

# Construction in the Phase 6 Model

Urban Stormwater Workgroup

July 25, 2016

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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							
1999							
2000							
2001							
2002							
2003							
2004							
2005							
2006							
2007							
2008							
2009							
2010							
2011							
2012							
2013							

•Yellow = no acres submitted to create LU

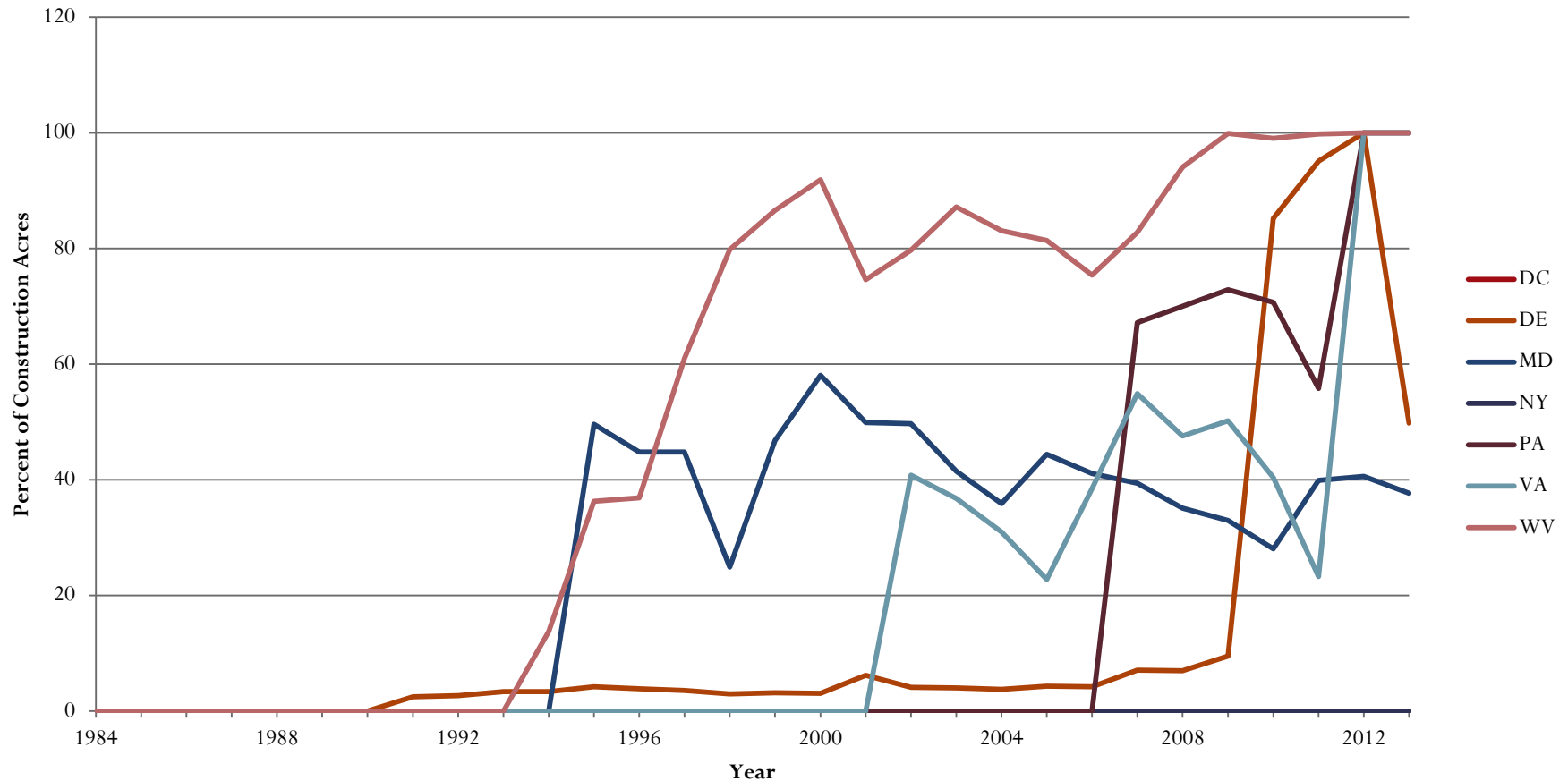
•Green = acres submitted to create LU

•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.**