

**Chesapeake Bay Program Water Quality Goal Implementation Team's
BMP Verification Steering Committee March 27, 2012 Conference Call
Summary of Decisions, Actions and Recommendations**

Review of Steering Committee's Proposed Charge, Membership, and Operations

Need to define verification up front within the charge and other related verification documents so everyone is clear on exactly what we are undertaking.

Why is NRCS not represented on the Steering Committee?

Need someone on the Steering Committee who actively functions in the trading market so we can directly benefit from their experiences.

ACTION: CBPO staff will follow up with NRCS on their appointment of a representative on the Steering Committee.

ACTION: CBPO staff will follow up with Ann Swanson on her recommendations for a representative on the Steering Committee with trading market experience.

Post Conference Call Note: NRCS has appointed Susan Marquart, NRSC's Pennsylvania State Office, as their representative on the Steering Committee.

Review of Preliminary Draft BMP Verification Principles

Recognize that available resources and staffing are going to put real limitations within the jurisdictions on what we can accomplish in terms of verification across the multiple pollutant source sectors.

Need to focus on defining sufficiency—what's needed to ensure there is confidence that the reported practices are being implemented—but not going beyond that.

Question the need for the principle which calls for verification “to be carried out consistently across funding source (cost share versus non-cost share), source sector (agriculture, urban, etc.), and jurisdiction (state, local).”

Need to add references to/descriptions of the states' processes for tracking and reporting BMPs.

The discussion about the need for consistency across source sectors and jurisdictions is of concern given the significant differences between those source sectors and each of the seven watershed jurisdictions.

Troubled by the focus on breaking out trading as a special category and putting more rigorous requirements for verification/inspection in place.

Addressing the consistency issue is a good topic for an upcoming Steering Committee call/meeting.

We need to fully recognize that state programs have well established programs for some form/level of verification, borrow good ideas/protocols directly from individual jurisdiction's programs and share across all seven jurisdictions.

Effectiveness, quantification of benefits, and expectations are all words that actually address groups of implemented practices, not individual BMPs. We need to reflect how BMPs actually work in tandem with each other and how that influences our verification protocols. We need to take a more wholistic approach to BMP efficiencies and effectiveness.

The "gold standard" term is not reflected in the principles for management systems.

Need to figure out what is the middle ground between something every state could achieve now and a bar set so high that no one could ever reach it.

We may need to consider developing and adopting a different set of protocols for those practices associated with a permit or some other regulatory requirement versus those that are not.

Need to recognize there is already widespread regulation of the agricultural community through states' nutrient management plan regulations, all in place without a permit.

We need to have a series of candid conversations within the Steering Committee on whether we are comfortable with how each source sector workgroup is addressing verification.

These preliminary draft principles have not articulated if a range of the degree of how a practice is being implemented is acceptable.

Colleagues in Alberta, Canada have set up a verification system based on a series of levels of practice implementation.

Using such a range could be useful in addressing concerns about/the need for consistency across source sector/jurisdiction.

Review of Preliminary Draft BMP Verification Panel Charge and Membership

Very confused about the proposed work flow between the source sector workgroups, the Steering Committee, the Management Board, and the Principals' Staff Committee.

The development of a flow chart of the entire process would be helpful to address the expressed confusion about the work flow.

RECOMMENDATION: Develop a schematic illustrating the entire BMP implementation, tracking, verification and reporting process and focusing in on how verification fits into this whole process.

Getting back to an earlier concern raised about the focus on consistency between jurisdictions, what happens if the states don't adopt the protocols agreed to by the partnership, what do we do then?

We need more time to really understand the Panel's charge to ensure it addresses the larger decision making process envisioned here.

Need to broaden the BMP Verification Panel membership beyond just water quality-related nutrient trading to include members with expertise in ecosystem markets.

We should consider identifying green house gas emissions trading experts with verification experience for membership on the panel.

Agree with the call for including local government experts on the BMP Verification Panel, but the verification program should not be modeled after more affluent counties like Fairfax County in Virginia or Montgomery County in Maryland.

USDA's Office of Environmental Markets is working on a verification registry white paper—copies will be shared with the Steering Committee members as soon as the draft paper is ready for distribution.

Good first cut at the BMP Verification Panel membership and charge.

Review of BMP Verification Web Page on Partnership's Web Site

ACTION: Steering Committee members will provide feedback directly to Rich Batiuk on proposed content for the verification web page, including identification of what information/links are missing.

Next Steps in the BMP Verification Program Development Process

The Steering Committee ran out of time on this conference call to discuss the proposed schedule for the coming weeks and months as well as the timing for the next Steering Committee conference call.

ACTION: As near term follow up actions to the Steering Committee's March 27th conference call, Rich Batiuk committed to:

- Distributing a summary of the Steering Committee's conference call within a week;
- Distributing responses to a series of questions posed by Roy Hoagland via email prior to the Steering Committee's conference call given he would not be able to participate in the call;
- Placing phone calls to each member to get their more detailed feedback on the Steering Committee's draft charge and membership, the preliminary draft principles, and the draft BMP Verification Panel's charge and membership; and

- Distributing a revised set of draft charges, memberships, and principles reflecting all the feedback provided to date.

BMP Verification Steering Committee March 27, 2012 Conference Call Participants

Bill Angstadt, Delaware Maryland Agribusiness Association
Rich Batiuk, U.S. EPA Chesapeake Bay Program Office
Russ Baxter, Virginia Department of Environmental Quality
Evan Branosky, World Resources Institute
Pat Buckley, Pennsylvania Department of Environmental Protection
Valerie Frances, USDA Office of Environmental Markets
Jack Frye, Chesapeake Bay Commission
Beth McGee, Chesapeake Bay Foundation
Matt Monroe, West Virginia Department of Agriculture
George Onyullo, District of Columbia Department of Environment
Aaron Ristow, Upper Susquehanna Coalition
Kelly Shenk, U.S. EPA Chesapeake Bay Program Office
Ann Swanson, Chesapeake Bay Commission
Jennifer Volk, Delaware Department of Natural Resources and Environmental Control
Hank Zygmunt, Resource Dynamics Inc.