



WTWG Meeting 02/04/2021

BMP Verification Ad-Hoc Action  
Team Update

By: Vanessa Van Note, Coordinator

# Who makes up the BMP Verification Ad-Hoc Team?

## **The BMP Ad-Hoc Team is composed of:**

- 1) Representatives from all jurisdictions and Bay Partnership signatory member organizations
- 2) Representatives from all source sector workgroups
- 3) At – Large Members from the CBF, GEC, USDA, DoD, USFS
- 4) Representatives from the CBP Advisory Committee (CAC, STAC, LGAC)
- 5) Representatives from the NRCS
- 6) Representatives from UMD

## **The BMP Ad-Hoc Team is led by:**

- Chair - Dr. Elliott Kellner from WVU
- Co-Chair – Jason Keppler from MDA

# Tasks Charged Directly to the Action Team

The Action Team was charged with two tasks from the Management Board and has two years to fulfil those tasks (until September 2022).

## **1) Revisiting Credit Durations of Practices of Interest to Stakeholders**

- Potentially extend the credit durations of priority practices that have the justification to be extended.

## **2) Alternative to the “All-or-nothing” Approach**

- Address the issue members have with practices past their credit duration (that have not been reverified) being removed from the model entirely (without any residual load reduction credit remaining).

# Task 1: Re-Evaluating Credit Durations

## Forestry Practices highlighted by the Group:

- Ag Riparian Forest Buffers
- Exclusion Fencing with Forest Buffer
- Exclusion Fencing with Narrow Forest Buffer
- Narrow Forest Buffer
- Urban Forest Buffers
- Urban Narrow Forest Buffer
- Ag Tree Planting
- Urban Tree Planting
- Urban Forest Planting

The FWG is currently developing recommendations for these practices.





# Task 1: Re-Evaluating Credit Durations

## Agriculture Practices highlighted by the Group:

- Animal Waste Management Systems
- Barnyard Runoff Control
- Loafing Lot Management
- Grass Buffers
- Narrow Grass Buffers
- Exclusion Fencing with Grass Buffers
- Exclusion Fencing with Narrow Grass Buffers



The BMP Ad-Hoc Team is currently discussing the credit durations of these practices.



# Task 1: Preliminary Results from Barnyard Runoff Control Discussion

## Argument For Extending Credit Duration to 15 Years

1. **558 Roof Runoff Structure**, a closely related NRCS practice, has a NRCS Practice Lifespan of 15 years. **States often report gutters (NRCS lifespan 15 years)**, which are Roof Runoff Structures. See reported practices from NEIEN below for further information on this topic.
2. CBP AWMS has a credit duration of 15 years. BRC is a supporting practice. -- It is simpler to verify all related/supporting practices at the same time since they can be installed together to support each other. **PA is in favor of 15 years to verify the entire system as a whole.**
3. The practice lifespan of related NRCS practices define a minimum amount of time (years) a practice is expected to be fully functional if proper O&M is performed. The system is designed to outlast the minimum practice lifespan (if maintained properly).
4. 85% of BRC practices (**Barnyard Clean Water Diversion Resource Improvement Practice**) past their expiration that MD looked at were still present and meeting the standard.
5. Landowners contribute financially to NRCS funded projects = incentive to maintain and retain practice. These projects address a specific resource concern.
6. **Infrastructure is in place and can exceed minimum lifespan.**

## Argument For Keeping Credit Duration at 10 Years

1. Credit durations were established to **be conservative/considerate** of the minimum lifespan of related NRCS practices. **There is a desire to be conservative with the amount of time we allow practices to go without inspection. Other reported practices can be less than 15 years, such as Diversion (10 years).**
2. The CBP AWMS was established based on **NRCS 313 (Waste Storage Facility) or NRCS 359 (Waste Treatment Lagoon)** that have 15-year practice lifespans.
3. A maximum amount of time that a LLM practice will last (assuming proper maintenance) is undefined. Without proper maintenance, the practice is not designed to last the minimum amount of time defined by the practice lifespan.
4. MD was only able to view 19 BRC practices and we do not have retention data for other jurisdictions. **These practices were resource improvement practices, not CBP Barnyard Runoff Control Practices.**
5. **Animal numbers (an example of a resource concern) can be far in excess what the practice is designed to manage.** We are unaware of how fast these operations are going.
6. **Infrastructure potentially undermined by new ownership.** Ex. Amish Farmers in Lancaster Co. Often do not mechanized equipment. Can be simpler to allow runoff to run. (Potentially 8-10 of farms inspected in a county like Lancaster.) We do not know which time window new ownership occurs in on average [10-15 or 15-20 years?].

# Task 1: Preliminary Results from Loafing Lot Management Discussion

## Argument For Extending Credit Duration to 15 Years

1. CBP AWMS has a credit duration of 15 years. LLM is a supporting practice. It is simpler to verify all related/supporting practices at the same time since they can be installed together to support each other. **PA is in support of verifying an AWMS in its entirety.**

3. The practice lifespan of related NRCS practices define a **minimum amount of time (years)** a practice is expected to be fully functional if proper O&M is performed.

4. Landowners contribute financially to NRCS funded projects = incentive to maintain and retain practice.

5. 53% of LLM practices past their expiration that MD looked at were still present and meeting the standard.

6. **Infrastructure is in place and can exceed minimum lifespan.**

## Argument For Keeping Credit Duration at 10 Years

1. The CBP AWMS was established based on NRCS 313 (Waste Storage Facility) or NRCS 359 (Waste Treatment Lagoon) that have 15-year practice lifespans. The practices most closely related to LLM: HUAP, Access Roads, and Trails and Walkways; have NRCS practice lifespans of 10 years. **Outside of the 10-year window, there is a greater potential these practices are not being maintained as expected or operations have changed.**

Please see how states report LLM in NEIEN below.

3. A maximum amount of time that a LLM practice will last (assuming proper maintenance) is undefined. **Without proper maintenance**, the practice is not designed to last the minimum amount of time defined by the practice lifespan.

4. Funds provided address a specific resource concern. **Animal numbers ( an example of a resource concern) can be far in excess what the practice is designed to manage.** We are unaware of how fast these operations are going.

5. 47% of LLM practices did not meet standards, were not present or did not have animals. **According to MD, poultry pads (which do not qualify under the definition of "Loafing Lot Management" were included in the "present without animals" numbers.** Vanessa will contact MD to see if these values can be removed from the data.

**6. Infrastructure potentially undermined by new ownership.** Ex. Amish Farmers in Lancaster Co. Often do not mechanized equipment. Can be simpler to allow runoff to run. (Potentially 8-10 of farms inspected in a county like Lancaster.) We do not know which time window new ownership occurs in on

## Task 2: Alternatives to All-or-Nothing Approach

- Preliminary Discussion will begin once the credit duration task gains more traction. (Potentially in April 2021.)
- Initial Rational for and Comments that led to Requesting An Alternative to the “All or Nothing” Approach:
  - “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 is room for a compromise that’s acceptable, particularly for those BMPs that are NRCS practices.”
  - “A one-size fits all approach will not work for verification.”

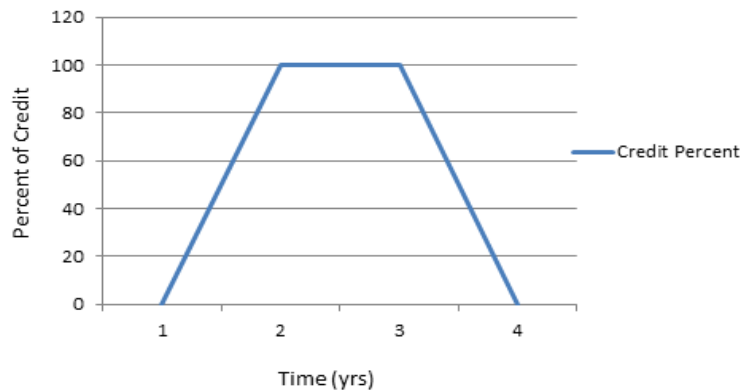


## Task 2: Alternatives to All-or-Nothing Approach

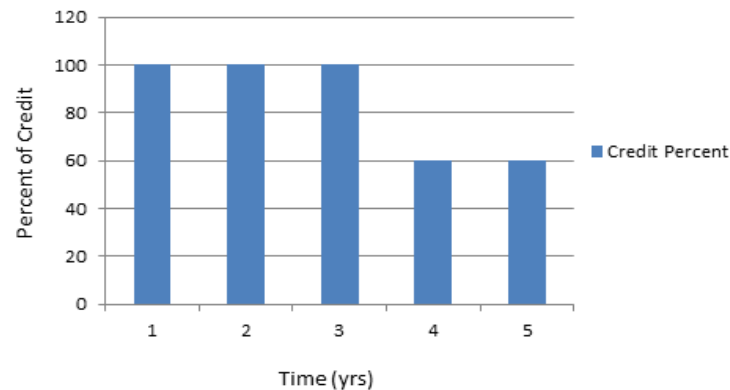
### Recommended approaches to introducing a Partial Credit:

- Phase In/Phase Out or Ramp Up/Ramp Down Option
- Stepped Approach
- Static Discount
- Unless the operation ceases to operate there should be a partial variable credit

**Ramp Up/Down**



**Static Discount**



# Looking Ahead: Goals and Upcoming Discussions

## Goals:

- Approve recommendations for credit duration alterations by September 1, 2021 (the CAST-21 deadline).
- Complete MB Charge by September 2022.

## Upcoming Discussions (Tentative Schedule):

### February 2021:

- Continue Barnyard Runoff Control (BRC) and Loafing Lot Management (LLM) Discussion
- Initial Presentation on FWG Progress for Forestry Practices

### March 2021

- Present Draft Recommendation on BRC and LLM to source sector workgroups
  - Workgroups will be given a 30-day comment period
- Begin Discussion on Grass Buffer Credit Duration

### April 2021

- Continue Grass Buffer Discussion
- Finalize BRC and LLM Official Recommendation
- Introduce the All-or-Nothing “Partial Credit” topic

### May 2021

- Vote on BRC and LLM Recommendation within the Ad-Hoc Group (Consensus based Voting)
- Present Draft Recommendation for Grass Buffers



# Any Questions?

Thank you!