


July 2021 AgWG Meeting

# Introduction to the BMP Verification Ad-Hoc Action Team

*Presented by: Vanessa Van Note, Coordinator, and  
Elliott Kellner, Chair*







# Why are we here today?

---

- Introduce you to the BMP Verification Ad-Hoc Action Team.
- Run through past, on-going and future tasks.



# The “Why” – Why was the BMP Verification Ad-Hoc Action Team formed?

- Formed in January 2020 by the Management Board in Response to the WQGIT:

## **ISSUE V. Alternatives to “All or Nothing” Approach to BMP (Re)verification**

- Can there be gradual or partial credit over a period of time as opposed to zero credit for those BMPs that cannot be verified? Perhaps there’s room for a compromise that’s acceptable (particularly for those BMPs that are Natural Resources Conservation Service (NRCS) practices).
- Perhaps it is not too soon to revisit the verification structure and framework after only 2 years of verification reporting. Evolving the verification program was always intended, with continuous improvement.
- A one-size fits all approach will not work to verification (Maryland Department of Agriculture would be very willing to discuss what’s worked well with their verification program and associated procedures)

## **ISSUE VI. Revisiting Credit Duration**

- Credit durations established some agricultural BMPs are based on NRCS specifications. The remaining credit durations were established by the WQGIT’s source sector workgroups. There is debate as to whether these credit durations were based on the best available scientific information.
- There may be some inconsistency with how these credit durations were established.
- Jurisdictions may want to consider conducting a data collection exercise to draw some statistical conclusions to what an appropriate credit duration may be.

# The “Why” – Why was the BMP Verification Ad-Hoc Action Team formed?

## ISSUE V. Alternatives to “All or Nothing” Approach to BMP (Re)verification

- Can there be gradual or partial credit over a period of time as opposed to zero credit for those BMPs that cannot be verified? Perhaps there’s room for a compromise that’s acceptable (particularly for those BMPs that are Natural Resources Conservation Service (NRCS) practices).
- Perhaps it is not too soon to revisit the verification structure and framework after only 2 years of verification reporting. Evolving the verification program was always intended, with continuous improvement.
- A one-size fits all approach will not work to verification (Maryland Department of Agriculture would be very willing to discuss what’s worked well with their verification program and associated procedures).

## ISSUE VI. Revisiting Credit Duration

- Credit durations established some agricultural BMPs are based on NRCS specifications, while others were established by the WQGIT’s source sector workgroups. There is a need to determine whether these credit durations were based on the best available scientific information.
- There may be some inconsistency with how these credit durations were established.
- Jurisdictions may want to consider conducting a data collection exercise to draw some conclusions to what an appropriate credit duration may be.

1. Credit Duration Reevaluation

2. Partial Credit

3. Broader Programmatic Discussions Regarding Jurisdictions’ Verification Programs and the Framework Document.

# The “Who” - Who Are We?

We are not

**The BMP Verification Committee** - charged with responsibility for developing all the elements of a basinwide BMP verification framework

**OR The BMP Verification Review Panel** - provided advice, feedback, and recommendations to the Chesapeake Bay Program partnership as it develops a BMP Verification Program

# The “Who” – Who Are We?

## We **are**

- **An action team under the WQGIT formed to fulfill the management board charge.**
- Composed of signatory members, at-large members, workgroup representatives, and advisory committees.

**Chair** – Elliott Kellner, WVU

**Co-Chair** – Jason Keppler, MDA

**Coordinator** – Vanessa Van Note, EPA

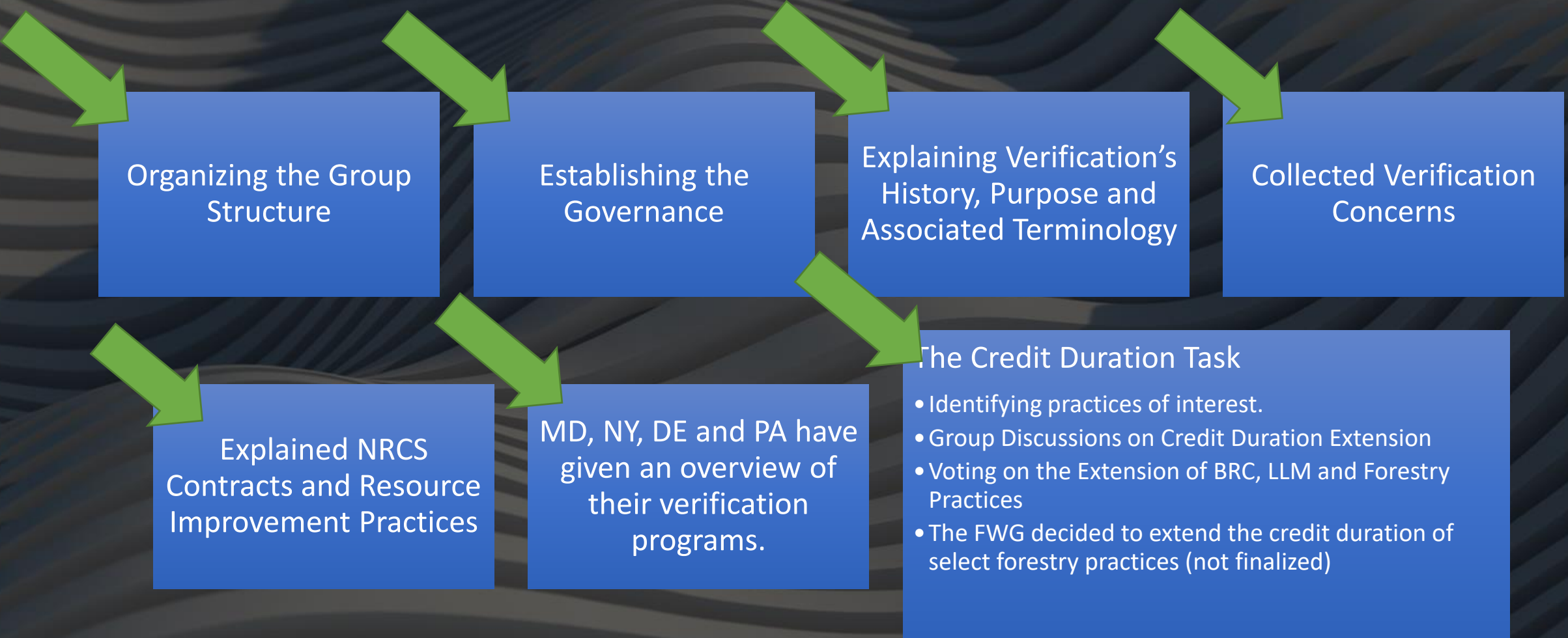
**Staffer** – Jackie Pickford



An aerial photograph of a wetland landscape. A dark, winding waterway snakes through a vast expanse of green marshland. The marshes are composed of various shades of green, indicating different vegetation types. The waterway has several sharp turns and loops, creating a complex pattern. In the upper left, the waterway opens up into a larger, more uniform body of water. The overall scene is a natural, undisturbed wetland environment.

The “What”  
What do we do/What have  
we done?

# Past Tasks



```
graph TD; A[Organizing the Group Structure] --> B[Establishing the Governance]; B --> C[Explaining Verification's History, Purpose and Associated Terminology]; C --> D[Collected Verification Concerns]; D --> E[Explained NRCS Contracts and Resource Improvement Practices]; E --> F[MD, NY, DE and PA have given an overview of their verification programs.]; F --> G[The Credit Duration Task];
```

Organizing the Group Structure

Establishing the Governance

Explaining Verification's History, Purpose and Associated Terminology

Collected Verification Concerns

Explained NRCS Contracts and Resource Improvement Practices

MD, NY, DE and PA have given an overview of their verification programs.

## The Credit Duration Task

- Identifying practices of interest.
- Group Discussions on Credit Duration Extension
- Voting on the Extension of BRC, LLM and Forestry Practices
- The FWG decided to extend the credit duration of select forestry practices (not finalized)



# Credit Durations – Which ones did we identify?

- Barnyard Runoff Control – 10 years
- Loafing Lot Management – 10 years
- Forestry Practices – 10 years
  - Forest Buffers (with/without exclusion fencing)
  - Ag Tree Planting
  - Urban Tree Planting
- Wetland Restoration – 15 years
- Grass Buffers – 10 years

# What is Credit Duration?

## A credit duration is:

How the BMP Verification/the Basinwide accountability framework is applied in the watershed model

- *A system for flagging BMPs in NEIEN that have not been reinspected*
- *An **expiration date** for practices in the model.*

**OR:** The maximum amount of time a practice can remain in the model after initial implementation or reinspection date without an inspection date being reported to the Bay Program

- Used interchangeably with “**lifespan**” throughout the framework document.
  - **Not the same as Actual (Physical) or Functional (Design) lifespan.**
  - *Though Actual and Functional lifespans could be considered (as directed by the BMP Review Panel), most workgroups used Regulatory/Permit/Contract lifespans to determine credit duration.*

# What is Credit Duration?

## A credit duration is:

How the BMP Verification/the Basinwide accountability framework is applied in the watershed model

*A system for flagging BMPs in NEIEN that have not been reinspected*

-- An **expiration date** for practices in the model.

**OR:** The maximum amount of time a practice can remain in the model after initial implementation or reinspection date without an inspection date being reported to the Bay Program

- Used interchangeably with “**lifespan**” throughout the framework document.
  - Not the same as Actual (Physical) or Functional (Design) lifespan.
  - Though Actual and Functional lifespans could be considered (as directed by the

*Based primarily on Regulatory Permit/Contract lifespans*

Intends to determine credit duration.



# Past Tasks – Barnyard Runoff Control and Loafing Lots

---

**Proposal Made:** To extend the credit duration from 10 to 15 years

**Which practices are we talking about?**

For BRC: *Roof Runoff Structure, Diversion, Trails and Walkways, Stormwater Runoff Control*

For LLM: *Heavy Use Area Protection, Access Roads, Prescribed Grazing, Trails and Walkways*

**What did we look at?**

Ag Verification Guidance and Ag Modeling Subcommittee Reports, NRCS Contract Durations, Considered Actual and Design Lifespans, MD/NY/PA Practice Data, What states report to NEIEN, Best Professional Judgement (Pro/Con Discussions)

**What was the result?**

**Proposal did not reach consensus due to:**

*Lack of consistent data, confusion between lifespan and credit duration, too many practices being grouped under one CAST BMP, the discussion was too technical, lack of input from the AgWG*





# On-going Tasks

- **The Credit Duration Task**
  - Forestry Practices
  - Wetland Restoration
- **The “All or Nothing” Task**
  - Partial Credit
  - Broader programmatic discussions (surrounding the 1619 Agreements)
    - **Boils down to:** *data sharing and states being unable to verify practices they cannot locate and whether or not the framework itself is too rigid.*
    - Offline discussions between team leadership, USGS and NRCS representatives



# On-going Tasks

- **The Credit Duration Task**

- Forestry Practices
- Wetland Restoration

- **The “All or Nothing” Task**

- Partial Credit
- Broader programmatic discussion
  - Boils down to: *data sharing and s*  
*locate.*
  - Offline discussions between team

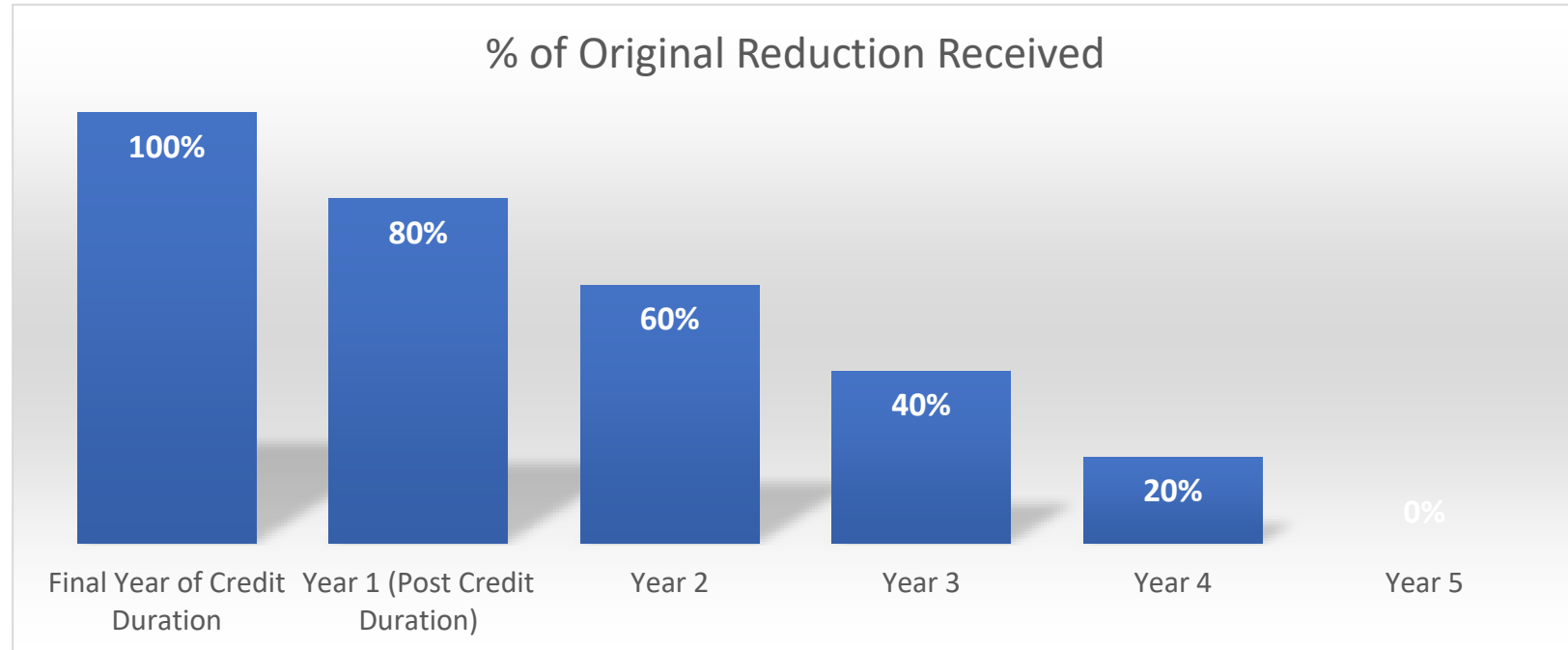
- Vote of support on the extension of these practices from 10 to 15 years called to question during the June 2021 Meeting.
- Support was not unanimous.
- The FWG will bring this to the WQGIT.

- Introduced proposal to extend practice CD **past 15 years** at the June Wetland WG meeting.
- Wetland WG currently providing feedback.
- Will continue discussion at August meeting.



# On-going Tasks – Partial Credit

- **What?**



- **To Accomplish...**

**Policy and Program Driven:** To alleviate the challenge of verifying practices that cannot be located (or cannot be verified in general).

- **Why?**

There is an understanding that ***some*** BMPs do continue to operate past their credit duration.

# On-going Tasks – Broader Programmatic Discussions

## Problems Related to the Verification Framework (Yellow) and Solutions to those Problems (Green)

CREP Program  
Buffers dropping  
out of NEIEN - If  
States do not know  
where they are, they  
cannot reinspect

People voluntarily  
participating in  
conservation  
programs are  
already  
participating. ->  
Acres are still under  
conservation (NRCS  
CSP Program)

Model shows land  
available for new  
implementation  
that actually doesn't  
exist because a  
practice is already  
there.

Protocols are  
onerous/too  
rigid

**1619  
Agreements -  
Not Being  
able to locate  
practices**

Modelled loads  
increasing while  
practices exist on  
the ground. -  
Dropping out due to  
inability to locate  
and verify.

The Ag Sector is  
responsible for  
federal cost-shared  
practices -  
Challenging to be  
accountable for  
practices state's are  
not involved with  
implementing

- **Next Month's Discussion:** How do states verify practices when the locations of those practices are unavailable?



# Future Tasks

- **The Credit Duration Task**
  - Grass Buffers
- **The “All or Nothing” Task**
  - Establishing and approving a methodology for partial credit
  - Continued Collaboration with the NRCS Chesapeake Bay Coordinator
  - Reporting out to the WQGIT on Verification Challenges and Solutions
    - Programmatic Discussions



An aerial photograph of a winding river or lake system. The water is dark and reflects the sky. The surrounding land is covered in dense green forests. There are several small islands and peninsulas. In the foreground, there are some open grassy fields and a line of trees. The text "Any Questions?" is overlaid in the center in a white, sans-serif font.

Any Questions?