

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**



Chesapeake Bay Program

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

Thursday, August 5, 2021

10:00 AM to 12:00 PM

Calendar Page: [Link](#)

**Summary of Actions and Decisions**

**Decision:** WTWG approved the July meeting minutes.

**Action:** WTWG leadership will provide jurisdictions with the template that tracks verification program challenges and solutions. Jurisdictions are encouraged to provide feedback.

**Action:** WTWG leadership will send out a copy of the progress evaluation SOP for members to review and provide comments (*post-meeting note:* the SOP was sent to WTWG on August 12, 2021. Comments will be accepted till mid- September).

**Action:** Cut- off will be added to an upcoming WTWG agenda.

**Action:** 2021 Progress will be added as an announcement at subsequent WTWG meetings going forwards. This presentation will show where we are, how we are staying on track, and what edits need to be made to the timeline moving forwards.

**Action:** Jessica Rigelman will provide two separate NEIEN appendices to jurisdictions: one for 2021 Progress and one for CAST 2021 (*post-meeting note:* the two NEIEN appendices were sent to the WTWG on August 6, 2021).

**Decision:** WTWG approved the NEIEN appendix.

**Action:** WTWG will continue to discuss and review the Hillandale methodology and data. Consensus was not reached at this time. Voting members expressed concerns that there wasn't sufficient time for the partnership to review the data.

**Action:** Olivia Devereux will reach out to FFWG to provide an update at an upcoming meeting on what should be reported in NEIEN.

**Meeting Minutes**

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

- Approval of July Meeting Minutes – Cassandra Davis, NYSDEC

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

- **Decision:** WTWG approved the July meeting minutes.
- Update to WQGIT [Governance Protocols](#) – Hilary Swartwood, CRC
- FWG Decision – Extension of Credit Duration of Select Forestry Practices – Vanessa Van Note, EPA
  - *This discussion will come before the WQGIT in August.*
- BMP Verification Ad-Hoc Team Effort – Tracking Verification Program Challenges and Solutions to those Challenges – Vanessa Van Note, EPA
  - *Vanessa Van Note: I will send this document out to WTWG members to verify if this is valuable work to continue. Predominantly been with DE but trying to get other states information in this table.*
  - *Lisa Beatty: is that a form or a general document?*
  - *Vanessa Van Note: it's a template. It will be resent with the recap of this meeting, hopefully by earlier this week.*
  - *Lisa Beatty: if you could take what you learned at our BMP webinar and include in the table that would be greatly appreciated.*
  - **Action:** WTWG leadership will provide jurisdictions with the template that tracks verification program challenges and solutions. Jurisdictions are encouraged to provide feedback.
- WTWG's Progress on MB Charge – Cassandra Davis, NYSDEC and Vanessa Van Note, EPA
  - ISSUE 1: QAPPs due December 1<sup>st</sup>.
    - *Bill Keeling: as I remember, the charge was to give the states some flexibility in the due date of the QAPPs. Some states could bring information for this year by Dec.1, but some would bring data from the previous year by Dec. 1.*
    - *Jeff Sweeney: we prefer to have everything completed by December 1; however, we realize that if there were issues with data it would require changes to the QAPP, and we understand that would occur after December 1.*
    - *James Martin: it says that comments for Progress are due after two months from December. Is QAPP feedback separate from this?*
    - *Jeff Sweeney: we roll everything into the Progress feedback, which includes feedback on QAPPs.*
    - *Bill Keeling: I guess I was taking the flexibility that states would submit one thing on December 1 and address comments from this year and next year and there wouldn't be a lot of back and forth. I am looking at it from a limited resources and personnel perspective.*
    - *Jeff Sweeney: I understand, the flexibility is that you could have several months to update and finish your QAPP before we finalize Progress.*
    - *Vanessa Van Note: The only option is that the due date is December 1<sup>st</sup> but there is flexibility to submit edits.*
  - ISSUE 2: Quality Requirements of BMP Data and QAPPs
    - *This needs to be in writing and then sent to the BMP Verification Ad Hoc Action Team then on to WQGIT.*
    - *Vanessa Van Note: Would it be fair to send out a Word version of the SOP to get feedback to kick off this review or was that schedule decided upon in March?*

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

- *Jeff Sweeney and Cassie Davis: yes, that is a good idea.*
- **Action:** *WTWG leadership will send out a copy of the progress evaluation SOP for members to review and provide comments.*
- ISSUE 4: Error Reports:
  - *Error reports were made available*
- ISSUE 7: Back- out and Cut- Off Procedures
  - *Some of these items have been resolved. Conversations still need to occur around low vegetation and septic connections*
  - *Cut- off is occurring due to the land use scale, we haven't reached consensus yet. We need to revisit at a future meeting.*
  - **Action:** *Cut- off will be added to an upcoming WTWG agenda.*
- Status of 2020 Progress – Jeff Sweeney, EPA
  - *Not yet published, this is hopefully going to be published next week, but not set in stone. Our bosses are working on resolving any of the remaining issues.*
- 2021 Progress Upcoming Due Dates – Olivia Devereux, Devereux Consulting
  - *Olivia went through a brief ppt that provided a timeline on 2021 Progress due dates.*
  - *Vanessa Van Note: James had a comment on final progress submission on 1/21/2022 that these are not final until the verification review is received, responses provided and issues resolved. I believe the final progress evaluation is alluding to that process.*
  - *Olivia Devereux: we have two rounds formally noted for review (12/10 and 1/7 with 1/21 being final). Assuming we cannot get things resolved in round 1 and round 2 then the 1/21 deadline would be extended.*
  - *James Martin: it seems like this is a contradiction to the previous presentation where we were hearing there would be two months after December 1<sup>st</sup> to do your verification review, then the jurisdictions need time to respond to the review and then there needs to be time to resolve any issues.*
  - *Olivia Devereux: yes, we do need to align this presentation with the previous one on the MB charge. We hope we can come back each month with this presentation to show where we are and how we are staying on track and what edits need to be made to the timeline moving forwards.*
  - *James Martin: I do like having these technical calls and not a game of gotcha.*
  - *Bill Keeling: I would encourage that particularly if its data reports and then scheduling meetings and ultimately the written comments.*
  - *Olivia Devereux: So there needs to be data reports and some time to look at those data reports and then we would have a discussion and we could talk about what is going on. Then you can resubmit.*
  - *Lisa Beatty: Is it on the onus of EPA to schedule meetings as they see issues?*
  - *Olivia Devereux: yes, EPA will be reaching out to each state at least once, or more often with states that have continuing issue. Obviously, you can reach out to request a meeting if you need one / or have a concern.*
  - *Jeff Sweeney: Just to be clear if you read the BMP verification analysis there are a lot of*

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

questions in there and the expectation is that you will respond to those, and each state usually does.

- *Olivia Devereux: and some of that can be done orally. It is meant to be a collaborative process.*
- *Jeff Sweeney: Additionally, we are at the end of a milestone period so there will be a formal EPA evaluation on Progress. We are also trying to finish off CAST 2021 by January 21<sup>st</sup>. I am a little nervous about this timeline myself.*
- *Olivia Devereux: I just put this PowerPoint together to help out Vanessa.*
- *Vanessa Van Note: the main point to get across here is that we are trying to make this a more collaborative effort by reintroducing meetings and other options we've used in the past. This template has been used in the past. If this is too aggressive, we can revise moving forwards.*
- *From Webex Chat:*
  - *from Matthew. English to everyone: 10:45 AM: What is the final date for submitting data for 2021 Progress? Is it 1/21?*
  - *from Vanessa Van Note to everyone: 10:57 AM: Matt, I believe December 1st is the submission deadline for 2021 progress. But any errors that are found in the data can be corrected following December 1st as they arise in the scenario runs up until the progress scenario is finalized. If a dataset is going to be submitted late for progress, you may notify us ahead of time and we can work together to find a solution. Olivia, Jess or Jeff can correct me if I am understanding this process wrong.*
  - *from Matthew. English to everyone: 11:02 AM: Thanks Vanessa. To clarify, I am asking what will be the final date to make corrections to the data. For example, for the 2020 Progress, that date was Feb. 2, 2021.*
  - *from Vanessa Van Note to everyone: 11:02 AM: I see. Thanks for the clarification, Matt. Do you feel the February deadline is reasonable?*
  - *from Matthew. English to everyone: 11:06 AM: Vanessa- The deadline depends on when the final feedback is received. If EPA will review data submitted on 1/21, I would think you need to leave time for EPA to do that review, and then for a jurisdiction to make edits after that.*
  - *from Olivia Devereux to everyone: 11:06 AM: @Matt, the deadline for Progress 2021 corrections is indeed 1/21/2021. The full submission is due on 12/1/2021.*
  - *from Vanessa Van Note to everyone: 11:12 AM: Matt, with Jeff's earlier comments, we will revisit the proposed timeline (where 1/21 is the final submission and review), we will send out the confirmed schedule as soon as possible.*
  - *from Lisa Beatty, PA DEP to everyone: 11:13 AM: I am hearing 3 different messages via chat and verbal explanation. 1. The deadline is 1/21 2. If there are issues beyond 1/21 then it will be extended. 3. We will be busy with updates with CAST21 and may not keep the schedule. Please give us clear and transparent clarification, expectations in writing.*
  - *from Matthew. English to everyone: 11:13 AM: Olivia - if that is the decision, I would ask that you add a reminder to the timeline that highlights the last date that the model*

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

will be run and error reports generated before the 1/21 date. Just as a helpful planning mark for people like myself.

- *from Olivia Devereux to everyone: 11:16 AM:* @Matt, will do. there will be error reports run weekly beginning 12/5. These can help each jurisdiction review and correct data before the 1/21 date. The timeline will be clarified and updated.
- *from Matthew. English to everyone: 11:16 AM:* I might also ask we add the dates by which EPA is anticipated to return feedback to jurisdictions after their 12/10 and 1/7 reviews.
- *from Olivia Devereux to everyone: 11:17 AM:* The 12/10 and 1/7 dates are the dates EPA will provide their feedback via conference calls or letter. The final will definitely be by letter. Earlier ones may be less formal and a conversation to clarify issues identified.
- *from Matthew. English to everyone: 11:20 AM:* Olivia - Thanks so much for the information. It is very helpful to understand that 12/10 and 1/7 are when the EPA will return feedback. Could you clarify the date data needs to be in CAST that EPA will use for the review returned on 1/7?
- *from Olivia Devereux to everyone: 11:22 AM:* The Friday before. That is when we always run the reports. Next month's presentation will be far more detailed.
- *from Lisa Beatty, PA DEP to everyone: 11:25 AM:* We would like a very detailed email (not a here is the updated presentation link) with the clear timelines and expectations for EPA for reporting. When will this be sent to the jurisdictions?
- **Action:** 2021 Progress will be added as an announcement at subsequent WTWG meetings going forwards. This presentation will show where we are, how we are staying on track, and what edits need to be made to the timeline moving forwards.
- Update on At- large membership – Vanessa Van Note, EPA
  - *Postponed*
- Other announcements

**10:30 AM – NEIEN Appendix Data – Jess Rigelman, J7 Inc.**

Jess Rigelman will review the NEIEN Appendix changes and updates.

**Discussion:**

*Bill Keeling:* if next year that BMP is supposed to be retired, then shouldn't it not go into CAST 19?

*Jessica Rigelman:* as far as CAST 19 2021 official Progress only some of the BMPs will go in and the credit durations won't go in till CAST 2021 (which is for all progress).

*Matt English:* since this is the end of the milestone period, aren't we running both models: CAST 2019 to review our milestones, and then CAST 2021 for all of 2021 progress. For these practices that get retired or are redistributed to different BMPS, do we need to have a certain NEIEN run with 2019 and resubmit for 2021?

*Bill Keeling:* it would be much better for me to have two NEIEN appendices: one for 2021 Progress and one for CAST 2021.

*Jess Rigelman:* Resubmitting is up to the jurisdictions.

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

*Chris Brosch:* I am just curious how some of these BMPs got turned off?

*Olivia Devereux:* It appears that it was a staff decision and not a partnership decision. But it's great to have Leon Tillman from NRCS on board because he caught these and some urban BMPs too.

*Chris Brosch:* If these weren't in the appendix and DE decided to use them, would we then not get credit?

*Bill Keeling:* most of these are synonyms for other BMPs. If you had inputted some of the retired ones it would show up as an error report.

*Jess Rigelman:* to be clear, these weren't being reported, but they shouldn't have been removed.

*Chris Brosch:* If you are taking motions, DDA approves of NEIEN

*Jason Keppler:* MD seconds that motion

*Bill Keeling:* If I get those two separate appendices, VA approves of it too. I also have an announcement/ comment. Going through the data I found something and I don't know what the other states are seeing it. But it appears there are certain Federal agencies reporting everything as urban and from my discussions with them, that's what they were told to do. So, even if they're in a rural area and have no urban land, they're reporting Urban BMPS.

*Olivia Devereux:* They don't have any agricultural land in the model, so yeah.

*Bill Keeling:* Right but that's not proper way of reporting to say I'm doing all this. So, vegetated treatment area on what has been forest. There's also units issues. I'm just saying in this type of situation if there's any doubt, we're going to throw it out.

*Olivia Devereux:* So, let's say that you have federal facility that has land. In the real world, it's not in the model that they should report there. But vegetated environmental buffers or whatever they have. And put it on, because it obviously is, I land that facility will not receive credit for it, but the state will. Because that agricultural land would have been assigned as non- federal in the model. And that's how they should report.

*Bill Keeling:* I think we are supposed to be providing verifiable data, that what we're reporting is real. And what's on the ground and from what I was told, EPA has told federal agencies to, in essence, falsify their reporting.

*Olivia Devereux:* I didn't know about that, was that, like an official letter or something? Or what was that from?

*Bill Keeling:* I'm not trying to point fingers, but I'm saying if you're doing an agricultural BM, and it happens to be within a federal facility and there are a number of federal agencies that do not have very much of any developed land on their facilities, they should not be trying to report that as some kind of urban.

*Jess Rigelman:* Yes, Bill is correct because it was removed from their federal agency footprint and given to non-fed. So those acres were assigned to non-fed and that would be the most accurate reporting. They should be reporting that as is.

*Greg Sandi:* I believe MD requires federal facilities to report to our conservation districts and then the data from our rates and districts works its way up through a conservation tracker and so that's how we deal with Agricultural practices on federal. Jason, you can correct me if I'm wrong here.

*Olivia Devereux:* I just think we need to reach out to John Maleri, who's chair of the FFWG and check in and see if we can make an announcement to clarify how this should work at an upcoming meeting. So I'll shoot, John an email and ask if we can make an update to clarify things.

*Cassie Davis:* Thanks Olivia. Everyone, I want to move forward on our update on the Hillandale methodology just so we have enough time today.

No objections from the remaining jurisdictions. NEIEN appendix was approved.

**Action:** Olivia Devereux will reach out to FFWG to provide an update at an upcoming meeting on what should be reported in NEIEN.

**Action:** Jessica Rigelman will provide two separate NEIEN appendices to jurisdictions: one for 2021 Progress and one for CAST 2021 (post-meeting note: the two NEIEN appendices were sent to the WTWG on August 6, 2021).

**Decision:** WTWG approved the NEIEN appendix.

**11:00 AM – Update on Hillandale Methodology** – Vanessa Van Note and Jeff Sweeney, EPA- CBPO, and Mark Dubin, UMD

Vanessa Van Note and Jeff Sweeney will provide an overview of how the Hillandale layer population (which is not currently accounted for in the watershed model) should be incorporated into CAST and discuss the potential impacts the inclusion of the Hillandale population may have on the watershed. Mark Dubin will be present to answer questions regarding the data collection process.

- The following topics will be addressed during the presentation:
  - o What is a “Change Product” to a milestone model update,
  - o How incorporating this data will not affect the model phase calibration,
  - o How the manure will be distributed across the watershed,
  - o How the feeding space land use will be impacted,
  - o How watershed loads (EOS and EOT) may be impacted.

**Decision Requested:** WTWG consensus on including Hillandale data into CAST 2021.

*Please note: The requested decision will be conducted using a roll call vote from signatory members. We also request each member who is opposed to provide a rationale for their opposition for proper documentation of the decision. If the data is not incorporated into CAST-21, it will eventually be included in the calibration of Phase 7.*

**Discussion:**

*Ron Ballew:* Hillandale took over management around 2000. At that time there were three sites in operation with 1.3 million birds.

*Bill Keeling:* it was unclear whether NAS reflected those changes. And if it's not reflected in any NAS data, I must wonder the impact of the SPARROW data.

*Gary Shenk:* you could certainly say that about any data set. It certainly would have come out differently, but I think that could be said about any data set. We always go with the best data we have at the time. The only way to be completely consistent with the TMDL, model calibrations, etc. is to not change the model at all, but the partnership decided that we wanted to update the model to reflect more accurately what is happening on the ground.

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

*Greg Sandi:* From my perspective, it isn't going through sufficient review from the partnership and that's a problem for me. If we are talking about including new data in the model, there is a process. The WTWG isn't necessarily the WG to decide whether the data is good enough to be inputted in the model. I feel this is a rushed decision and I feel like it's not going through the proper process to get approval.

*Loretta Collins:* The reason it hasn't gone through AgWG is because of timing. We had just gotten enough data right before our last meeting in July. Timing being what it was, I wanted this to come to WTWG first before going to AgWG. As far as a nuts-and-bolts conversation, it seems WTWG has more of a say in approving. In terms of validating the data, it's industry data and that's a new thing for the partnership.

*Greg Sandi:* Industry data isn't necessarily new because the NAS data was industry data, and if they are not reporting to NAS that's a big problem for us.

*Loretta Collins:* are you talking about the NAS surveys? If so, that's something we have been considering because we don't incorporate that right now.

*Greg Sandi:* there are existing ways of getting this data included, but once we start this precedent, and don't get me wrong I am all for better data, it could open the door to other things that we don't necessarily want.

*Lisa Beatty:* we brought this up formally for CAST 2017, so it wasn't last minute.

*Greg Sandi:* from our perspective, we were on board from day 1, but the data wasn't provided very timely.

*James Martin:* 2017 Progress could not have reported all those birds

*Jess Rigelman:* it was cut off in the regular 2017 land use. The two versions I ran were the exact same: one included Hillandale, one did not.

*Ted Tesler:* it would have included the manure transportation if it was reported.

*Ron Ballew:* all the facilities have nutrient management plans, which would have been available to PA which could be used to track manure transport.

*Greg Sandi:* is it generated annually?

*Ron Ballew:* that is correct.

*Chris Brosch:* what are you doing with the manure?

*Ron Ballew:* manure is transported to different locations. Not necessarily used for treatment.

*Pat Thompson:* This treatment facility was completed in 2013 and operated intermittently through 2013-14-15 and hasn't operated since 2017 due to lack of demand for trading credits.

*Mark Dubin:* Hillandale has been transporting 100% of their solids. The only application they make on their property is with egg wash water.

*Greg Sandi:* it still sounds to me like there are some issues that haven't been resolved. I hear what you are saying, and I do agree that it needs to be incorporated, but the process counts. And I think the partnership needs time to understand the data etc.

*Cassie Davis:* I just want to be respectful of everyone's time, so I suggest we table this discussion as I do not think we will be reaching consensus.

*Chris Brosch:* so, moved. Tabling makes the most sense to me.

*Greg Sandi:* I concur.

*Greg Sandi:* I want to thank Vanessa and everyone for explaining this and I know we didn't reach consensus, but it was very helpful.



*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

**Action:** WTWG will continue to discuss and review the Hillandale methodology and data. Consensus was not reached at this time. Voting members expressed concerns that there wasn't sufficient time for the partnership to review the data.

**12:00 PM – Meeting Adjourn**

***Next Meeting: September 2, 2021, from 10:00 to 12:00 PM***

**Call Participants**

Hilary Swartwood, CRC

Olivia Devereux, Devereux Consulting

Cassandra Davis, NYSDEC

Vanessa Van Note, EPA

Jeff Sweeney, EPA

Jessica Rigelman, J7

Ruth Cassilly, UMD

Suchith Ravi, UMCES

Jason Keppler, MDA

Chris Brosch, DDA

Clare Sevcik, DNREC

Emily Dekar, USC

Dave Montali, Tetra Tech

Arianna Johns, VA DEQ

Elliott Kellner, WVU

Frank Schneider, PA SCC

Jessica Rodriguez, DoD

Loretta Collins, UMD

Lisa Beatty, PA DEP

Gary Shenk, USGS

Elizabeth Hoffman, MDA

James Martin, VA DEQ

Ted Tesler, PA DEP

KC Filippino, HRPDC

Clint Gill, DNREC

Bill Keeling, VA DEQ

Matt English, DNREC

Greg Sandi, MDE

Norm Goulet, NRVA

Marel King, CBC

Mark Dubin, UMD

*\*This meeting is recorded for internal use to ensure the accuracy of the meeting minutes\**

Suzanne Trevena, EPA

Patrick Thompson, EnergyWorks

Sarah Lane, UMCES

Teresa Koon, WV DEP

Jennifer Walls, DNREC

Jordan Baker, HRG Inc.

Ken Staver, UMD

Ron Ballew, Hillandale Farms

Dinorah Dalmasy, MDE