

# Construction in the Phase 6 Model

Urban Stormwater Workgroup

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# Issues

- States have not documented historic acres of construction very well.
- States have not matched acres of BMP to estimates of acres very well.
- States not reporting ESC levels correctly by year.
- Most states are NOT reporting estimates of construction acres NOT under permit.
- No compliance rate is included in these acres.

# Issue: Documented Historic Acres

Year	DC	DE	MD	NY	PA	VA	WV
1985							
1986							
1987							
1988							
1989							
1990							
1991							
1992							
1993							
1994							
1995							
1996							
1997							
1998							
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2001							
2002							
2003							
2004							
2005							
2006							
2007							
2008							
2009							
2010							
2011							
2012							
2013							

- Yellow = no acres submitted to create LU

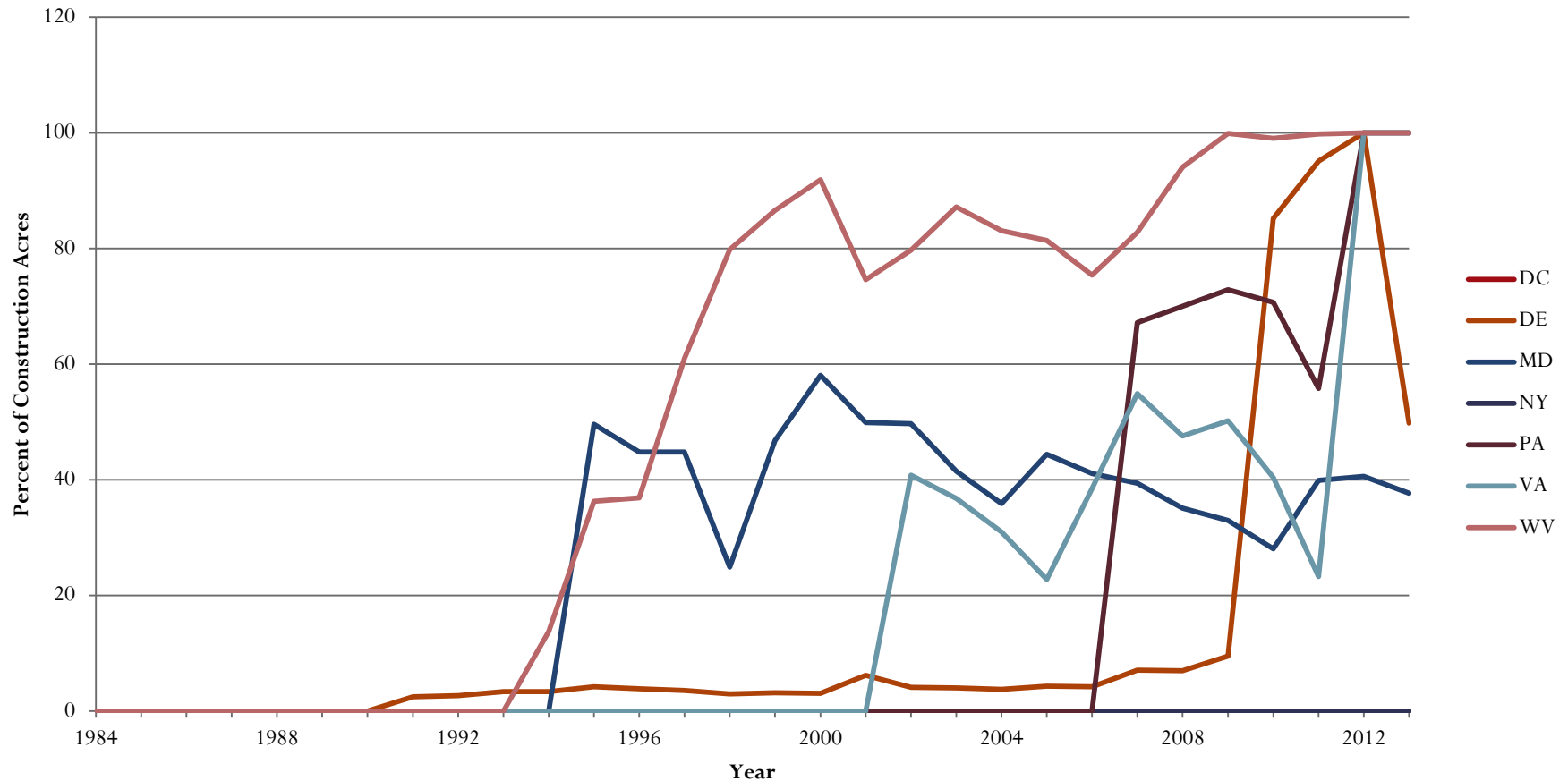
- Green = acres submitted to create LU

- If no acres are reported, then acres = average ratio of construction acres reported-to-impervious change.

- Ratio based upon green was **7.9** acres of construction for every one acre of impervious change.

# Issue: BMP NOT matching Acres

**Percent of Construction Acres Under Erosion and Sediment Control  
by State in Beta 2 Calibration**



# Issue: Incorrect Reporting of ESC Levels

- **“Level 1 ESC:** Includes ESC practices implemented under historical performance standards from approximately 2000 or before.” (pg. 12)
- **“Level 2 ESC:** This level of performance reflects the more stringent ESC requirements that have been adopted by local and state governments in the Bay watershed over the last several years...” (pg. 12)
- Assumption is that states should begin reporting some, if not all acres under Level 2 ESC after 2000.
- **Only WV is currently reporting Level 2 ESC.**
- **All other states currently reporting Level 1 ESC only.**

# Issue: Not Reporting un-BMP'd Acres

- Panel recommended states “...aggregate permitted construction acreage...every year based upon the CGP data reported to them by individual construction permittees...” (pg. 41)
- Interpreting this results in 100 percent coverage of all construction acres with BMPs. States have said it is unlikely that 100 percent are covered, but they do not have a good estimate of those un-BMP'd acres.

# Issues/Potential Solutions

- States have not documented historic acres of construction very well.
  - **Encourage state staff to improve historic acreage estimates by August 31.**
- States have not matched acres of BMP to estimates of acres very well.
  - **Direct states to assume 100% (or slightly less) coverage of acres by Erosion and Sediment Control Level 1.**
  - **Stop reporting actual acres, and report percents instead.**
- States not reporting ESC levels correctly by year.
  - **Direct states to report ESC Level 1 on acres from 1985 through 2000, and a subset of acres under Level 2 past 2000.**
- Most states are NOT reporting estimates of construction acres NOT under permit.
  - **Direct states to assume LESS than 100% coverage of acres by Erosion and Sediment Controls. (e.g., WV assumes 98% coverage of Forest Harvesting Practices because they assume some acres are harvested without state knowledge.)**
- No compliance rate is included in these acres.
  - **Should states report less than 100% coverage due to compliance checks?**
  - **E.g., Ag Nutrient Management Panel is recommending historic compliance rate cannot be higher than 2015 Progress compliance rate.**