

Chesapeake Bay Program Partnership's Basinwide BMP Verification Framework Briefing

**Water Quality, Habitat, Fisheries, and Healthy
Watersheds Goal Implementation Teams**

June 9, 2014



Chesapeake Bay Program
A Watershed Partnership

Verification Definition

“Verification: the process through which agency partners ensure practices, treatments, and technologies resulting in reductions of nitrogen, phosphorus, and sediment pollutant loads are implemented and operating correctly.”

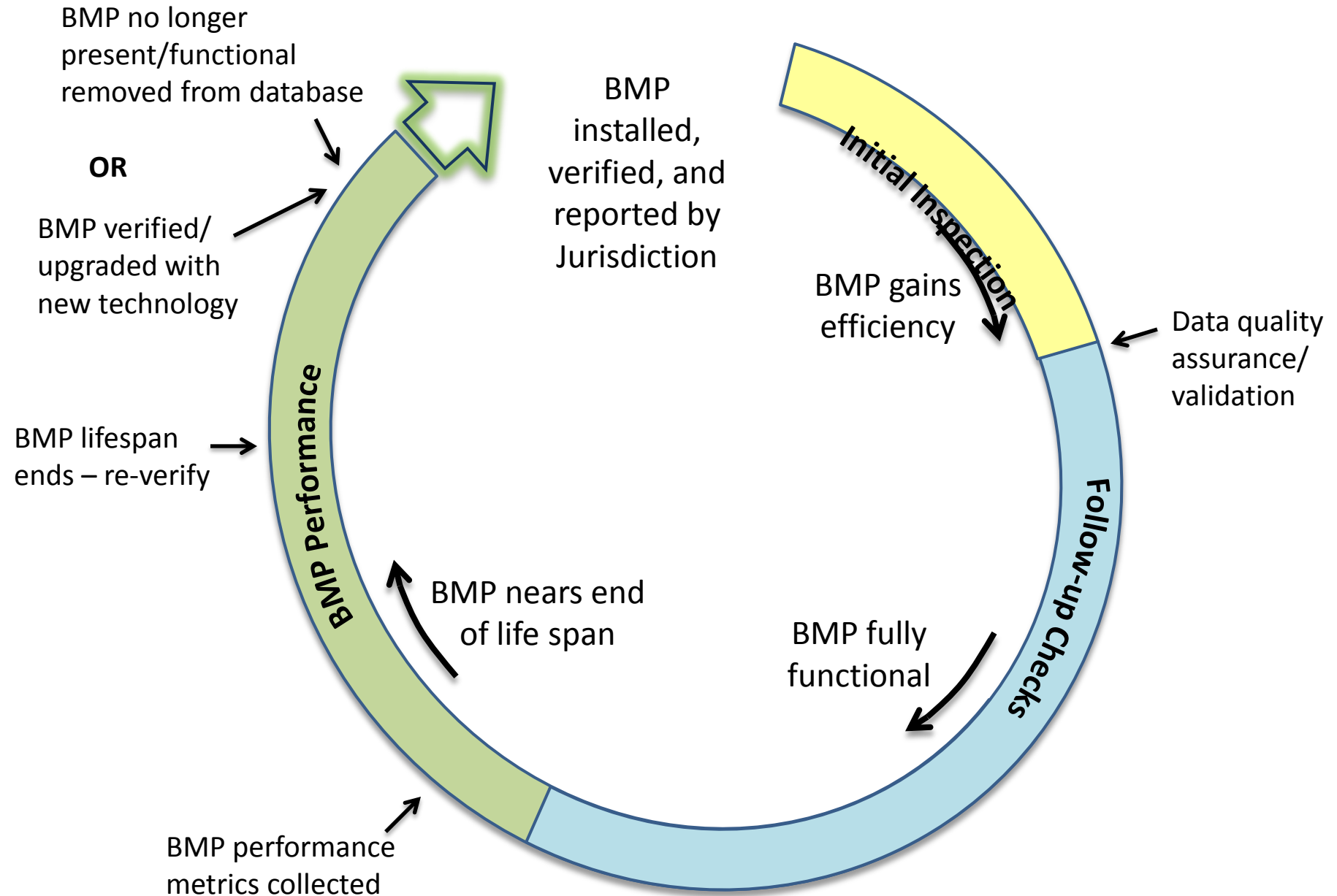
BMP Verification Principles

- Practice Reporting
- Scientific Rigor
- Public Confidence
- Adaptive Management
- Sector Equity

12 Framework Elements

- 1) BMP verification principles
- 2) BMP Verification Review Panel
- 3) Source sector and habitat specific BMP verification guidance
- 4) Practice life spans
- 5) Ensuring full access to federal cost-shared agricultural conservation practice data
- 6) Enhance data collection and reporting of federally cost shared practices
- 7) Accounting for non-cost shared practices
- 8) Jurisdiction specific procedures for preventing double counting
- 9) Clean-up of historical BMP databases
- 10) Expectations for development and documentation of jurisdictional BMP verification programs**
- 11) Partnership processes for evaluation and oversight**
- 12) Communications and outreach

BMP Verification Life Cycle



Jurisdictions' BMP Verification Programs

Between the efforts of the Panel, the Committee, and the Six Technical Workgroups, the Jurisdictions have an abundance of solid guidance for enhancing their existing BMP tracking, verification and reporting programs, including:

- Six workgroups' sector specific BMP verification guidance
 - Ag, forestry, stormwater, wastewater, streams, and wetlands
- The Panel's recommendations to the jurisdictions
- The Panel's design matrix, decision steps, checklist, and verification protocol design table
- EPA's verification program documentation expectations

Table 19. Chesapeake Bay Program Best Management Practice Verification Program Design Matrix

A. Program Component	B. Program Elements	C. Program Element Options
i. BMP Verification	1. What was the driver for BMP Installation?	Regulation, permit, cost-share, non-cost-share
	2. How many BMPs will be inspected?	All, percentage, subsample, those targeted
	3. How is the frequency and location of inspections determined?	Workgroup guidance, statistics, targeting, law, available funding
	4. How often are BMPs/groups of BMPs inspected?	Benchmark in BMP implementation timeline, 0-<1 yr, 1yr, 1-3 yr, >5 yrs
	5. What is the method of inspection?	Field visual, aerial, paperwork review, phone/paper survey
	6. Who will conduct the BMP inspection and are the certified/trained?	Regulatory agency, non-regulatory agency, independent party, self-reported
	7. What needs to be recorded for each BMP inspection?	Meets specifications/standards, visual functioning, location
	8. Is execution of the inspection process documented in and checked against an updated quality assurance (QA) plan?	QA plan in place, program checked <u>and</u> amended to ensure compliance, QA plan in place but not actually applied, no QA plan

Table 20. Jurisdictional BMP Verification Program Development Decision Steps for Implementation

Below are the 14 steps for each Chesapeake Bay watershed jurisdiction to consider when developing their jurisdiction's BMP verification program. Under each step are questions for consideration which will prompt decisions that may be needed to develop jurisdiction's verification protocols.

1) Determine what BMP's to collect:

- a) Do you want to collect all BMPs that were listed to in your jurisdiction's Phase II WIP? Additional/or some other combination of BMPs?
- b) Do the listed BMPs meet NRCS standards, state standards, and/or Chesapeake Bay Program (CBP) definitions?
- c) Do you want to report BMPs that are considered resource improvement practices (they do not meet NRCS standards, state standards, or CBP BMP definitions but do result in nutrient and/or sediment pollutant load reductions)?
- d) When collecting the selected BMPs, do you have the year they were implemented?
- e) For reported BMPs, are you collecting all the BMP elements required for the CBP Partnership model application (example: for cover crops, to do you have species, date planted, kill down date, fertilization if any) or will you take the lowest credited efficiency available?
- f) Have the selected BMPs been approved by the CBP Partnership? If not, do the BMPs have CBP Partnership provisional acceptance status as an interim BMP?
- g) Are the practices you plan to collect worth the cost of collection?

Table 21. Jurisdiction BMP Verification Protocol Components Checklist

	State:			
	Sector:			
	BMP Verification	Present	N/A	Comments
1	BMP's Collected			
	Type (structural, management, annual, etc.)			
	BMP Funding/Cost shared (federal, state, NGO, non-cost shared)			
	Distinct state standards/specifications			
	Matching CBP BMP definition/efficiencies			
2	Method/System of Verification/Assessment			
	Description of methods/systems to be used			
	Documentation of procedures used to verify BMP's			
	Instruction manual for system users			

Table 22. Jurisdictional Verification Protocol Design Table

A. WIP Priority	B. Data Grouping	C. BMP Type	D. Initial Inspection <i>(Is the BMP there?)</i>				E. Follow-up Check <i>(Is the BMP still there?)</i>			F. Lifespan/ Sunset <i>(Is the BMP no longer there?)</i>	G. Data QA, Recording & Reporting
			Method	Frequency	Who inspects	Documentation	Follow-up Inspection	Statistical Sub-sample	Response if Problem		
								:			
								:			
								:			
								:			

Evaluation and Oversight

- EPA approval of jurisdictions' enhancing BMP tracking, verification, and reporting programs
- Amend Partnership BMP protocol to address verification
- Amend CBP Grant Guidance to address verification
- Annual reviews of progress data submissions
- Annual EPA reviews of quality assurance plans
- Periodic EPA audits of jurisdictions' BMP verification programs
- Independent evaluations by the Partnership's advisory committees

BMP Verification Framework Implementation Timeline

- All seven jurisdictions will develop/further enhance their BMP tracking, verification and reporting programs to be consistent with basinwide BMP verification framework
- Jurisdictions will fully document their BMP tracking, verification and reporting programs within their existing CBIG required QA plan
- The BMP Verification Review Panel will review each jurisdiction's quality assurance plan, assessing the strengths and any possible vulnerabilities

BMP Verification Framework Implementation Timeline

- The BMP Verification Review Panel meets with each jurisdiction to discuss their respective BMP tracking, verification and reporting programs, working to identify and address any discrepancies between the jurisdiction's proposed verification program and the Partnership's basinwide verification framework
- The jurisdictions will be given the opportunity to respond to the Panel's findings

BMP Verification Framework Implementation Timeline

- The BMP Verification Review Panel will provide written feedback and recommendations to the BMP Verification Committee on each jurisdiction's program
- The BMP Verification Review Panel will report its findings and recommendations to the PSC
- EPA will approve each jurisdiction's BMP verification program or request specific enhancements to address the Panel's findings and recommendations prior to approval (EPA is actually approving their CBIG QA plans)

BMP Verification Framework Implementation Timeline

- Use first two years to ramp-up jurisdictions' verification programs
- Only verified practices will be credited after the initial two year ramp-up period

Near Term BMP Verification Schedule

- **May 9:** Distribute revised framework report
- **May 15:** Brief the Citizens Advisory Committee
- **June 5:** Brief the Local Governments Advisory Committee
- **June 6:** Mtg with Rich Sims re. NRCS verification commitments
- **June 9:** Brief the WQ, Habitat, Fisheries, and Healthy Watersheds Goal Implementation Teams
- **June 17:** Brief the Scientific and Technical Advisory Committee
- **June 30:** Comments on revised draft framework report due
- **July TBD:** BMP Verification Committee meeting to address feedback from GITs and advisory committees
- **July 15:** Revise the draft framework document
- **Aug 1:** Distribute final draft framework document
- **Sept:** Present to Management Board
- **October:** Seek final approval from Principals' Staff Committee

Asks of GIT Members

- Invest the time to review and comment on the revised draft May 12th revised draft basinwide BMP verification framework report
- If time is limited, please focus on reviewing:
 - Section 4: Development and Documentation of the Jurisdictional BMP Verification Programs
 - Section 5: Partnership Processes for Evaluation and Oversight
 - Section 6: Basinwide BMP Verification Framework Implementation
- Brief your respective Management Board member in preparation for their August review and September meeting request for approval to present to the Principals' Staff Committee for final Partnership adoption

Questions for GIT Members

- Do you have any significant concerns about what has been outlined here?
- Are there any specific issues you would like a follow-up briefing on?
- Are you comfortable with proceeding forward with the continued review of the draft framework over the course of the summer, heading to the Management Board in September and the Principals' Staff Committee in October?