

Credit Duration Extension for Wetland Practices

Vanessa Van Note, August 2021 Wetlands Meeting

BMP Verification – What is it?

- “process through which agency partners **ensure practices, treatments, and technologies resulting in reductions of nitrogen, phosphorus, and/or sediment pollutant loads are implemented and operating correctly.**”
- Four Key Components of Verification
 1. Five **BMP verification principles** (Practice Reporting, Scientific Rigor, Public Confidence, Adaptive Management, Sector Equity)
 2. **BMP Verification Guidance** (Six sectors – Ag, Forestry, Urban, Wastewater, Wetlands, Stream Restoration)
 3. Jurisdictions’ enhanced **BMP tracking, verification, and reporting programs.**
 4. The Bay Program’s commitments to **ongoing evaluation and oversight.**
- BMP Verification is tracked by states and applied to the state data submissions in CAST by EPA.

From the Last Meeting

- Looking at the Credit Durations for:
 - Wetland Restoration
 - Wetland Re-Establishment
- NOT Wetland Creation
- As a reminder: This (the Credit Duration) would be the time in between reported inspection dates.
 - The Wetlands WG used Regulatory/Permit/Contract lifespans to determine credit duration.

15 years

BMP Verification – The Workgroup’s Role

- The Wetlands Workgroup (Wetlands Action Team) was charged with developing principles/guidance for verifying wetland BMP projects in order for such projects to continue receiving nutrient and sediment load reduction credit. ‘
- Six sectors developed a [verification guidance](#) for Appendix B.

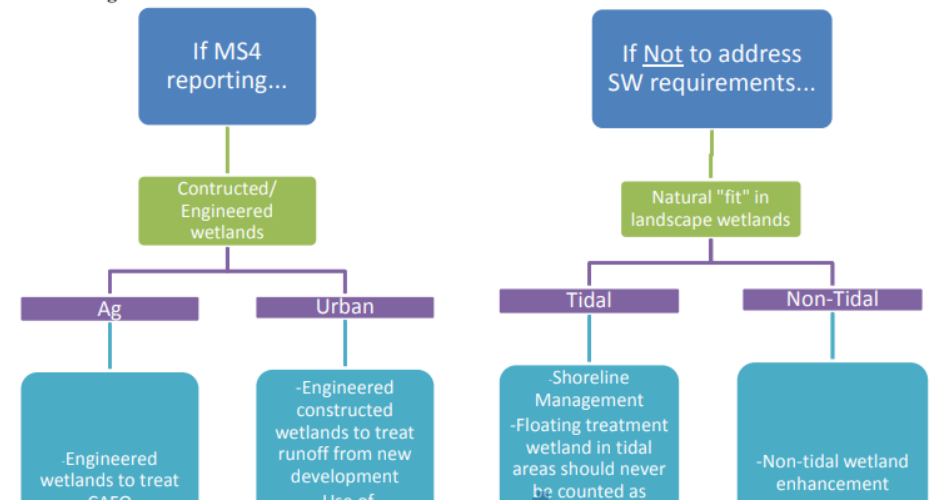
Appendix B Wetlands BMP Verification Guidance

Chesapeake Bay Program Wetlands Workgroup’s BMP Verification Guidance

I. The need for wetlands BMP verification

Restoration, creation, and enhancement of wetlands provide a range of benefits for wildlife, fish, and other aquatic species. Wetlands also filter nitrogen, phosphorus, and sediment from overland flow, thereby providing quantifiable water quality benefits. As such, wetland restoration and creation are recognized best management practices (BMPs) in the Chesapeake Bay Program’s (CBP) Watershed Model. This document provides guidance on verifying wetland projects to ensure their pollutant removal performance is appropriately credited toward watershed jurisdictions’ two-year milestone commitments and their Watershed Implementation

Figure B-4. Wetland BMP Matrix



What does the Wetland Guidance say about Lifespan?

- There are no specifications for the type of lifespan being discussed, but it can be assumed it is an Actual, Functional (if maintained) lifespan, and/or Regulatory Lifespan.
 - Project monitoring from regulatory programs were considered in the *Existing inspection, maintenance, monitoring frameworks section*.
- From the Inspection, maintenance, monitoring section:
 - Wetland restoration practices implemented under CRP/CREP have a fifteen-year contract; however, in most cases, the wetland **continues to exist and function beyond the contract period.**
 - Wetland projects enrolled in WRE must be maintained for the duration of the easement, either **30 years or in perpetuity.**

Appendix B Wetlands BMP Verification Guidance

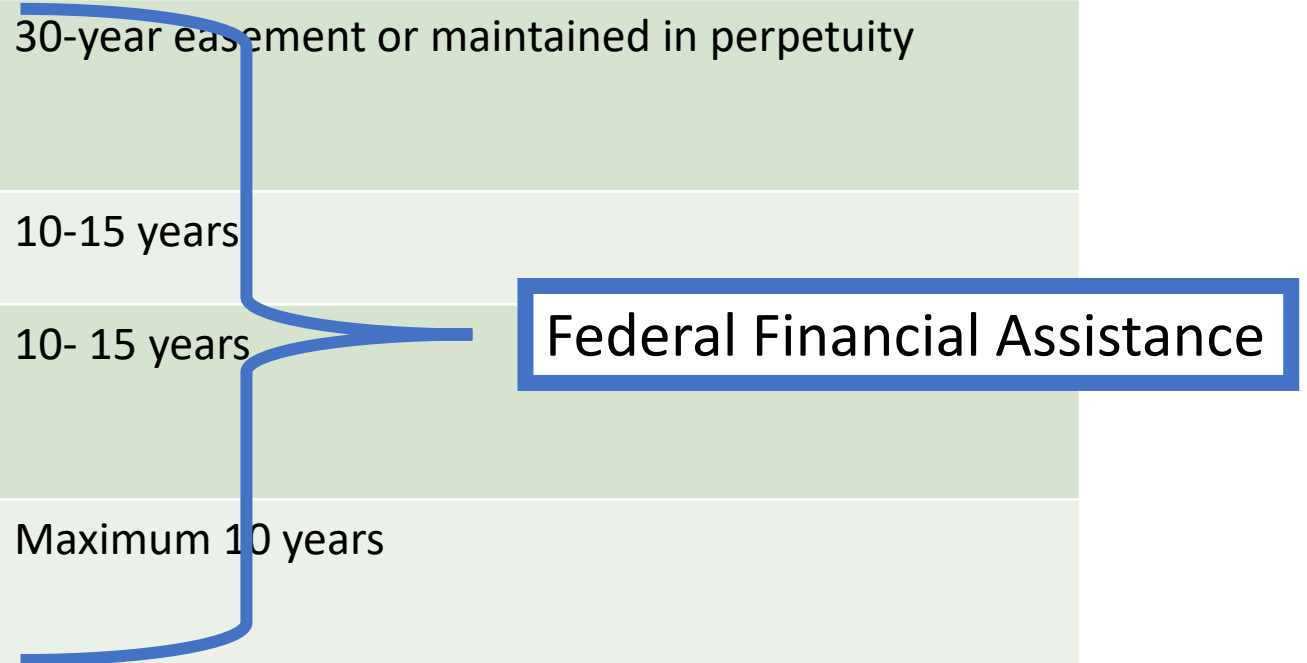
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Wetland Restoration – Regulatory Oversight

Program/Contract Type	Contract Duration
NRCS Wetland Reserve Easements (WRE)	30-year easement or maintained in perpetuity
FSA Conservation Reserve Program (CRP)	10-15 years
FSA Conservation Research Enhancement Program (CREP)	10- 15 years
Environmental Quality Incentives Program (EQIP)	Maximum 10 years
VA Agricultural Cost-Share Program	10 years
Maryland Agricultural Water Quality Cost-Share (MACS)	Minimum 15 years



Federal Financial Assistance


What does the NRCS say about Wetland Restoration?

- From conversations with NRCS engineers from Virginia and Pennsylvania.
 - NRCS wetland restoration projects in Pennsylvania and Virginia are primarily done through the **ACEP program**. The program has opportunities for 30-year easements or permanent easements.
 - [Agricultural Conservation Easement Program | NRCS \(usda.gov\)](https://www.nrcs.usda.gov/programs/acep/)





Since the
Last Meeting

- The Following Questions were forwarded to the group:
 - 1) Do you think the credit duration should be extended past 15 years?
 - 2) If so, what do you propose as a new timeline?
 - 3) Should there be any qualifiers, such as verification?
- 

Responses Received

1. The credit duration could be extended subject to verification.

- If the parcel of interest is in "good wetland shape" and requires minimal to no correction, then the credit duration could be extended. If substantial corrective measures are required, then it should be treated as new project.
- Propose re-evaluating wetland crediting at 15 years for P and sediment (but not necessarily N). Wetlands have to perpetually store P and sediment and they theoretically have a maximum storage capacity. That capacity should be re-evaluated and if the wetland is "full," then its P and sediment load reduction crediting should be lessened. Conversely, the N load capturing credit for wetlands would not have the same problem, and perhaps there needn't be any timeline of change for N crediting. – **Separate from Credit Duration**

2. PA is supportive of extension of the Credit Duration for Wetland Re-establishment and Restoration projects, but not for Wetlands Creation.

- In Pennsylvania, these projects are verified at completion and through the first few years of establishment.
- Suggest that the timeframe for the extended Credit Duration should be established by committee agreement in the Workgroup.

Any other Comments?

- On the questions asked:
 - 1) Do you think the credit duration should be extended past 15 years?
 - 2) If so, what do you propose as a new timeline?
 - 3) Should there be any qualifiers, such as verification?
- What should the next steps be for this item?

