

Expert Panel Protocol Rewrite

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Executive Summary –

The Chesapeake Bay Program (CBP) partnership established these protocols to guide the Best Management Practice (BMP) Expert Panel process. The overarching purpose of the BMP Expert Panels and Expert Panel revisitations is to establish or reevaluate pollutant load reduction estimates for an individual practice or groups of practices that are intended to mitigate the effects of excess nitrogen, phosphorus, and sediment in the Chesapeake Bay watershed. BMPs that are assigned nutrient and sediment load reduction estimates are then incorporated into the CBP partnership's suite of modeling tools for credit towards the CBP partnership's water quality goals.

Since the definitions and values used for both loading and effectiveness estimates have important implications for the CBP and various partners, it is critical that such estimates be developed in a process that is consistent, transparent and scientifically defensible. To this end, the Water Quality Goal Implementation Team (since 2026, the Clean Water Goal Team (CWGT)) established the BMP Expert Panel Protocol in September 2010 and has amended this protocol over time.

This document outlines the circumstances under which and the process by which Expert Panels are to be convened, conducted and completed, as well as the specific elements that are to be included in the associated scientific and technical documentation. Also included is the role of the CBP partnership in the process to support and convene these panels.

This Protocol will be reviewed by the CBP partnership on an as-needed basis to incorporate new information and/or changes to process based on input received from the CBP partnership. Any changes to the Protocol will take effect immediately upon adoption by the CWGT. Expert Panels already underway will be exempt from changes to those process steps that have already occurred. Please see the Version History Appendix for further detail on past rewrites.

Introduction –

The CBP partnership suite of models uses loading estimates to quantify expected amounts of nutrients (nitrogen and phosphorus) or sediment delivered to local waters from specific land uses or point sources.

Changes in estimated loads from a particular piece of land can occur in several ways, including:

- 1) a change in the land use (e.g., forest instead of grassland)
- 2) an adjustment based on an estimate of effectiveness of a BMP
- 3) a measured reduction in the direct load to the land use
- 4) a measured reduction from a treatment process

Some BMPs (forest buffers, among others) may combine multiple changes, such as a load source change and an effectiveness value change. Additionally, there are BMPs that apply to animal manure, which can change load estimates in several ways. The CBP uses these effectiveness estimates and direct load reductions to modify the existing baseline loading.

Credit Duration is another aspect of BMPs that must be included within the Expert Panel. Credit duration is the number of years that each BMP may receive credit in the modeling tools following submission before needing to be reverified if it is not an annual practice, and so if there is updated research justifying a shift along with or separate from an efficiency update, the reasoning should be included within the report.

The review process for these BMP data points involving changes in the resulting estimated loads or credit durations is outlined below in the following protocol:

Expert Panel and Expert Panel Revisitation Deliverables –

The completion of the Expert Panel's work will consist of two distinct steps:

- I. Scientific findings as documented in the Expert Panel report
- II. Technical application of the practice within the modeling tools as documented in the Technical Appendix

The Expert Panel report will reflect the recommendations on establishing a new pollutant load reduction efficiency and/or a revised credit duration for the BMP and the Technical Appendix will describe how the BMP is to be incorporated into CAST, as well as the tracking, verification and reporting requirements. While these are two distinct products, the report and TA should be developed concurrently to the best extent possible for review and approval efficiency and to outline potential difficulties or nuances as early in the review process as possible. It may be necessary for additional partnership bodies outside of the

CWGT (e.g., the Healthy Landscapes Goal Team) to weigh in alongside the sector Workgroup(s) on the scientific findings in the report and in the Technical Appendix from a more technical perspective as it relates to the application in CAST. Conversely, while the lead Workgroup will take the lead role in the development of the report, they will also be involved in the development and review of the technical appendix, in collaboration with the Watershed Technical Workgroup (WTWG) and CBP Modeling Team¹. The general purpose of these two steps is outlined as follows:

Scientific Findings of BMP Performance in Expert Panel Report –

- Establish the pollutant load reduction efficiency and credit duration for a new BMP or provide estimate for a revision to the existing efficiency and/or credit duration. Detailed documentation required for the scientific findings can be found in the Expert Panel Reports section.

Technical Application of the Recommended BMP(s) within CAST –

- Establish the way the BMP's load reductions and any adjustments will be accounted for in CAST. This piece will also ensure that the BMP can be reported, verified and simulated appropriately in CAST and allow for future adjustments based on CBP partnership decision-making processes and experience. This piece of the report will build on the scientific findings of the report. The documentation required for the Technical Appendix. Detailed documentation can be found in the Technical Appendices section below.

Expert Panel Protocol Steps:

A. Review Process for New/Revised Estimates–

The relevant lead sector Workgroup(s) will request this Expert Panel to complete this review and they, along with the WTWG, are responsible for reviewing and agreeing to recommend new or revised BMP efficiency values and/or credit duration to be included within the expert panel report and the associated TA. The CWGT is then ultimately responsible for reviewing the recommendations of an Expert Panel, evaluating adjustments to load reduction estimates/credit duration when an Expert Panels revisitation is conducted, and reviewing the Technical Appendix which describes how the Expert Panel recommendations are incorporated into the CAST model and the associated procedures for BMP tracking, verifying, and reporting. The primary approach to decision-making for the Panels should be

¹ The reason for the close collaboration between the Expert Panel, the WTWG, and the CBP Modeling Team on the development of the technical appendices is that while the Expert Panel can describe the conditions in which the practice is implemented, how that is translated into modeled land uses and load sources might best be addressed by the modeling experts.

full consensus or consent from panelists. This group of panelists will inevitably differ slightly from voting structure outlined for GTs and Workgroups, but consensus or consent can be still be sought. The CWGT then ultimately decides whether to adopt the recommendations in accordance with the [CBP partnership Governance and Management Framework](#). See Table 1 below.

If Workgroup recommendations do not receive consensus or majority approval by the CWGT, the Workgroup's voting membership can call for continued discussions surrounding proposed adjustments. If the Technical Appendix is approved by the sector Workgroup(s) and the WTWG, then the CWGT is also responsible for approving or objecting whether the recommendations of the Expert Panel are to be incorporated into CAST. Conversely, if the technical appendix is not approved, the recommendations will not be incorporated into CAST.

Requests should be routed through a voting member of the CBP partnership to the leadership of the relevant Workgroup, or GT. If a stand-alone committee put in place by the Policy Steering Committee (PSC) requests a practice evaluation, the request should be routed through a signatory member² of the PSC, with notification to the relevant sector Workgroup and/or CWGT leadership. In that case, the PSC would identify the GT(s) or Workgroup(s) to process the request according to this Protocol.

Table 1: Review and Decision Process for Expert Panel or Expert Panel revisitation Recommendations

Type of Report	Review Category	Lead Workgroup(s)	Watershed Technical Workgroup	Clean Water Goal Team	Additional Goal Teams (as necessary to weigh in)
Expert Panel	<i>New Scientific Findings</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>
	<i>Technical Appendix</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>
	<i>BMP Data for CAST</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>
Expert Panel Revisitation	<i>Revised Scientific Findings</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>
	<i>Revised Technical Appendix</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>
	<i>Revised BMP Data for CAST</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>	<i>Approve</i>

² These members are signatories to the 2025 Chesapeake Bay Watershed Agreement and include the seven Bay watershed jurisdictions, the Chesapeake Bay Commission, and EPA on behalf of the federal government. The signatory member is responsible for raising the request to the Chair and Vice Chair of the relevant Workgroup or GT. The signatory member is not necessarily responsible for leading or supporting the convening of an Expert Panel.

Question to be answered in proposal is why is there a need for a review and what is the goal of the review.

Requests made for the evaluation of technologies or practices that are new or lean upon an existing expert panel should include the following information for **each** of the following categories:

- a) A clear and concise definition of the practice, including common versions of the practice that are either explicitly included or excluded from the requested practice (i.e., included Farm Service Agency/Natural Resources Conservation Service practice names).
 - a. Practice: Specific scientific information on how the practice reduces nitrogen, phosphorus, and/or sediment, and the sources/loads that will be treated. (i.e., a new BMP, or revision to a current BMP)
 - b. Methodology: Specific scientific demonstrations on how a collection/verification methodology could be applied to practice(s) to demonstrate efficiency or adjust existing efficiency.
- b) References to peer-reviewed articles or studies, gray literature, or other data on the nutrient and sediment removal efficiencies, collection processes, or verification methodologies with the contact information and affiliation of the lead researchers, including the geographical location of where the data was collected, as applicable. If this is a revisitation of existing expert panel work, these references should support the sought-after adjustment.
 - a. If there are analyses of similar practices or technologies that this report can lean upon, without being a revisitation of those prior reports, citations of that work are also encouraged.
 - b. With respect to acceptable collection methods, a proposal must rely heavily upon the standards set forth within the [2014 Verification Framework Appendix V](#) and [associated updates to this framework](#), or provide significant evidence that these original verification protocols should be reviewed and ultimately amended by the CWGT.
- c) Types of BMP data the jurisdiction(s) currently track and report for a practice, collection processes, or methodologies related to the collection and submission of BMPs.
- d) A general description of how the panel will be supported, if convened. For example, will additional funding be required outside of Workgroup

membership time? Please identify and provide insight on if any funding will be needed to convene and execute the panel.

If this is an expert panel revisitation, meaning there is an existing expert panel that this Panel's review will lean upon, please also provide those references in concert with the above request specifications.

Requests must provide thorough responses to all of the above categories for the request to be considered. Informal reviews by the Workgroups or Goal Teams during their calls on to-be-requested topics are discouraged. The leadership of the relevant Workgroup or Goal Team should be informed ahead of time for their insight and hypothetical inclusion on an upcoming agenda, but the initial work and analysis to fit this adjustment into the existing CAST model should be complete.

Leadership of the relevant Workgroup or Goal Team upon receipt of a request may propose that the request be routed to an alternative Goal Team or Workgroup if they feel that placement in another group is more appropriate. These groups will determine if sufficient credible data is available to convene an Expert Panels. Alternatively, these groups may determine whether the requested BMP is comparable to or represents an improvement relative to a previously approved practice (see item iii below) or can be combined with another panel request (see item iv below). The time allotment for this stage of the review is 30 days for the selected Workgroup or GT. This should typically allow for one month of introduction and discussion at a Workgroup or GT, and then a follow up decisional meeting ~30 days later. The result from this review should fall into one of the below determinations. The action items outlined in these below determinations which include informing multiple partnership groups can exceed this 30-day threshold but should be expedited as much as possible. The timeline for the panel to be determined and created is not considered in the overall timeline described in greater detail in the Approval section of this protocol.

B. Panel Creation Determination and Communication:

- a) When a Goal Team or Workgroup determines a request has sufficient scientific data (i.e., references to peer-reviewed articles or studies, gray literature, or other data on the nutrient and sediment removal efficiencies, collection processes, or verification methodologies with the contact information and affiliation of the lead researchers, including the geographical location of where the data was collected, as applicable) host Goal Team or Workgroup will communicate that finding to the CWGT along with an email to the requestor describing the basis for such

decision..) If this is a revisitation of existing expert panel work, these references should support the sought-after adjustment. Following determination,

- b) When a Goal Team or Workgroup determines a request lacks sufficient scientific data for an Expert Panel, they will communicate that finding to the CWGT along with an email to the requestor describing the basis for such decision.
- c) When a Goal Team or Workgroup determines a request is comparable to a previously approved practice, they will document the basis for their recommendation and route it through the WTWG to the CWGT for approval. Once approved, an email to the requestor describing the resolution of their request will be sent by the Goal Team or Workgroup Chair. Should the recommendation fail to be approved by the CWGT, the request will be returned to the appropriate Workgroup for reconsideration. The Workgroup will determine whether to either close out the request or revise the request and recommendation of convening of an Expert Panel before going back to the CWGT for approval. Any additional review due to the CWGT not approving this panel creation should be completed in an expedited manner where possible.
- d) When a Goal Team or Workgroup determines a request is comparable to another ongoing request, that request can be combined for a single Expert Panel and they will document the basis for their recommendation and route it through the WTWG to the CWGT for approval. Once approved, an email to the requestor describing the resolution of their request will be sent by the Goal Team's leadership. Should the recommendation fail to be approved by the CWGT, the request will be returned to the appropriate Workgroup for reconsideration of a separate Expert Panel. The Workgroup will then forward the recommended next steps to the CWGT for final decision. This hypothetical additional review should be completed in an expeditious manner.

The CWGT will post and update a list of received requests and which of the four determinations above was reached, when, and by which group(s). In the case of (b) above happening more than once across partnership Goal Teams or Workgroups, the requestor shall not reach out to new partnership groups with a similar request until the next CAST

model update or Phase update to the suite of modeling tools and any subsequent requests will be expected to justify the new request with data or information that was previously unavailable.

C. Panel Creation

The Workgroup, in consultation with representatives from the WTWG, CWGT, and other appropriate Workgroups and GTs, will coordinate the convening of an Expert Panel, including the development of a draft scope and charge of the Expert Panel, along with a proposed list of expert panelists from within the Workgroup or associated partnership bodies. The Expert Panel Chair will be actively involved in the selection process and should be a member of the jurisdictional partner agency that brought this proposal forward to the partnership.

The elements of an Expert Panel charge should include the following, at a minimum:

- Background (i.e., identification of lack of BMP representation, scope of work, and definition for proposed practice) of the specific practice(s) under Expert Panel review and deliberation
- Recommendations for panelists and Chair (if still required) expertise
- Charge/scope for development of an Expert Panel report to address the guidelines and information outlined in this Protocol
- Proposed timeline for the Expert Panel to finalize the report and technical appendix and submit the report to the CBP.
 - This timeline should not exceed nine months, starting **after** the creation of the Expert Panel that was determined as being needed by the partnership.

Expert Panel membership should include individuals from within the Workgroup with the specific expertise and experience in pertinent environmental and water quality-related issues needed to address the scientific charge of the Expert Panel. If there are not available members of the particular Workgroup(s) with the required expertise, action teams or [Advisory Committees](#) may be solicited for panelists. Members that understand the programmatic implementation of the BMP, how it might be simulated in the CBP modeling tools, and the geography of the Bay watershed should also be included.

In the panelist selection process, the hosting Workgroup Chair and Coordinator shall collect input from their own Workgroup and the relevant GTs, and consult WTWG, the CBP Modeling Team, relevant action teams, and the Advisory Committees for additional panelists as needed. Representatives from the requesting Workgroup, the WTWG, the CBP

modeling team, and an EPA (Environmental Protection Agency) representative from Region III³ will serve as resources to the Panel throughout the process and are tasked with providing information and assistance to the panelists during their deliberations. These representatives should actively engage in Expert Panel discussions, with a focus on ensuring the Expert Panel's direction and resulting recommendations align with jurisdictional BMP reporting capabilities, the progress reporting portal on CAST, and other modeling tools as well as existing regulatory frameworks.

Expert Panel members must provide a Curriculum Vitae (CV) or similar information to the leading Workgroup(s) or GT(s) that illustrates their expertise as it relates to the Expert Panel's charge. In addition, potential Expert Panel members must sign a standard conflict of interest form or affidavit (for contractors aiding in this effort) and provide these to the hosting Workgroup. An actual or potential conflict of interest is deemed to exist when:

- A potential Expert Panel member could benefit financially from the Expert Panel recommendations;
- The employer of or a person closely related to a potential Expert Panel member could benefit financially from the Expert Panel recommendations; and
- A potential Expert Panel member represents a particular point of view or special interest "where one is totally committed to a particular point of view and unwilling, or perceived to be unwilling, to consider other perspectives or relevant evidence to the contrary."⁴

With the exception of jurisdictional voting members, none of the above are intended to exclude jurisdictional subject matter experts solely because their jurisdiction has financial obligations related to implementation of WIPs, two-year milestones, or other commitments under the 2025 Agreement.

The proposed list of Expert Panelists, as well as the draft scope and charge of the Expert Panel, the Expert Panelists' credentials, CVs/resumes, and associated conflict of interest disclosures, will be sent via email to the relevant Workgroups, the GTs, action teams, and the Advisory Committees for their review and comment. The hosting Workgroup Coordinator and the Expert Panel Chair are responsible for managing this review process, and a reasonable timeline for review will be determined by the Workgroup leadership (1-2 months). After incorporating or responding to comments received, final approval of the Expert Panel scope and charge, as well as panelists, will be reserved for the hosting

³ A point of contact from the EPA Region III Office in Philadelphia will be selected to participate by EPA on Expert Panels where permit or other regulatory questions are expected to arise during Expert Panel deliberations.

⁴ http://www.nationalacademies.org/coi/bi-coi_form-0.pdf

Workgroup or Goal Team and will follow the CBP partnership Governance and Management Framework decision process.

D. Panel Review Process

Panelists will be responsible for following the specific charge of the Expert Panel, as well as this Protocol⁵. Expert Panel deliberations in meetings and conference calls will be closed to the public to discuss and develop scientific findings free from outside influences. However, once begun, one of the first meetings will be dedicated to an open forum where interested parties are invited to share and present scientific data with the panelists⁶. The intent is to provide an open exchange of information that may help inform the Expert Panel as it moves forward with its deliberations, as well as provide an opportunity for the public and interested stakeholders to learn more about the Expert Panel's charge. Announcements of these open forum meetings will be posted on the CBP partnership's website and distributed via email to the hosting Workgroup, and the relevant GTs, action teams, and the Advisory Committees.

The Expert Panel may elect to solicit input from experts outside the CBP partnership structure to ensure that the Expert Panel receives the full range of information and science available on the Expert Panel topic. In addition, they may submit relevant BMP performance data or any other supporting literature for the Expert Panel to consider.

More formal, structured elicitation protocols, such as the IDEA ("Investigate," "Discuss," "Estimate" and "Aggregate") protocol can improve the accuracy and reproducibility of expert judgements.⁷ The primary approach to decision-making for the Expert Panels should be full consensus or consent from panelists. This group of panelists will inevitably differ slightly from voting structure outlined for GTs and Workgroups, but consensus or consent can be still be sought. For definitions of these terms please find them and other approval steps outlined in the [CBP partnership Governance and Management Framework](#) decision process. An Expert Panel member's sign-off indicates that they believe the report reflects the consensus views of the panel—not necessarily that it is the exact report they would have written individually.

⁵ Copies of the Protocol will be distributed to all Expert Panel members in advance of their first call or meeting.

⁶ This open forum meeting should not be scheduled prior to three weeks after its public announcement through the CBP website and email notifications to the CBP partnership.

⁷ See V. Hemming, M.A. Burgman, A.M. Hanea, M.F. McBride and B.C. Wintle. 2018. A practical guide to structured expert elicitation using the IDEA protocol. *Methods in Ecology and Evolution* 9:169-180.

Panel updates across all relevant workgroups and/or GTs are expected for this effort once review is underway, with Workgroup and Goal Team insight being taken into account as panel review concludes.

Support to Expert Panels

The Expert Panel Chair will be the primary point of contact during the Expert Panel process and it is up to them to decide how best to assign responsibilities amongst the Expert Panel members. It is recognized that most Expert Panel members will serve on a voluntary basis. It is the responsibility of the hosting Workgroup, GT, and the original requestor for the Expert Panel to work with the CBPO to identify and provide any required resources needed to convene and fully execute the Expert Panel, following this Protocol and in consultation with the CBP partnership.

Panel Progress Updates

The Expert Panel Chair or Workgroup Coordinator will routinely update the hosting Workgroup and GT on the Expert Panel's progress; preliminary findings; and any information or logistical gaps/needs that require input from those beyond the Expert Panel membership. The updates will at least be quarterly and can be provided to the host Workgroup or GT verbally at the Workgroup meeting or as a brief written synopsis to the membership between meetings. The hosting Workgroup's leadership team will work closely with the Expert Panel Chair on scheduling these status updates during regularly scheduled Workgroup meetings/calls. Status information must include but not be limited to when an Expert Panel expects to hold an open forum, release a final report for CBP partnership review, and release a technical appendix for CBP partnership review and approval; initial findings of the Expert Panel; or specific issues that the Expert Panel expects the Workgroups and GT(s) to decide upon. These updates will be compiled for all active Expert Panels for distribution to the GT(s).

Ancillary Benefits and Unintended Consequences

The charge to each Expert Panel will include developing definitions and loading, cost or effectiveness estimates for the specific nutrient and sediment reducing technologies and practices they are tasked to address. However, Expert Panel members will also be expected to identify any significant ancillary benefits or unintended consequences beyond impacts on nitrogen, phosphorus, and sediment loads. Addressing this expectation should be included in the Expert Panel's charge. Emphasis should be placed on benefits or consequences that have the potential to impact the implementation of the Goals and Outcomes of the 2025 Agreement. Examples include increased, or reduced, air emissions, changes to habitat quality, or the impacts of changing environmental conditions.

Expanded analyses into ancillary benefits or unintended consequences could be a significant and useful contribution as an appendix to the final Expert Panel report. Therefore, the Expert Panel Chair should notify the appropriate Goal Team of any identified ancillary effects to determine if the Goal Team wants to develop and provide such information. Should the identification of ancillary effects originate from a GT, notification must be submitted to the Expert Panel Chair to inform them of the GT's intention to draft the ancillary benefits and unintended consequences appendix.

The Appendix will include the authors involved in these analyses, as well as the finalization date of the appendix by the Goal Team and the writing will be led by the Goal Team leadership. It is anticipated that further research into any ancillary benefits or unintended consequences will be conducted concurrently with the Expert Panel itself; however, this assumption does not preclude the development of such an appendix after the Expert Panel report is final.

It is important to note that the purpose of the Expert Panels is not to incentivize or promote the use of any management practice; it is to increase the understanding of the nutrient and sediment reductions associated with these practices. In addition, any appendix on ancillary benefits or unintended consequences does not change the definitions and loading or effectiveness estimates for nutrient and sediment reducing technologies and practices in the final Expert Panel report. State and local governments may then consider both the definitions and effectiveness estimates from the report, as well as ancillary benefits or unintended consequences from the appendix, when deciding upon which technologies and practices they intend to select, fund, and implement within their respective jurisdictions.

Data applicability

Determining which data should be used to develop loading and effectiveness estimates is a critical step. When considering data sources, the panelists must decide: 1) if the data are appropriate, and 2) how much influence each data source should have on the final estimate. Each of these decisions should be discussed explicitly in the final Expert Panel report for each data source or group(s) of data sources.

Data sources should be characterized using Table I (below) and included in the report.

Table I. Data source characterization

	High Quality	Medium Quality	Low Quality
Extent of Replication	Clearly documented and well-controlled	Clearly documented older (>5-yr old)	Work that was not clearly documented

	past work that has since been replicated or strongly supported by the preponderance of other work; recent (< 5-year old) work that was clearly documented and conducted under well-controlled conditions and thus conducive to possible future replication	work that has not yet been replicated or strongly supported by other studies, but which has also not been contraindicated or disputed	and cannot be reproduced, or older (>5-yr old) work for which results have been contraindicated or disputed by more recent results in peer-reviewed publication or by other studies that are at least equally well documented and reproducible
Applicability	Purpose/scope of research/publication matches information/data need	Limited application	Does not apply
Study location	Within Chesapeake Bay	Characteristic of the Chesapeake Bay, but outside of watershed	Outside of the Chesapeake Bay watershed and characteristics of study location not representative
Data collection & analysis methods	Approved state or federal methods used; statistically relevant	Other approved protocol and methods; analysis done but lacks significance testing	Methods not documented; insufficient data collected
Conclusions	Scientific method evident; conclusions supported by statistical analysis	Conclusions reasonable but not supported by data; inferences based on data	Inconclusive; insufficient evidence
References	Majority peer-review	Some peer-review	Minimal-to-no peer-review

The Expert Panel should also consider the following on the data sources:

- Were the data generated from a BMP design and implementation consistent with those found in the Chesapeake Bay watershed?
- How does the duration of the study on the BMP compare to the intended timeline of the BMP? If the experiment is substantially shorter, how might that influence the evaluation of operational effectiveness of the practice?
- Do results reflect changes in pollutant reduction benefits over the lifetime of the practice?
- Whether factors that could affect pollutant reduction benefits are adequately addressed (such as location of practice with respect to pollution sources and pollution content of sources treated)?
- How might variation in the conceptual design of the study, including the sampling location strategy, affect what parameters are measured and the timing, frequency, and duration of sampling influence the observations?
- What, if any, assumptions were made during the experiment and conclusion?

Once panelists have characterized a data source, they must determine how much influence (i.e., ‘weight’) the data should have on resulting estimates. For example, peer-reviewed publications will usually have more weight than non-peer-reviewed sources. However, the exact influence of a particular data source will also consider other factors, such as those listed in the questions above, which the panelists will consider. Citations to such literature shall be provided in the reports.

Incremental Scientific Findings: The duration of an Expert Panel is dependent upon the complexity of the review and workload issues. However, the CBP partnership may recommend expediting an element of the review process (e.g. partner’s request for BMP effectiveness estimates that have immediate implications for progress or planning purposes). Therefore, a Panel is welcome to make incremental scientific findings that can be sent forward to the CBP partnership. If the Panel is charged with producing incremental scientific findings at the inception of the Expert Panel, it will be the responsibility of the Expert Panel to produce those incremental scientific findings. However, if the request for incremental scientific findings is made after the Panel has received its charge and has begun work on those charges, it is at the Panel’s discretion as to whether or not the incremental scientific findings will be pursued. The Panel is still expected to complete and finalize the report which will contain the more comprehensive set of scientific findings. It is recommended that if incremental findings are sent forward to the CBP partnership, an incremental technical appendix should also be developed if the incremental scientific findings are to be incorporated into CAST.

E. Panel Finalization:

Expert Panel Reports

The Expert Panel will develop a report documenting their scientific findings for definitions and loading or effectiveness estimates for nutrient and sediment reducing technologies and practices. The Expert Panel will work with the relevant Workgroup and WTWG to develop a report documenting their scientific findings. The following is a table of contents that every report must address:

1. Panel Members
2. Practice name/title
3. Detailed definition of the practice
 - a. The definition should incorporate descriptive elements that can reasonably be understood for Chesapeake Bay Program purposes, which may include criteria or factors that distinguish the practice from similar practices
 - b. Review and synthesis of available nitrogen, phosphorus, and sediment loading, or effectiveness estimates (practice performance recommendations). Relevant data may include the following:
 - c. Bioavailability of nutrient load considered, where applicable
 - d. Nutrient content of sediment load considered, where applicable
 - e. BMP implementation and maintenance cost estimates, when this data is available through reviewed literature
 - f. Summaries of observed empirical results from studies used as the primary basis for the panel recommendations (including measures of unexplained variation)
4. Justification for the selected effectiveness estimates, including:
 - a. List of all data sources considered (peer-reviewed, unpublished, etc.) and a description of how each data source was considered (see Table 1)
 - i. Expert Panel members can use unpublished data if such data is based on documentation that includes the origin and the quality of the data
 - b. Identify data sources that were considered, but not used in determining practice effectiveness estimates
 - c. Documentation of uncertainties, as available, in the published literature (across and within studies)
 - d. Descriptions of assumptions that the expert panel made when combining disparate data sets

- e. Documentation of how the Expert Panel addressed negative results or no pollution reduction in nutrient and sediment loads as a result of implementation of a specific practice
 - i. Where studies with negative or no pollution reduction data are found (i.e., the practice acted as a source of pollutants), they should be equally considered with all other data
 - ii. Explanation of the approach the Expert Panel used to address scientific uncertainties and variation in empirical findings of removal effectiveness (e.g., if "conservative" effectiveness estimates are used to address uncertainty, provide a rationale for the estimate)
5. Description of how best professional judgment was used, if applicable, to determine effectiveness estimates, as well as why it was used and if other potential options were explored
6. Description and justification on the use of assumed values to establish BMP efficiencies
7. Land uses to which the practice is applied, the load sources the practice will address and potential interactions with other practices
8. Description of pre-practice and post-practice circumstances, including the baseline conditions for individual practices
9. Conditions under which the practice performs as intended/designed:
 - a. Include conditions/circumstances where the practice will not perform as intended/designed or will be less effective. An example: large storm events that could exceed a practice's design specifications.
 - b. Any variations in practice performance due to climate, hydrogeomorphic region, geologic material/soil type, or other measurable factors.
10. Temporal performance of the practice including lag times between establishment and full functioning, if applicable
11. Discussion of performance reliability of the practice under current and future climate conditions, to the extent that this information is available in qualitative or quantified forms
 - a. This includes identifying and describing factors of BMP performance that are subject to the most variability or impact under climate change conditions (e.g., increased air and water temperatures, precipitation volume, and storm intensity).
12. Unit(s) of measure (e.g., feet, acres)
13. Locations within the Chesapeake Bay watershed where this practice is applicable
14. Determination of whether it is a cumulative or annual practice

15. Description of how the practice may relocate pollutants to a different location or medium. An example is where a practice eliminates a pollutant from surface transport but moves the pollutant into groundwater or to air
16. Suggestion for a review timeline; when will additional information be available that may warrant a re-evaluation of the practice effectiveness estimates
17. Identification of any unintended consequences or ancillary benefits associated with a practice
18. Outstanding issues that need to be resolved in the future and a list of ongoing studies, if any
19. Documentation of dissenting opinion(s), if any
20. Operation and maintenance requirements and schedules and how dilapidation alters the practice effectiveness estimates

Key Aspects to consider when producing Expert Panel Report:

- Does the report fully address the approved scope of work without exceeding it?
- Does the report contain only statements, findings, conclusions, and recommendations supported by the evidence and arguments presented in the report?
- Does the report omit any key data, research initiatives, or published studies?
 - Does the report treat sensitive policy issues with appropriate care?
- Does the report maintain an impartial tone?
- Is the report effectively organized and well written, adhering to the suggested format as presented herein to the extent possible?

The Expert Panel Chair will work with relevant Workgroup Chairs and the WTWG Leadership to release the scientific findings of the Expert Panel reports for a 30-day public comment period. It is ultimately at the discretion of the Expert Panel on whether modifications will be adopted as a result of the public input period; otherwise, the scientific recommendations reflected in the Expert Panel report will stand. However, a “Response to Comments” document will be developed with respect to the scientific findings and will be appended to the Expert Panel report. This period should be during the latter stages of the Technical Appendix approval process, as described in Section I below, to allow for final comments to the report to coincide with the final stages of review for the Technical Appendix.

F. Proprietary Designs

When a sufficient number of non-proprietary designs for the BMP (e.g., floating wetland treatment BMP) have become available and their removal efficiencies are well established, then that class of BMPs will be eligible for the Expert Panel process. However, proprietary BMPs, which meet the definition(s) and qualifying conditions established by the Expert Panel for a class of BMPs, can receive nutrient and sediment reduction credit assigned to that class. Additional credit for proprietary design modifications to the BMP will not be granted.

G. Communication of BMPs and Status of Expert Panels to the Chesapeake Bay Program

The GT or Workgroup will develop a list BMPs that have been approved for Expert Panels and keep this list posted online and updated on an annual basis, together with a list of requests that were found to lack sufficient data and the rationale for not convening Expert Panels. Proposed technologies and practices that have been identified by jurisdictions in their WIPs will be given highest priority.

All information relevant to Expert Panels and associated requests will be posted to the following CBP website: https://www.chesapeakebay.net/who/group/bmp_expert_panels.

H. Technical Appendices

In an effort for the CBP partnership to more efficiently approve the technical requirements for CAST that are required by each Expert Panel report, the CBP Modeling Team will work with the panelists and the WTWG to develop a TA that describes changes that will be made to the modeling and reporting tools to accommodate the BMP(s) changes. Elements of the TA will include, but aren't limited to:

- Useful life; practice performance over time:
 - The Expert Panel will work with the appropriate Workgroup, WTWG, and the CBP modeling team representatives to recommend a “credit duration” for each practice.
 - This determines the time the practice will receive credit in the CBP modeling tools. When the credit duration ends, the practice will need to be verified following the appropriate jurisdictional verification protocols to ensure it is still performing properly in accordance with the practice's definition and thereby renewing the credit duration.

- Consideration of any “back-out” timeframe for applicable practices should also be included. It is anticipated that this analysis will likely be led by the Watershed Technical Workgroup, in coordination with the Expert Panel and the CBP modeling team.
- Inclusion of the National Environmental Information Exchange Network (NEIEN) name and United States Department of Agriculture National Resources Conservation Service (USDA-NRCS) equivalent practice(s), if applicable, and how those practices would be reported into the Annual Progress Submission Portal on CAST.
- Incorporation of reported data into CBP modeling tools:
 - The CBP Modeling Team will work with the Expert Panel members and the WTWG to ensure that new BMP data can be accepted and used in the CBP modeling and reporting tools.
 - Recommended description of how the practice could be tracked, reported, and verified, consistent with the CBP partnership’s tracking, reporting, and verification protocols:

Specific text within the Technical Appendix will include the CAST procedures for flagging and removing practice data that is past its credit duration. The technical appendix should be developed in conjunction with the Expert Panel report to help ensure that recommendations can be fully incorporated into the CBP modeling tools.

I. Approval

The three-stage review process will include, at a minimum, the following groups:

- Relevant Workgroup(s)
- WTWG
- Relevant GT(s),

In consultation with the Expert Panel, the WTWG, the relevant Workgroup(s), and relevant GT(s) will be responsible for analyzing the technical components of the scientific recommendation(s) and determining that the tracking and reporting data that is needed to receive credit is available in the appropriate Chesapeake Bay jurisdiction(s).

Review Stage #1 - WTWG

The first review stage will begin with a presentation meeting of the technical appendix, led by the WTWG Chair and Expert Panel Chair.

The presentation will include:

- Rationale for review
- The recommendations/findings of the panel report for effectiveness estimates, loading estimates , and cost estimates (information only to provide context)
- Recommendations of the technical appendix
- Next steps and integration logistics

The technical appendix presentation meeting will typically be scheduled as part of a regular meeting of the WTWG. WTWG leadership will be responsible for distributing the draft technical appendix at least 10 business days in advance of the presentation meeting to the WTWG, relevant GT(s) and other Workgroup(s), and the ACs. WTWG leadership should work with the Expert Panel Chair to ensure that both the report and the technical appendix are released together, as part of scheduling the presentation meeting for the WTWG. Technical appendices will become publicly available when they enter this first stage of review through posting to the CBP website and electronic distribution to these CBP partnership groups.

Members of these CBP partnership groups, plus any other partnership groups or individuals interested in reviewing the draft recommendations, are encouraged to do so at this time. Commenters should send specific edits in track change format or more general comments in writing to the WTWG Chair and Expert Panel Chair during this comment period to better ensure the effective resolution of any substantive comments. Any requests for review extensions can be submitted to the WTWG Chair for consideration. Approval of the draft Technical Appendix will be sought from the WTWG after the comment period with the WTWG has closed and the WTWG has addressed any comments received. This comment period is two months for discussion and approval, and with the confirmation of WTWG leadership, there can be an additional month of review time for necessary discussion. The Expert Panel Chair should be available to assist the WTWG with the review and comment period, as needed and requested.

Review Stage #2 – Workgroup

Once approval has been reached by the WTWG, the draft technical appendix will enter the second stage of review and approval by the Workgroup. The Workgroup will be given a minimum of 10 business days for their review prior to the meeting where a decision is requested. Approval of the draft Technical Appendix will be sought from the relevant Workgroup(s) after the WTWG review and the relevant Workgroup(s) has addressed any comments received. This comment period is two months for discussion and approval, and

with the confirmation of Workgroup(s) leadership, there can be an additional month of review time for necessary discussion. Should concerns arise during the Workgroup review, the WTWG Chair and Expert Panel Chair, in coordination with the Expert Panel are responsible for working through those concerns with the Workgroup members. More complex concerns may involve vetting proposed changes with the Expert Panel members as well as the WTWG.

Review Stage #3 – CWGT

Once approval has been reached by the Workgroup, the technical appendix will enter the third and final stage of review - approval by the CWGT and any other relevant GT.

Should concerns arise during the GT review, the WTWG Chair and Coordinator, in coordination with the Expert Panel Chair are responsible for working through those concerns with the CWGT members and other Goal Team members as necessary. This process may involve vetting proposed changes with the Expert Panel members, the hosting Workgroup, and the WTWG. The WTWG Chair or Coordinator will be responsible for developing a “response to comments” document that provides a response to comments received. This document will be included as part of the approved technical appendix.

Specific responses will not be provided for:

- Overlapping comments (one response will be provided)
- Comments outside the scope of or demonstrate no relevancy to the technical appendix
- Editorial changes, such as grammatical edits

Commenters are requested to notify the Workgroup/GT Chair prior to the approval meeting in all three stages of formal review if they intend to register a major objection to a technical appendix, and request time on the meeting agenda to explain their perspectives. If objections to a technical appendix are not addressed in time of the approval meeting, the Workgroup/GT Chair may table the action until the next meeting of the Workgroup/GT. In cases where an objection is not identified before an approval meeting, the Workgroup/GT Chair may choose, at their discretion, to ask the Workgroup or GT to approve the report. Although the goal is consensus, and every effort has been made to address any comments, timelines may necessitate the technical appendix moving forward.

If a comment does not result in a change to the technical appendix, the WTWG Chair, in coordination with the Expert Panel Chair, as appropriate, shall work with the specific commenter(s) to resolve the issue. In all cases, the CBP partnership GMF will be followed. Although the WTWG Chair and Expert Panel Chair are responsible for managing the comment process through the three-stage review period, panelists may be asked to assist

in addressing and responding to comments. Once the comment period has ended and the technical appendix is approved by the CWGT, the charge of the Expert Panel has been met, and Expert Panel members are released from duty.

This approval process of the Technical Appendix and finalization of the Expert Panel should be completed simultaneously as best as possible. Given there is a month to introduce a topic before a decision can be made, and a topic can be pushed a month for greater time to respond to comments, and there are three stages of review, this approval process could be nine months. To eliminate the possibility of this length of review time being required, efforts to update the relevant Workgroups and GT(s) as the Expert Panel report and associated Technical Appendix will be necessary to inform them of important points for discussion to streamline decision making. This will work to help the second and third stage of review from possibly requiring an additional month of review time, reducing the possible timeline to seven months.

When the Expert Panel is reviewing past panel work through an Expert Panel revisitation, this timeline is hopefully lessened further as there should be less deliberation and better understanding amongst the partnership bodies making this collective decision. IT would be expected but not necessary that this revisitation review could be six months maximum instead of nine months when there is no existing panel report to lean upon.

In the event that the technical appendix recommendation(s) are substantively modified during the stage 2 or stage 3 approval process and the WTWG and Expert Panel membership does not support such changes, a document will be generated that explicitly details the modifications to the original technical appendix recommendations and the justification for such changes and any unresolved issue(s) or dissenting opinions. The original technical appendix will be attached to that document. Once the technical appendix has been approved by the CWGT and other relevant GTs, the WTWG will distribute the final technical appendix, along with the Expert Panel report, to the CBP partnership and the Expert Panel members and post it online at:

https://www.chesapeakebay.net/who/group/bmp_expert_panels

The CBPO will be responsible for maintaining two lists derived from each final Expert Panel report and technical appendix:

- Follow up actions identified in the Expert Panel reports and technical appendices along with the due dates of those actions and responsible party (such as trial periods, updates, reevaluation schedule, etc.)
- Research needs identified by Expert Panel reports and the technical appendices

J. Post-Approval – Information Release and Model Integration:

- a. Finalize coding in the Watershed Model; update CAST/CalCAST and reporting schemas; assign BMP IDs/codes; complete version control and release notes.
 - i. The goal will be to incorporate new BMPs and existing BMP updates in the next progress year of CAST (i.e., 2026 Progress) if they do not require a historical record submission, or a change to that BMP's history. If a BMP has a historical record that would need to be submitted or adjusted with an approved update, then it will be the general expectation that a formal update would not be realized in the CAST model until the next version (i.e., CAST-23). It will be up to the modelers of the CBPO to determine whether a BMP update can be incorporated into the next progress year of CAST or if it must be during the next scheduled model version or Phase update to the suite of CBP partnership modeling tools.
- b. Publish technical documentation and user guidance
- c. Outline to Partnership if update for reporting will be available for the next progress year submission window, or incorporated into the next version of the model.
 - i. This will be evaluated on a case-by-case basis by the CWGT following their review of the Expert Panel report. Even if a BMP does not have a history of reporting (typical reason a BMP could be quickly included in existing model), their incorporation into the model may require modeling and coding adjustments requiring a new version of the model.

Appendix

Appendix A Expert Panel Summary Timeline:

The following identifies the steps to be followed for the Expert Panel to be formed and then produce the associated report and TA:

- I. Approval Process: Nine-month timeline outlined in protocol:

- a. **Review Process for New/Revised Estimates:** one to two-month panel determination (This period does not count in the time estimate provided below, this begins once panel is created)
 - i. Model Incorporation
- b. **Panel Creation:** 2-3 month period, targeting workgroup membership and existing volunteers from other partnership bodies. Contractual support will lengthen necessary timeline, but should also imply a larger effort involving multiple practices being reviewed.
- c. **Expert Panel Report:** 9-month period to produce report detailing research and review of requested BMP value or costs.
- d. **Technical Appendix Review:** 9-month period parallel review for relevant sector workgroup, WTWG, and CWGT reviews and approvals for finalized Technical Appendix, that supports Expert Panel Report.
 - i. While the Technical Appendix creation and approval process cannot start immediately as soon as the Expert Panel does, work to build understanding of this effort can be achieved at the workgroup level to expedite review.
- e. **Panel Finalization:** 1-2 month period. Work with CWGT and CBPO Modeling Team to post report, outline any reporting changes, and update model accordingly at the progress year or next scheduled model version of CAST.

Appendix B Professional Judgment:

Due to uncertainty in the underlying natural processes, the observed variability in practice performance and the widely varying approaches to collecting those data, best professional judgment is necessary to ascribing practice outcomes (i.e., expected water quality benefits). “Best professional judgement” in the context of this Protocol is understood as a technical determination that contributes to an Expert Panel decision-making or recommendation(s) following review of relevant research and data pertaining to the issue under consideration.

Best professional judgment requires consideration of readily available sources of scientific information to better estimate loading rates and practice effectiveness. This list of sources is included within the Expert Panel Report. Because the definitions and values used for both loading and effectiveness estimates have important implications for the CBP, this Protocol outlines specific procedures for Expert Panels coordinated by the CWGT and its relevant Workgroups to follow so the process is consistent, transparent and scientifically defensible.

Appendix C Model Incorporation:

Following the review of the Expert Panel Report, should an update be approved and made to a BMP, the CWGT and CBPO Modeling Team will evaluate these on a case-by-case basis following their review of the associated report. Even if a BMP does not have a history of reporting (typical reason a BMP could be quickly included in existing model), their incorporation into the model may require modeling and coding adjustments requiring a new Phase of the model.

Appendix D Version History:

This is the third version of the Expert Panel Protocol. The first version of this document was produced in 2010 and the following versions were produced in 2015 and 2022. Prior to 2010 there were BMP panels that accomplished this effort for the CBP.

- 2010 Expert Panel Protocol
- 2015 Expert Panel Protocol
- [Linked 2022 Expert Panel Protocol](#)

Appendix E Conflict of Interest Form:

CHESPEAKE BAY PROGRAM WATER QUALITY GOAL IMPLEMENTATION TEAM BMP EXPERT PANEL CONFLICT OF INTEREST DISCLOSURE

Version date: XXXX

NAME: _____ TELEPHONE: _____

ADDRESS: _____

EMAIL ADDRESS: _____

EMPLOYER: _____

BMP PANEL: _____

INSTRUCTIONS⁸

The primary focus of the CBP BMP expert panels is to develop BMP-specific nutrient and sediment reduction effectiveness estimates (*i.e.*, performance estimates). A secondary focus may include describing future BMP-specific research needs and ancillary benefits. It is essential that the work of BMP expert panels not be compromised by significant conflicts of interest. Except for those situations in which the

⁸ Note: This form was created and informed by National Academies documentation found at <http://www.nationalacademies.org/coi>.

Chesapeake Bay Program (CBP) partnership determines that a conflict of interest is unavoidable and publicly discloses the conflict of interest, no individual can be appointed to serve (or continue to serve) on an expert panel if the individual has a conflict of interest that is relevant to the functions to be performed.

For the purposes of the BMP expert panels convened by the CBP partnership, the term **"conflict of interest" is any financial or other interest which conflicts with the service of the individual because it (1) could significantly impair the individual's objectivity or (2) could create an unfair competitive advantage for any person or organization.** The term "conflict of interest" applies only to *current interests*. It does not apply to past interests that have expired, no longer exist, and cannot reasonably affect current behavior. Nor does it apply to possible interests that may arise in the future, because such future interests are inherently speculative and uncertain.

"Conflict of interest" means something more than individual bias. A point of view or bias is not necessarily a conflict of interest. Expert panel members are expected to have points of view and the CBP partnership attempts to balance points of view by supporting diverse expert panel membership. Panel members are asked to consider respectfully the viewpoints of other members, to reflect their own views rather than to be a representative of any organization, and to base their scientific conclusions and judgment on relevant evidence.

As mentioned previously in this Protocol, all proposed Expert Panelists' credentials, CVs or resumes, and associated conflict of interest disclosures, will be reviewed by the CBP partnership before an Expert Panel membership is finalized to ensure that no actual or potential conflicts of interest exist. These conditions will minimize the risk that Expert Panels are biased toward particular interests or regions.

This conflict of interest disclosure form is designed to prophylactically eliminate potentially compromising situations from arising, and thereby to protect the individual, the other members of the expert panel, the CBP partnership, and the public interest. The individual, the expert panel, and the partnership should not be placed in a situation where others could reasonably question, and perhaps discount or dismiss, the work of the expert panel simply because of the existence of conflicting interests.

The overriding objective of this conflict of interest disclosure form is to identify whether there are interests – primarily financial in nature – that conflict with the expert panel service of the individual because they could impair the individual's objectivity or could create an unfair competitive advantage for any person or organization. The fundamental question in each case is this: Does the individual, or others with whom the individual has substantial common financial interests, have identifiable interests that could be directly affected by the outcome of the activities of the expert panel on which the individual has been asked to serve? The following questions are designed to elicit information from potential expert panel members concerning potential, relevant conflicts of interest.

1. FINANCIAL INTERESTS.

- a) Taking into account stocks, bonds, and other financial instruments and investments including partnerships (but excluding broadly diversified mutual funds and any investment or financial interests valued at less than \$10,000), do you or, to the best of your knowledge others with whom you have substantial common financial interests, have financial investments that could be affected, either directly or by a direct effect on the business enterprise or activities underlying the investments, by the recommendations made by the expert panel on which you have been invited to serve?

- b) Taking into account real estate and other tangible property interests, as well as intellectual property (patents, copyrights, etc.) interests, do you or, to the best of your knowledge others with whom you have substantial common financial interests, have property interests that could be directly affected by the findings made by the expert panel on which you have been invited to serve?
- c) Could your employment (or the employment of your spouse), or the financial interests of your employer or clients (or the financial interests of your spouse's employer or clients) be directly affected by the findings made by the expert panel on which you have been invited to serve?
- d) Taking into account research funding and other research support (e.g., equipment, facilities, industry partnerships, research assistants and other research personnel, etc.), could your current research funding and support (or that of your close research colleagues and collaborators) be directly affected by the findings made by the expert panel on which you have been invited to serve?
- e) Could your service on the expert panel on which you have been invited to serve create a specific financial or commercial competitive advantage for you or others with whom you have substantial common financial interests?

If the answer to all of the above questions under FINANCIAL INTERESTS is either "no" or "not applicable," check here _____ (NO).

If the answer to any of the above questions under FINANCIAL INTERESTS is "yes," check here _____ (YES), and briefly describe the circumstances below.

EXPLANATION OF "YES" RESPONSES: (attach additional pages, if needed)

2. OTHER INTERESTS.

- a) For the expert panel on which you have been invited to serve, is a principal charge to provide a critical review and evaluation of your own work or that of your employer?
- b) Do you have any existing professional obligations that effectively require you to publicly defend a previously established position on an issue that is relevant to the functions to be performed by this expert panel?

- c) To the best of your knowledge, will your participation on this expert panel enable you to obtain access to a competitor's or potential competitor's confidential proprietary information?
- d) If you are, or have ever been, a federal, state, or local government employee, to the best of your knowledge are there any conflict of interest restrictions that may be applicable to your service on this expert panel?

If the answer to all of the above questions under OTHER INTERESTS is either "no" or "not applicable," check here _____ (NO).

If the answer to any of the above questions under OTHER INTERESTS is "yes," check here _____ (YES), and briefly describe the circumstances below.

EXPLANATION OF "YES" RESPONSES: (attach additional pages, if needed)

Per the CBP BMP Protocol,⁹ all proposed panel members are subject to review and approval by the appropriate sector Workgroup or WQGIT. **Please read and initial each of the following statements.**

_____ *In addition to this conflict of interest disclosure form, I have received a copy of the current BMP Protocol and, if I am accepted as a panel member, I will, to the best of my ability and with guidance from the Panel Chair and Coordinator, adhere to the expectations and procedures described therein.*

_____ *I understand that a conflict of interest may prevent my participation as a member of the proposed BMP expert panel if the CBP partnership, in coordination with the Panel Chair, determine that the*

⁹ http://www.chesapeakebay.net/publications/title/bmp_review_protocol

circumstances of my particular conflict of interest are not consistent with the intentions or purpose of the expert panel or the BMP Protocol. Furthermore, I understand that any such finding would NOT reflect an assessment by the CBP partnership of my actual expected behavior or in any way be an assessment of my character or my ability to act objectively despite the relevant conflicting interest.

_____ *If I am not confirmed by the CBP partnership as a panel member, I understand that there can be other opportunities to provide my expert input to the panel, as described in the BMP Protocol and that I am welcome to discuss these opportunities with the Panel Chair and Coordinator.*

_____ *I affirm that as a panel member I will respectfully consider the expert opinions and judgments of other members within the context of their perspectives, expertise, and experience, and I will reflect on these as I express my own expert opinions and formulate my own professional judgments. Further, I will base my findings, conclusions, and professional judgment on all of the relevant scientific evidence available to the expert panel on which I serve.*

During your period of service in connection with the panel for which this form is being completed, any changes in the information reported, or any new information which needs to be reported, should be reported promptly by written or electronic communication to the Panel Chair and Coordinator.

Signature

Date

Print Name

Reviewed WQGIT Co-Chair

Date

Print Name

Reviewed WQGIT Co-Chair

Date

Print Name