

Panel Members' Handwritten Notes to be Shared with CBP BMP Verification Review Panel Members

Rebecca's Notes August 29, 2013

Harmonization Across Verification Modes: "Equity" 3 Different Modes of Verification/Transparency

1. Regulated under CWA (NPDES, 404)
 - a. Publicly available info (draft permits, fact sheets, compliance info)
 - b. Public programs (with funding) for inspection to build upon
 - c. Legal requirements to command verification, information
 2. USDA cost-share program with state counterparts
 - a. Not as transparent but administering agencies can command information project plans
 - b. Explicit documentation of practices (BMPs)
 - c. Contracts
 - d. Inspections (with public funding for this activity)
 3. Voluntary installation of BMPs
 - a. *No permit or contract to command adherence to specific planning requirements, project performance
 - b. Generally occurring on private lands (may be city land, church, etc)
 - c. No ability to command specific monitoring over time
- *May be local/state funding that could embody requirements

Tom Simpson's Notes August 29, 2013

- 1) Source Workgroups need to develop protocols for all or groups of BMP's following a standard template and guidelines:
 - a. Verification panel should review drafts before they go to states (set-up subgroups of panel members for review and then have call(s))
 - b. States should either adopt protocols adopt/change protocols and explain and gain approval of state BMP verification protocols by Verification Panel (and/or others) within the Chesapeake Bay Program
 - c. Verification Panel reviews proposed state verification protocols (one for each group of BMPs) prior to upper level approval of proposed protocols
 - d. Review by upper level management and recommended changes or needed points of discussion with states and verification panel
- 2) Current reporting programs, including State and NRCS programs, should not automatically be accepted as verified. Read Foreword – 1st paragraph – says that status quo is not providing confidence (or transparency) needed by the public and policy makers to have confidence in reported implementation and expected WQ improvements.
- 3) Independent verification and oversight is critical to credibility of protocols in any case, but especially for CBP where credibility of reported progress, has been questioned so long and hard.

Richard Klein's Notes
August 29, 2013

Transparency, Confidence & Public Access To BMP Data

Transparency is essential to not only ensuring public confidence in the Chesapeake Bay Program's BMP data but also to increasing public support for local, state and federal BMP programs. Ideally, the public should be able to go online to learn what BMPs protect their favorite waters and how well each is working. While the level of detail should be at that of the individual BMP, it is recognized that constraints exist on some data that only allows publication of aggregated data. In addition, the online resource should allow the user to obtain a summary of BMPs throughout a subwatershed and other geographical areas.

Agricultural BMP Data

Presently it is not possible to learn what publicly funded BMPs have been installed on individual farms, much less whether the BMP is still functioning properly. As a result, it is very difficult for the public to verify agricultural BMP data. This in turn reduces public confidence in the accuracy of the data. The BMP Verification Panel urges reconsideration of laws limiting data availability. At a minimum data should be publicly available for those BMPs which are most effective in protecting water quality and where the release of this data would not cause harm to the farm owner.