

2014 Progress Issues

Running out of TRP landuse

- Causes
 - TRP developed as estimated percentage of pasture acres
 - Inaccuracies in BMP Record
 - Historical (changes in reporting units)
 - NRCS (changes in practice classification and insufficient reporting detail)
- Impact
 - Cut-off of Stream Exclusion credit
- Solution
 - When out of TRP, apply BMPs to pasture
 - BMPs show as credited, but produce smaller reduction benefit

2014 Progress Issues

Credit for Extractive Lands BMPs

- Extractive Lands Based on Permitted Area
 - Includes active mine areas, undisturbed areas, and reclaimed areas
 - All mining operations (strip, mountaintop removal, open pit, underground) treated the same
 - High loading rates applied to all permitted area
- Current BMPs
 - Abandoned Mine Reclamation
 - Approved
 - Converts Extractive to Forest
 - Erosion and Sediment Control - Extractive
 - **Interim**
 - Established in 2010
 - Same efficiencies as Construction E&S

2014 Progress Issues

Credit for Extractive Lands BMPs

- How do we allow credit to best represent actual actions and loads?
 - Use Abandoned Mine Reclamation to offset loads for all extractive areas that are not disturbed
 - Pros – Conversion from extractive to forest would closely approximate actual site conditions
 - Cons – Calibration concerns
 - Use Erosion and Sediment Control – Construction to treat active extractive areas
 - Pros – Provides some credit based on latest E&S Panel findings
 - Cons – Panel did not consider extractive, research is sparse
 - Approve current interim for use in progress
 - Pros – Provides some credit, easy fix in models
 - Cons – Based on old E&S, counter to BMP protocol
 - Establish new panel
 - Pros – When complete will provide best science based answer
 - Cons – Panel slate is full, timeliness

Approved Protocols

- WTWG – “Protocol to Establish an Open Enrollment Period for Changes to NEIEN Progress Reporting Requirements for Jurisdictions”
 - Requires all changes to NEIEN Appendix and Codes List which govern which BMPs can be submitted and credited be made final by December 1 of progress reporting year.
 - Adopting an interim BMP in February would violate protocol.
- Water Quality GIT – “Protocol for the Development, Review and Approval of Loading and Effectiveness Estimates for Nutrient and Sediment Controls in the Chesapeake Bay Watershed Model”
 - “... The review of existing estimates and, when applicable, the definition of a BMP can be conducted within a source Workgroup in consultation with the WTWG...Reviews of existing estimates should follow the guidelines listed in IIA [review process for new estimates] except that a separate Panel is not convened and the information generated is added to the existing support documentation for the estimate...”
 - Adopting an interim BMP without first convening a review of the efficiencies would violate protocol.
 - Six other BMPs are currently considered interim and are not available for Progress. Following the protocol, the Ag Workgroup plans to convene panels to investigate four of the six.

2014 Progress Issues

Credit for Extractive Lands BMPs

- Recommendation
 - Use Abandoned Mine Reclamation to offset loads for all extractive areas that are not disturbed
and
 - Direct WTWG to consider the following and make recommendation for crediting Progress pending approval of panel report
 - Use Erosion and Sediment Control – Construction to treat active extractive areas
 - Establish new panel (WTWG?) if necessary