point location.

Norm Goulet: I don't know if we will ever get to the point where we have point location for every facility.

Bill Keeling: for VA, if we get points, we report points. What we report is heavily skewed towards the MS4 and urban sector. If you have the point data, you have to look at particularly wet pounds and series.

Jeff Sweeney: so, it's a spill that you could have multiple BMPs in the same drainage area. It is even better to use the performance standard BMPs and that was our solution to make that situation better.

Bill Keeling: we report BMPs both ways. When you look at it spatially, you can see BMPs in series in a drainage, the reporting may be that this BMP is characterized by what that BMP is and then the next one is characterized an area draining to it. There is a huge amount of confusion trying to report runoff reduction as storm water treatment BMPs. It was a mess when we switched from Phase 5 to Phase 6.

Cass Davis: another issue is that when you report lat/long it could go Phase 6 land river segment and that could not include the contributing areas that the BMPs has, it could be smaller.

Bill Keeling: the larger the scale you report, the les cutoff you have. Because we report coordinates, we are probably seeing cutoff.

Jeff Sweeney: we need to identify exactly why that is.

Jess Rigelman: to speak to Cassie's point, we notice this in DC and found it had to do with the Federal Facilities and not the area. The Federal Facility implemented a BMP, but there wasn't enough federal area, but it was treating non fed land, so they were seeing some cutoff. So, DoD had to split their BMP into Fed and Non fed to account for the contributing area.

Norm Goulet: we keep identifying the issues for cutoff, and it might be easier to split up the pie and start looking at specific problems and specific fixes at a smaller sector scale than continually discuss cutoff at this large scale here.

Jeff Sweeney: That is exactly what we are asking us to do.

Action: WTWG members who are interested in reported BMP excess for 2021 Progress are encouraged to reach out to Jeff Sweeney for more information (sweeney.jeff@epa.gov)

Action: Jeff Sweeney will reach out to WTWG jurisdictional representatives for more information on how we can fix the conversion for animals per system and animal mortality fraction.

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11:15 AM – BMP Summary Report Suggestions – Cassandra Davis, NYSDEC and Vanessa Van Note, EPA (30 minutes)

Vanessa and Cassie will lead a discussion to clarify Narrow Buffers and present a suggestion to:

- Split out Land Retirement into Land Retirement to Open Space and Land Retirement to Pasture
- Create two separate categories for Barnyard Runoff Control and Loafing Lot Management

Discussion:

Teresa Koon: Is this going to be a decisional item today?

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Cassandra Davis: no decision today, but we can make it a decisional item for the next meeting.

Bill Keeling: if we don't report it going on open or pasture, is the default pasture?

Jess Rigelman: I will look it up in the NEIEN appendix.

Teresa Koon: If it could be posted to the calendar page, that would be helpful.

Bill Keeling: we've noticed in the summary BMPs, besides oyster aquaculture, there is oyster reef restoration, but I can't find any way to report that in NEIEN.

Jess Rigelman: you can report against it for planning BMPs, it is a planning BMP only. There is going to be a new oyster BMP Panel Report at some point.

Bill Keeling: if these are summary reports related to progress, why are we having BMPs that are not eligible to report for annual progress?

Jess Rigelman: these reports are CAST reports, they are not CAST annual progress reports. These are for all scenarios in CAST. We have to include the BMPs, if we remove this one, it will be removed for all scenarios. The summary report is supposed to give a quick high-level summary.

Olivia Devereux: that could be confusing for our users.

Bill Keeling: it just seemed a bit strange.

Olivia Devereux: this is just a summary report, it is expected that users go to the submitted vs. credited report to get the data.

Bill Keeling: this is the first I look at to see if our numbers are matching.

Cassie Davis: yeah, this is what I use for annual reporting too.

Olivia Devereux: When things don't match, I don't know how you can dig into with the summary report.

Bill Keeling: That's when we go to the more detailed "submitted credited," but this is the first cut. Is the right info showing up?

Jess Rigelman: we can't add official planning to this because some of these are combinations since it's a summary report.

Bill Keeling: or we could put a BMP with no efficiency in the NEIEN appendix, but it would show up on this summary report it just wouldn't have an effect.

Olivia Devereux: we could add it to the appendix, but it will be draft and won't be reported in CAST.

Cassie Davis: Going back to the barnyard runoff, loafing control management and land retirement – would it be useful to break these out in the summary report?

Bill Keeling: I would find it useful, especially with the buffers.

Jess Rigelman: Back to Bill's earlier question: There is a BMP in the NEIEN appendix called land retirement and that defaults to land retirement on pasture in CAST. However, there are 2 land retirements that do go to open with a different measurement- area retired and area retired without nutrients. If you do report land retirement as area retired, it definitely goes to open space.

Action: the BMP Summary Report excel spreadsheet will be posted to the calendar page for review. The WTWG will ask for approval at their next meeting.

12:00 PM – Meeting Adjourn

Webex Chat Summary

from thtesler to everyone: 10:32 AM

Will NRCS be able to provide data on animals per systems by project? maybe regionally to better inform this?

from Norm Goulet to everyone: 10:37 AM

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on a lighter note, to a serious subject, all those chicken wings getting turned into compost is disheartening

from thtesler to everyone: 10:37 AM

I think if we could hybridize the animal data with CAFO data these large operations would be better captured

from Leon Tillman to everyone: 10:42 AM

@thtesler NRCS doesn't record animals per system by project. There are scenarios for some animal BMPs that have number limits (ex. <500 AU, >501 AU & < 1200 AU). So approximate numbers are not captured

from thtesler to everyone: 11:00 AM

Thanks Leon. Need to jump off for another meeting but hope to return soon, Lisa is here.

from Jessica Rodriguez - DoD Chesapeake Bay Program to everyone: 11:01 AM

Agree with Norm that it would be helpful to give a focused presentation on these issues to the FFWG. I plan to take these slides that apply to DoD and look into the excess issues. I know we were aware of the issue in PA on the wetlands/wet ponds BMP

from Norm Goulet to everyone: 11:02 AM

Jessica... would be glad to work with you if you'd like

from Jessica Rodriguez - DoD Chesapeake Bay Program to everyone: 11:02 AM

We do make some conversions regarding street sweeping based on information our installations report to us on street sweeping frequency and length traveled. So, we may need to look into that and see if there are any issues there. Jeff thanks for bringing this to our attention

from Lisa Beatty, PA DEP to everyone: 11:10 AM

From the information provided PA would like a follow up meeting to discuss PA specific cut off issues/

from Emily Dekar - Upper Susquehanna Coalition to everyone: 11:19 AM

Looks Great!

from Katie Brownson, USFS to everyone: 11:19 AM

Looks good!

from VVANNOTE to everyone: 11:20 AM

Lisa, would you be interested in bringing it forward to the group at a coming meeting?

from Lisa Beatty, PA DEP to everyone: 11:21 AM

I would first like to have an EPA/DEP meeting. We also have been doing our own investigation and would like to share those results too. A possible date would be 4/19 during our Bi-weekly meeting, but I will have to make that is the direction Jill would like to take.

Next Meeting: April 7, 2022 from 10:00 to 12:00 PM

Call Participants

Hilary Swartwood, CRC

Emily Dekar, USC

Jeff Sweeney, EPA

Jennifer Walls, DNREC

Kimberly Dagen, SRBC

Norm Goulet, NRVA

Suchith Ravi, UMCES

Teresa Koon, WV DEP

Cassie Davis, NYSDEC

Clare Sevcik, DNREC

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Bill Keeling, VA DEQ
Leon Tillman, NRCS
Helen Golimowski, Devereux Consulting
Elizabeth Hoffman, MDA
Arianna Johns, VA DEQ
Clint Gill, DDA
Jordan Baker, HRG Inc.
Karl Blankenship, Bay Journal
Ruth Cassilly, UMD
Jackie Pickford, CRC
Eugenia Hart, DNREC
Greg Sandi, MDE
Ted Tesler, PA DEP
Vanessa Van Note, EPA
Jessica Rodriguez, DoD
Jessica Rigelman, J7 Inc.
Jeremy Hanson, CRC
Lisa Beatty, PA DEP
Olivia Devereux, Devereux Consulting
Nicole Christ, MDE
Loretta Collins, UMD
Chris Brosch, DDA
Alana Hartman, WV DEP
Mark Dubin, UMD
Sarah Lane, MDNR