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Acting Director James Edward  
Environmental Protection Agency  
Chesapeake Bay Program  
410 Severn Avenue Suite 112  
Annapolis, MD 21403

Dear Jim,

Over many years, the Citizen Advisory Committee (CAC) has used its independent voice of a wide range of stakeholders to help the Chesapeake Bay Partnership Program develop a robust verification process to ensure the public that taxpayer resources are being spent wisely and that the Partnership's efforts are truly on track. While we understand that the Chesapeake Bay Program Partners have been working diligently to meet the multiple tasks involved with the MidPoint Assessment, we are compelled to say that we are greatly disappointed at the lack of action by the jurisdictions to meet the December 2017 deadline for adoption of final plans to verify BMP implementation. Additionally, we had looked to EPA and the Chesapeake Bay Partnership Program to serve the role as overseer, ensuring jurisdictions meet their commitments to accurate and timely verification.

We know that there is widespread agreement on the importance of verification. As stated on the Partnership's web page:

*"The implementation, tracking and reporting of BMPs has been at the center of the Chesapeake Bay Program partnership's restoration efforts for almost three decades.*

*When properly installed and functioning, these conservation and technological practices reduce the amounts of nutrients and sediment entering local waters and the tidal Chesapeake Bay. In addition, these practices can help reduce local flooding, protect sources of drinking water, ensure against the collapse of stream banks and support local economies through the return of clean water and viable habitats suitable for recreational activities. Conversely, improperly installed or functioning BMPs do little to mitigate the effects that nutrient and sediment runoff can have on local waterways.*

*The Chesapeake Bay Program partnership must be rigorous in its tracking of its partners' progress toward meeting goals for cleaner Bay waters. In order to do so accurately into the future, it will be critical for the partnership to verify that BMPs across the region are being implemented correctly and are, in fact, effectively reducing nutrient and sediment pollution as expected. It will help the partnership measure success, locate areas in which partners need to adapt, and ensure that these conservation and technological practices are doing the job of protecting people's properties, lands, riparian habitats and local streams."*



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At our February meeting, the CAC once again heard about the importance of BMP verification to the Mid-Point Assessment. It is clear that, at this point in the TMDL process, verification is more important than ever. Absent implementation of a thorough and transparent verification program, confusion and incorrect assumptions will precipitate false conclusions about the sufficiency of allocations and efforts to achieve them on the part of local governments and other stakeholders. The Bay Partnership must act now to avoid a situation where it may appear that less progress has been made than suggested, simply because the unverified BMPs no longer receive credit in the model until they are verified.

We are writing to ask that the Chesapeake Bay Partners:

- immediately act to ensure that the jurisdictional verification plans that were due to be submitted to EPA by December 2017 are submitted by a date certain in the near future in order to enable EPA and the Partnership to assess BMP compliance prior to issuance of any revised load allocation;
- evaluate the jurisdiction verification plans to determine if BMPs meet the criteria developed by the Independent Panel;
- include language in the Phase III WIP expectations document reflecting that any BMP not meeting the provisions of the Independent Panel criteria (approved by the Partnership) will not receive credit towards the Bay model goals; and
- withhold nutrient credit for trading purposes for any practice that has not been verified.

We greatly appreciate the incredible effort expended by the Bay Partners to implement the many tasks in the MidPoint Assessment process. However, it will not be complete until verification is included.

Very truly yours,



Paula Jasinski  
Chair, Citizens' Advisory Committee



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