

TOPICS & FORMAT

• 30 minutes per topic

- 5-minute introduction
- 25-minute discussion

• Goals

- Share current progress and lessons learned
- Identify opportunities for state and regional action
- Coordinate next steps

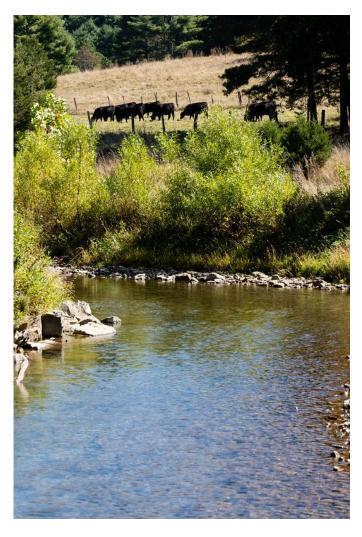
9:45 – 10:15	Grading Our Pay-for-Performance: Assessing Existing Programs
10:15 – 10:45	Understanding Your Canopy: County and Municipal Tree Canopy Coverage
11:00 – 11:30	Preventing the Spread: Addressing PFAS in Biosolids

FOR EACH TOPIC

- **Problem Statement:** the challenge and its impacts
- **Current Status:** state and federal policies and response
- Options & Opportunities: policy alternatives for addressing the challenge
- **Discussion Prompt:** identifying next steps for Commission action







GRADING OUR PAY-FOR-PERFORMANCE: Assessing Existing **Programs**

What is "Performance"?

PAY-FOR-PERFORMANCE: Current Status



Source: Environmental Policy Innovation Center

PAY-FOR-PERFORMANCE:

Current Status

Virginia	 DEQ Pay for Outcomes Program (2025) 1 year pilot, \$20 M available Allows and incentivizes direct monitoring 	\$32.73
Maryland	MDE Clean Water Commerce Program (2021-2030) • \$20 M annually from Bay Restoration Fund	\$20.85
	 DNR Bay Trust Fund (2024-) Opened existing program to for-profit entities Required amendments to procurement law 	TBD
SRBC	 Conowingo Pay-for-Success Program (2023-) One-time MD appropriation of \$25 M (2022) Able to be used anywhere upstream of Conowingo Dam 	\$30.79
Pennsylvania	 PENNEST Clean Water Procurement Program (2022-2032) \$22 M initially, now \$6 M/y from Clean Streams Fund Only one to use Nutrient Tracking Tool for load calculation 	

PAY-FOR-PERFORMANCE:

Options & Opportunities



TIME: Lifespan of program



MEASUREMENT: Method of calculating load reductions



BALANCE: Cost-effectiveness v. co-benefits and social considerations

PAY-FOR-PERFORMANCE: Discussion

• Should time-limited programs be extended or made permanent?

• Is there value in standardizing programs v. maintaining state-specific features?

• If a program is not codified, should it be?

UNDERSTANDING YOUR CANOPY:County and Municipal Tree Canopy Coverage

Despite extensive efforts to increase tree canopy throughout the watershed, we are still experiencing a net loss.

Ecosystem Services

Provided by the Urban Forest*





























Cleans the Air

reduces air pollution by capturing particulates, absorbing harmful pollutants

Reduces Energy Consumption

shades buildings lowering energy use and costs for an average household about 20% in summer

Raises Real Estate Values

values on developed lots – up to 18% more real estate value

Supports Recreation and Fitness

provides urban green spaces for people to walk and motivates them to walk farther and for longer

Cleans the Water

trees filter nitrogen, phosphorus, and sediments from stormwater

Reduces Stress

people with cancer live longer in greener places, and residents in greener communities have lower levels of depression and stress

Beautification

people value the beauty of trees (another reason well-treed lots sell faster and for higher prices)

Increases Economic Revenue

people shop longer and spend more per item in well-treed shoppping areas

Sequesters Carbon

decreases climate impacts by capturing and storing carbon

Lowers City Temperatures

evapotranspiration and shade decrease city temperatures making air feel about 15°F cooler

Regulates Flooding

trees soak up rainfall, reduce stormwater volume, and help recharge groundwater

Provides Wildlife Habitat

many birds, small mammals, and beneficial insects use trees for shelter and food

Decreases Crime

crime rates are lower in well-treed neighborhoods

Decreases Car Accidents

street trees reduce speeding by providing visual stimuli that cause people to drive more slowly, thereby calming traffic and reducing accidents

*Source: Green Infrastructure Center

TREE CANOPY: Current Status

Virginia	 Localities remain restricted on the amount of canopy that can be preserved or required Statewide Forestland and Urban Tree Canopy Conservation Plan under development
Maryland	 Five million trees by 2031 Statewide Forest Conservation Act Localities must meet statewide baseline requirements, but may adopt stricter requirements Licensing required for all tree care servicers
Pennsylvania	Tree canopy requirements are done at the local level outside of riparian buffer and street tree requirements



TREE CANOPY: OPTIONS & OPPORTUNITIES

- Statewide standards
- State established baseline that localities can exceed
- Local control

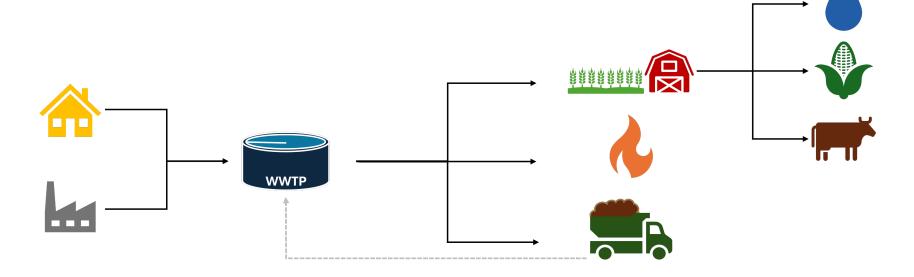
TREE CANOPY: Discussion

- What challenges have you faced when introducing forest conservation and/or tree canopy legislation?
- What additional mechanisms can be used to increase tree canopy in your jurisdiction?
- Where can CBC states align policies on tree canopy?

PREVENTING THE SPREAD:

Addressing PFAS in Biosolids

What approaches can we take to prevent land-applied biosolids from adding PFAS to our water, soil, and food?



PFAS & BIOSOLIDS:

Current Status

Federal	 Clean Water Act § 405(d) regulates disposal of sewage sludge Currently, no numeric limits, monitoring requirements, or reporting requirements for PFAS EPA must review regulations at least every 2 years to identify additional pollutants and propose standards if necessary Draft risk assessment published January 15, 2025, found there may be human health risks Comment period closed August 14, 2025
Maryland	Required sampling; application rates recommended based upon sample results. If the level of PFOS or PFOA is: • $< 20 \mu\text{g/kg}$: land application permissible with no additional requirements • $\geq 20\text{-}50 \mu\text{g/kg}$: 3 dry tons per acre or less recommended application rate • $\geq 50\text{-}100 \mu\text{g/kg}$: 1.5 dry tons per acre or less recommended application rate • ≥ 100 : land application of biosolids is not recommended

PFAS & BIOSOLIDS:

Current Status

Legislative

Regulatory

Ban on biosolids application

Restrictions on application based on concentrations

Required sampling of biosolids

Voluntary sampling program

PFAS & BIOSOLIDS: Options & Opportunities

Actions states have required:

- Ban <u>all</u> application of biosolids or biosolids with PFAS concentrations above a certain level
- Application restrictions based on PFAS concentrations
- Require sampling and reporting
- Source investigation
- Labeling

Additional considerations:

- Which chemicals are accounted for? (PFAS, PFOA, others)
- What concentration is permissible?
- Frequency of monitoring? (quarterly, annually)

PFAS & BIOSOLIDS: Discussion

• What actions have you proposed and what challenges have you faced so far when introducing legislation on PFAS in biosolids?

• What mechanisms can be used to prevent the burden of PFAS in biosolids from falling on WWTP operators, farmers, and the biosolids industry?

• Where can CBC states align policies on PFAS in biosolids?