



# Wetland Restoration: Reevaluation of the Credit Duration

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# Who are we? The BMP Verification Ad-Hoc Action Team

- **BMP Verification Committee** - charged with responsibility for developing all the elements of a basinwide BMP verification framework
- **BMP Verification Review Panel** - provide advice, feedback, and recommendations to the Chesapeake Bay Program partnership as it develops a BMP Verification Program
- **BMP Verification Ad-Hoc Action Team** - Formed by the Management Board in Response to the WQGIT:

## 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.

# Why am I here today?

- To discuss the credit duration of Wetland Restoration to see if there is cause for an extension or reevaluation.
  - **Credit Duration - 15-years.**
  - *Credit durations available in the Phase 6 [NEIEN Appendix](#).*



# BMP Verification

## Why do we do it?

- Calls for **accountability** (*assurance that BMPs are working and continuing to work properly*) from:
  - CEC, CAC, STAC, USDA 2011 CEAP Report, National Academy of Sciences, Federal Executive Order**
  - Demanded **improvements in the transparency and scientific rigor** of the Bay Program's efforts.
- Led to the formation of **a practice accountability system** outlined in the Verification Basinwide Framework developed in 2014.
- Introduced “key phases” of verification where a BMP is installed, and **regulatory oversight** is provided by a federal or state agency until a contract expires.

# 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 – 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.

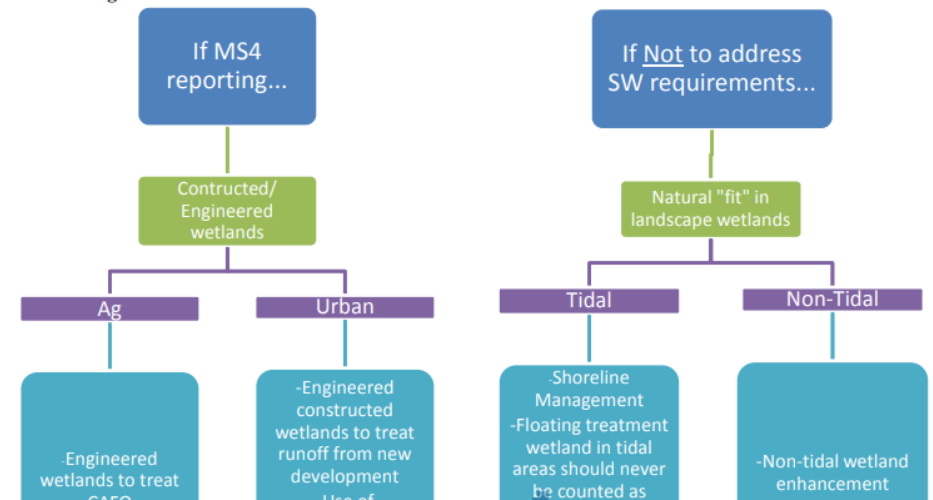
## Appendix B Wetlands BMP Verification Guidance

### 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





# BMP Verification as a Life Cycle

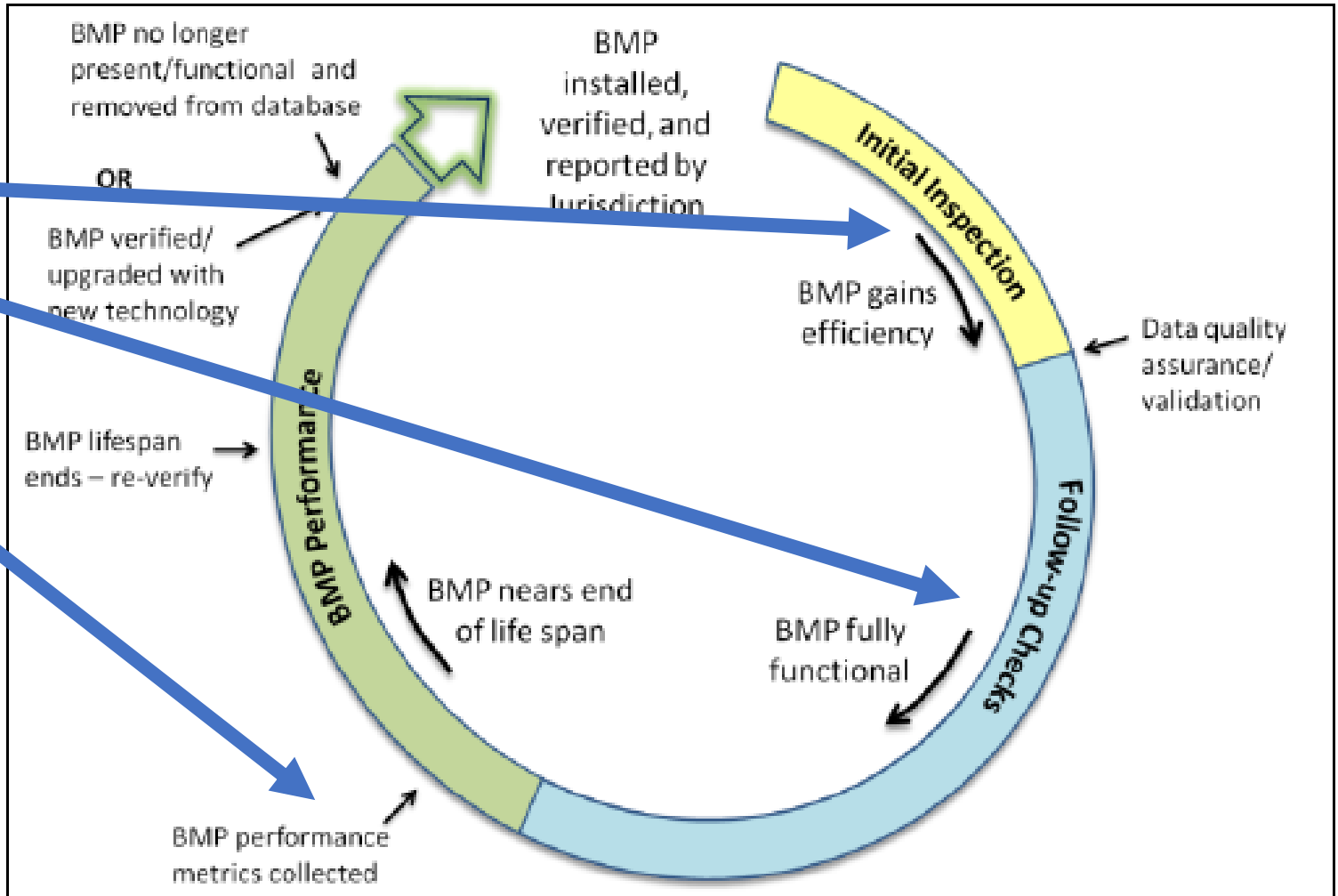
**Figure 1. Illustration of the BMP Verification Life Cycle**

Step 1: "Is the BMP There?"

Step 2: "Is the BMP still operating correctly?"

Step 3: "Systematic Data Collection" or  
Performance Outcomes

[Please see the BMP Verification Webpage for  
More information.](#)



# BMP Verification – What is it?

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

- Credit Durations

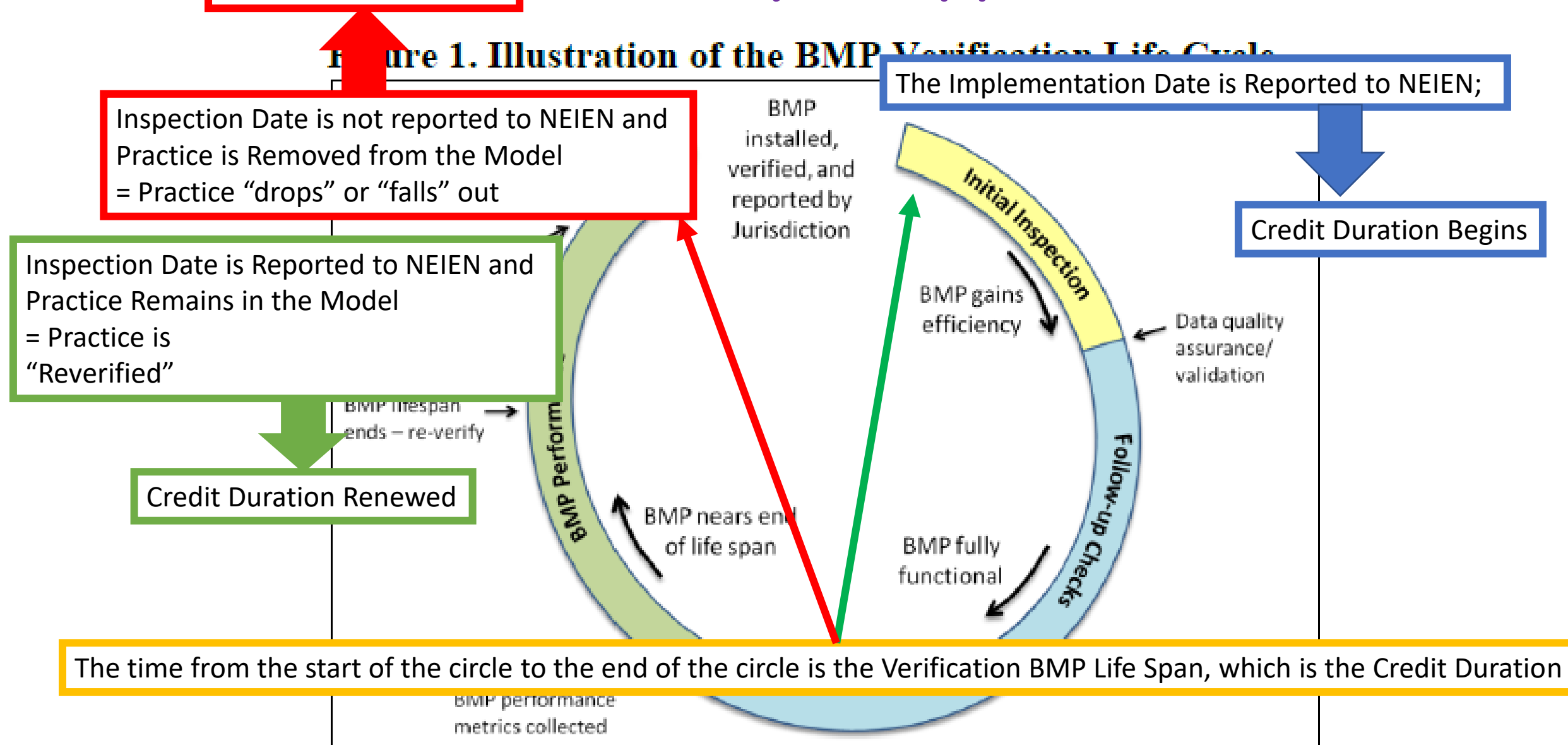
- A system for flagging BMPs in NEIEN that have not been reinspected/An **expiration date** for practices in the model.

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.
  - 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.

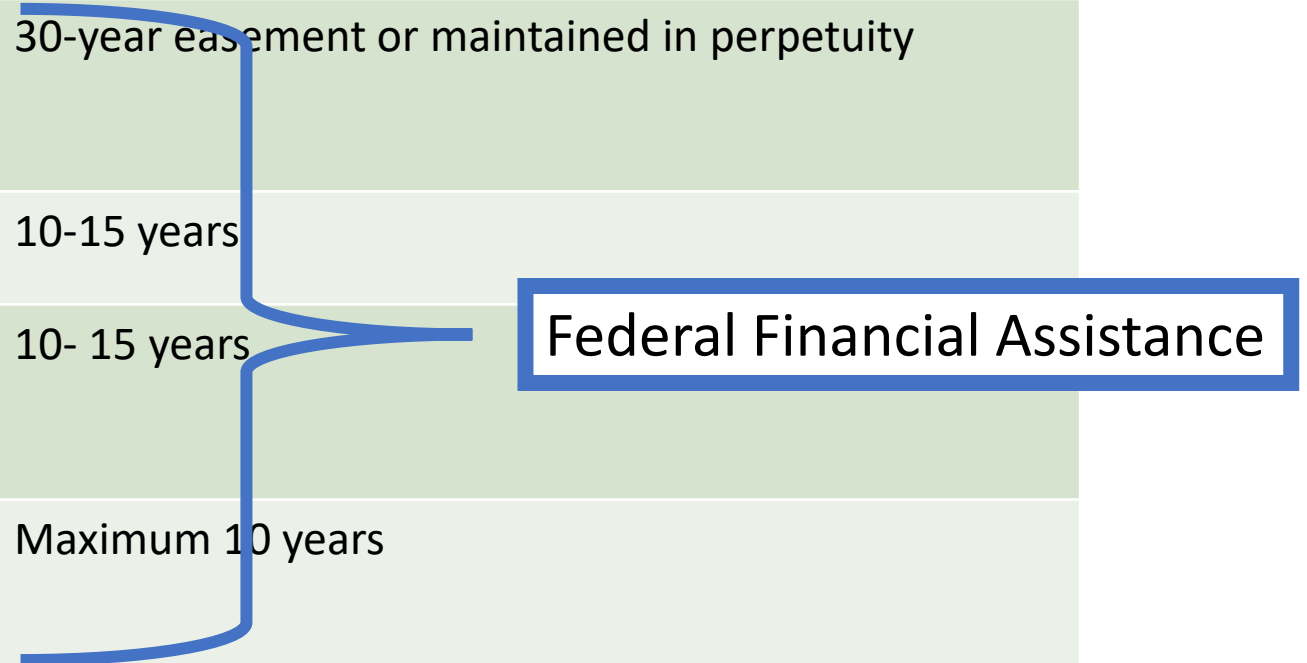


# How the Verification Life Cycle Applies to the Model



# 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 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.**

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# 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/)



# Wetland Restoration – 15-year Credit Duration

- Is there a reason to extend the credit duration of Wetland Restoration?
- Is there new data on the performance of this BMP to support an extension?
- If there is cause to support an extension, should other Wetland Practices (with 15-year credit durations) be considered for extension?
  - Wetland Creation
  - Wetland Enhancement