

On Behalf of the Resource Improvement
Technical Review Panel:

Presentation of the “CBP RI Definitions and
Verification Visual Indicators Guidance Document”
and “Technical Submission Document”
For Approval by Agricultural Working Group

Bob Ensor, Chair

7/24/14

Resource Improvement Practice Definition

“Resource Improvement BMP’s are practices which provide similar annual environmental benefits for water quality but may not fully meet all the design criteria of existing governmental design standards. RI BMP’s are usually identified during a visit with the farmer. RI BMP’s are implemented by a farmer and are not cost shared through a federal or state program. RI BMP’s can be the result of a farmer choosing not to completely follow all the details of the design standard from the District or NRCS, but will contain all the critical elements for water quality resource improvement. Approved CBP RI BMP’s definitions contain descriptions of the practice with Visual Indicators. A Visual Indicator is a means of assessing the presence of key elements that must be present to achieve the water quality benefits of the RI practice and to be reported in Jurisdictional WIPs. The re-verification interval of an agricultural Resource Improvement BMP may be more frequent than practices meeting state or federal programs to insure proper functioning.” (Underlines indicate changes from comments to AgWG Verification process or by Technical Panel)

Technical Review Panel Members

Technical Review Panel Members	Affiliation
Robert Ensor – Panel Chair	District Manager, Howard SCD-MD
Debbie Absher	Director of Ag Programs, SCD-DE
Gary Moore	Ag Incentives Program Manager, DCR-VA
Lamonte Garber	Watershed Restoration Coordinator Stroud Water Research Center, PA
Beth McGee	Sr. WQ Scientist Chesapeake Bay Foundation, MD
Greg Albrecht	NYS Department of Agriculture and Markets-NY
Elmer Weibley	District Manager, Washington County SCD- MD
Charlie Wootton	TMDL Conservation Specialist, Piedmont SWCD- VA
Jeff Hill	Agriculture Program Manager, Lancaster County SCD-PA
NRCS Members In an Advisory Role	
Hosea Latshaw	State Conservation Engineer NRCS-PA
Larry Tennity	State Conservation Engineer NRCS-DE
Ann Baldwin	Environmental Engineer NRCS-MD
Sally Kepfer	State Resource Conservationist, NRCS-DE
Dale Gates	Resource Conservationist NRCS-NY
Other Advisors	
Mark Dubin	University of Maryland
Emma Giese	Chesapeake Research Consortium
Dana York	Green Earth Connection

The RI Verification Process had been in Discussion since 2010

- The process started with the Chesapeake Bay Executive Order in 2010.
- NACD continued the process through a contract with NACD – December 2010 to August 2011.
- MDA created and updated verification manuals for Functional Equivalents 2011-2013 and submitted to the AgWG in July of 2013 for approval. In the Fall of 2013 the WQGIT requested the AgWG complete a Technical Review.
- In December 2013 the Technical Panel was selected.
- The Technical Panel met and had teleconference and made many significant changes creating a “Jurisdictional Neutral Document” that was presented to the AgWG in June of 2013. Comments were provided and the Technical Review Panel reviewed and made the appropriate changes from comments (see Comments and RI Panel Response Document 7-10-14).
- The Technical Panel had a teleconference 7-10-14 and finalized document.
- Three documents were posted to the July 24 Meeting Site 7-14-14.

Final 19 Resource Improvement Practices

RI Code	RI BMP Name	Additional Practice Information
RI-1	Waste Storage Structure	
RI-2	Animal Compost Structure	
RI-3	Alternative Crop/Switchgrass	
RI-4a	Watercourse Access Control-Narrow Grass	10'-34' Exclusion Area, Natural Grass or planted
RI-4b	Watercourse Access Control-Narrow Trees	10'-34' Exclusion Area, Native Trees or planted
RI-5	Watercourse Access Control--Grass	35'+ Width Exclusion Area, Natural Grass or planted
RI-6	Watercourse Exclusion-Trees	35'+ Width Exclusion Area, Native Trees or planted
RI-7	Grass Nutrient Exclusion Area on Watercourse	10'-34' Width Buffer
RI-8	Grass Buffer on Watercourse	35'+ Width Buffer
RI-9	Forest Nutrient Exclusion Area on Watercourse	10'-34' Width Buffer
RI-10	Forest Buffer on Watercourse	35'+ Width Buffer
RI-11	Vegetative Environmental Buffer for Poultry-Grass	Warm Season Grass
RI-12	Vegetative Environmental Buffer for Poultry-Trees	Trees
RI-13	Conversion to Pasture	
RI-14	Conversion to Hayland	
RI-15	Rotational Grazing	
RI-16	Barnyard Clean Water Diversion	
	Concentrated Area Protection	Removed by Technical Panel
RI-17	Water Control Structure	
RI-18	Watering Trough	
	Wetland Development	Removed by Technical Panel

Changes from Comments

- Wording changes- additions such as “farmers *voluntarily* install”; made changes to make some VI methods consistent- “*estimated by paces*” “*visual inspection*” changed to “*visual observation*”
- Opinions reviewed- “add Nutrient Management Plans”- *rejected*- since by using “per state or local regulation” states can insert appropriate laws; “go back to term Functional Equivalent”; *rejected*- since Panel spent significant time in the development of the new terms (RI and VI) which had the support of NRCS.

Changes from Comments

- Clarification-Added that “*all Visual Indicators must either have a Y or NA marked*. If a N is marked it may not be reported”; *Removed Life Span* as discussed at AWG and made timeline for “*Re-verification Intervals*” to determine if the RI was still present and functioning (See Table 2); Made changes to Table 4 to Indicate the Type of Reduction for each RI: *Nutrient Availability, Landuse Change or Efficiency Reduction*, to clarify N/A in previous Table

Changes from Comments

- Forwarded comments to AgWG- forwarded all comments that had to do with the CBP definitions, expert panel reports or current research.

Clarifications to Jurisdictional Guidance Document

Since June 2014 AgWG Meeting

- Changed “*Reference Practices*” on each RI Definition to “*Comparison Practices*” and added the CBP practice names.
- Added the word “*Perennial*” in all places where a percentage of grass cover is required to clarify that annual weeds and annual grass was not acceptable.
- Added the word to “>50% *canopy* cover” to further clarify coverage of trees needed to be reported.
- Changed the stackable manure guidance to: “*Storage of stackable manure must meet all state and local regulations. All runoff is controlled and non-polluting.*” since the previous version was Maryland centric. Now each state must follow their state regulations for timelines of stackable manure.

Clarifications to Jurisdictional Guidance Document Since June 2014 AgWG Meeting

- Removed the word “*inspection*” and “*life spans*” and replaced with “*observation*” and “*re-verification Intervals*” since this is not a regulatory setting and set more frequent reviews or RI’s.
- Spot Check and Quality Assurance Guidance- Removed actual previous AWG Verification guidance wording and for QA and said states would “*utilize approved AgWG recommended quality assurance methods and frequency for spot-checking all non-cost shared and RI practices per The Chesapeake Bay Program Partnership Agricultural Workgroup’s Agricultural BMP Verification Guidance (DATE) 2014.*”

Modifications to Approved VI's

- Added New Section “ ***Modifications to Approved VI's***” that states: “*Upon CBP partnership approval, jurisdictions are allowed to make individual VI's stricter than the approved guidance per state program requirements, regulations, etc. Where “state or local regulations or requirements” are mentioned, jurisdictions may insert specific state regulation or requirement references in the VI. A jurisdiction may not make a VI less restrictive or weaker than the approved CBP VI guidance. If jurisdictions wish to propose less restrictive VI's or additional RI's, they must be first reviewed and approved following the CBP partnership's "BMP Protocol" process.*

Questions?

- On behalf of the RI Technical Review Panel we ask for AgWG approval of the RI Jurisdictional Verification Guidance Document and Technical Report.
- Next Steps-
 - WTWG, WQGIT approval
 - NEIEN Appendix changes
 - State Implementation