Chesapeake Bay Program Partnership's
BMP Verification Committee and BMP Verification Review Panel Joint Meeting

April 2, 2014

Annapolis, Maryland

Chesapeake Bay Program
A Watershed Partnership

Systematic Review of the 12 Framework Components

- Receive a **summary of the comments** provided by Panel and Committee members

- Receive a listing of the **recommended implementation actions** extracted directly from *Section 17* directly relevant to each framework component

- **Discuss any remaining concerns** and **work towards agreement** on what will be presented to the full partnership for further review and buy-in

- Identify remaining **issues to raise to MB/PSC** for discussion and resolution

Systematic Review of the
12 Framework Components

1) BMP verification principles (Section 5)
2) BMP Verification Review Panel (Section 6)
3) Source sector and habitat specific BMP verification guidance (Section 7)
4) Practice life spans (Section 8)
5) Ensuring full access to federal cost-shared agricultural conservation practice data (Section 9)
6) Enhance data collection and reporting of federally cost shared practices (Section 10)
7) Accounting for non-cost shared practices (Section 11)
8) Jurisdiction specific procedures for preventing double counting (Section 12)
9) Clean-up of historical BMP databases (Section 13)
10) Expectations for development and documentation of jurisdictional BMP verification programs (Section 14)
11) Partnership processes for evaluation and oversight (Section 15)
12) Communications and outreach (Section 16)

Comments Received

Acknowledgement of Committee and Panel Members Providing Comments in Advance

- Russ Baxter, VA DEQ
- Curt Dell, Panel
- Mike Gerel, Panel
- Tim Gieseke, Panel
- Rebecca Hanmer, Panel
- Dianna Hogan, Panel
- Richard Klein, Panel
- Beth McGee, CBF
- Matt Monroe, WV DA
- Gordon Smith, Panel
- Andy Zemba, PA DEP

Overall Framework

Summary Comments Received from Panel and Committee Members

- Condense document, reduce repetition, remove excess background/history, focus on what the jurisdictions need (Dell, Gieseke, Hanmer Baxter, McGee)

- Reorganize to make more useful for the jurisdictions, putting general guidance to jurisdictions (e.g., Section 14) further up front (Hanmer)

- Provide short one-page summary or road map for using the document for program development, possibly in the Executive Summary (Dell)

Overall Framework

Summary Comments Received from Panel and Committee Members

- Framework calls for "consistency across pollutant source sectors," in reference to the Principle on sector equity. However, CAC and the Review Panel recommended (and the Committee agreed) that jurisdictions should place priority on robust verification for those BMPs on which they are depending the most to achieve the WIPs. Thus, it is appropriate to amend some of the Framework language to reflect this strategic consideration. (Hanmer)

Overall Framework

Summary Comments Received from Panel and Committee Members

- Taking 'partnership approach' based on "a compilation of various tracking, verification, agreements, and reporting systems" calls into question the ability to achieve the original call for/commitment to verification (Gieseke)

- Add 13th component to the framework: transparency and public access (Klein)

- Recommendation for outcomes-based approach (Gieseke)

Overall Framework

Summary Comments Received from Panel and Committee Members

- "It appears to be a significant challenge to address the Five Principles within the context of allowing jurisdictions with nearly complete sovereignty to define protocols/collect data using an agency/program-based process." (Gieseke)

Overall Framework

Summary Comments Received from Panel and Committee Members

- **Increased Reliance On An Informed & Observant Citizenry** The number of BMPs present throughout the Chesapeake Bay watershed is rapidly increasing. This is particularly true for stormwater BMPs where new approaches, like Maryland's Environmental Site Design, has tripled the number of practices on each new development site. There may be as many as 100,000 existing stormwater BMPs throughout the Bay watershed. It appears that in more than a few localities, agencies are having difficulty ensuring that these existing BMPs are being well maintained. This problem will become considerably worse with the coming explosion in the number of suburban-urban BMPs It is unlikely we will have the paid inspectors needed to keep these BMPs properly maintained. In the past, agencies have relied heavily upon citizens to learn of sewage spills, inadequate construction site sediment control, and poorly maintained stormwater BMPs. **In the future, agencies will rely even more heavily on an informed and observant citizenry. Therefore it is critical that BMP Verification be designed to support and encourage this critical form of public participation.** (Klein)

Overall Framework

Summary Comments Received from Panel and Committee Members

- "In the future, agencies will rely even more heavily on an informed and observant citizenry. Therefore it is critical that BMP Verification be designed to support and encourage this critical form of public participation." (Klein)

Overall Framework

- How do we want to restructure the framework itself and the overall supporting document?

- Do we need to add anything to the framework?

- Do we want to remove anything from the framework?

BMP Verification Principles

Summary Comments Received from Panel and Committee Members

- The Principle that every BMP must be verified with the same equal procedure could lead to a simplistic interpretation, which would waste resources and invite lowest common denominator approaches. However, thinking has evolved during the Panel process and succeeding review by the BMP Verification Committee which should be reflected early in the Framework. (Hanmer)

- It is urgent to give clear direction in the Framework that improvements in verification should be targeted first to the most important BMPs (Hanmer)

BMP Verification Principles

Summary Comments Received from Panel and Committee Members

- Page 11, last para., continuing on page 12. "The Partnership wants to ensure that verification protocols and procedures have a *consistent* level of rigor, transparency and confidence across all source sectors and habitats, **with the understanding that the highest attention within each sector is given to those BMPs on which the jurisdictions are relying the most to achieve nutrient and sediment reductions in their Watershed Implementation Plans**." (Hanmer)

BMP Verification Principles

Summary Comments Received from Panel and Committee Members

- Include usability in the transparency definition. Including all data appears as a transparency strategy, but it is usually becomes too overwhelming to be useful (Gieseke)

BMP Verification Principles

Recommended Implementation Actions from Section 17

- Amend the CBP Grant Guidance to reflect the verification principles

- Ensure jurisdictional verification programs are fully consistent with BMP verification principles

- PSC approval of jurisdictions' programs based on meeting BMP verification principles

BMP Verification Principles

Remaining Issues to Be Resolved

- PSC adoption of addendum to the public confidence principle providing working definition of transparency

- (To be filled in during meeting)

BMP Verification Panel

Summary Comments Received from Panel and Committee Members

- No comments received.

BMP Verification Panel

Recommended Implementation Actions from Section 17

- No recommended implementation actions

- Remaining roles and responsibilities:
    - Meets with the jurisdictions and reviews their proposed enhanced BMP tracking, verification, and reporting programs
    - Presents the Principals' Staff Committee with the Panel's recommendations on each of the jurisdictions' proposed enhanced BMP tracking, verification, and reporting programs

BMP Verification Panel

Remaining Issues to Be Resolved

- (To be filled in during meeting)

BMP Verification Guidance

Requests/Feedback from the Panel Members

- Streams:
  - Several requests for clarification of guidance provided in the current draft
  - Otherwise, ready to finalize

- Wetlands:
  - Need to address statement about existing verification procedures (federal) are adequate given Chair's statement they are <u>not</u> adequate
  - Need to provide jurisdictions with guidance on which verification procedures apply in which circumstances—wetlands for stormwater management, wetlands on agricultural lands, wetlands implemented for habitat benefits

- Forestry
  - Several requests for clarification of guidance provided in the current draft
  - Need to provide jurisdictions with guidance on which verification procedures apply in which circumstances given forest related BMPs cover multiple land uses

BMP Verification Guidance

Requests/Feedback from the Panel Members

- Urban Stormwater:
  - Talked through concerns on option 3 on page 57 re. sub-sampling one watershed and applying the findings across and wider area
  - Several requests for clarification of guidance provided in the current draft
  - Otherwise, ready to finalize

- Wastewater and Onsites:
  - Need to address why PA is missing from the onsite systems tables and why DC is missing from the description of significant/non-significant facilities
  - Otherwise, ready to finalize

- Agriculture
  - Now was the topic of several hours of discussion by the Panel!

BMP Verification Guidance

Recommendations from the Panel Members

BMP Verification Guidance

Recommended Implementation Actions from Section 17 (Pages 104-5)

- Amend the Partnership's BMP protocol to address verification

- Seek to strengthen ability to verify Partnership-defined BMPs

- Provide partners with access to statistical design expertise

- Adapt protocols to reflect new verification technologies

BMP Verification Guidance

Remaining Issues to Be Resolved

Practice Life Spans

Summary Comments Received from Panel and Committee Members

- No comments received.

Practice Life Spans

Recommended Implementation Actions from Section 8 (Page 61)

- For the existing Partnership approved BMPs, the **respective source sector workgroup** needs to assign a life span/expiration date for each approved BMP

- For all future BMP expert panels, the **workgroups** need to ensure each panel is charged with establishing a recommended life span/expiration date for each BMP

- **Workgroups** need to develop specific guidance for how to sunset specific reported practices which have gone beyond their lifespan and have not received the level of required re-verification after the designated lifespan

Practice Life Spans

Recommended Implementation Actions from Section 8 (Page 61)

- **Jurisdictions** need to build systems for carrying out the process for sunsetting specific reported practices which have gone beyond their lifespan and have not received the level of required re-verification after the designated lifespan within their larger verification programs

- The **Watershed Technical Workgroup** needs to develop specific guidance that ensures the Partnership's NEIEN-based BMP reporting system includes flagging of reported practices which are past their established life spans, and confirmation there was follow up re-verification of their continued presence and functional or removal from the data submitted for crediting

Practice Life Spans

Remaining Issues to Be Resolved

- (To be filled in during the meeting)

Federal Cost-Shared Practice Data

Summary Comments Received from Panel and Committee Members

- Section can be shortened down (Baxter)

Federal Cost-Shared Practice Data

Recommended Implementation Actions from Section 17 (Pages 105-7)

- Ensure 1619 agreements are in place for all involved State agencies

- Use consistent language in all Bay watershed states 1619 agreements

- Partnership agreement to ensure full access to federal cost share practice data

- Ensure states credit conservation technical assistance

Federal Cost-Shared Practice Data

Recommended Implementation Actions from Section 17 (Pages 107-8)

- Provide state 1619 conservation cooperators access to CEAP data

- Establish protocols for annually accessing federal cost shared practice data.

- Develop common federal cost share practice data template

- Hold USDA agencies accountable to commitment to enhance data collection/reporting

Federal Cost-Shared Practice Data

Recommended Implementation Actions from Section 17 (Pages 107-8)

- **Adhere to common schedule for accessing federal cost shared practice data**
  - July 15 – States submit their data requests to NRCS
  - July 15 – States submit their data requests to FSA
  - August 15 – States receive their FSA dataset
  - October 1 – The Partnership's Scenario Builder tool practice definitions finalized for the year by the Watershed Technical Workgroup
  - October 15 – The Partnership's Agriculture Workgroup and Watershed Technical Workgroup approve updated Partnership approved BMPs/NRCS standards crosswalk
  - October 15 – States receive their NRCS dataset
  - December 1 – States submit their integrated federal-state-local dataset to the Partnership's Annual Progress Review via their state's NEIEN node

Federal Cost-Shared Practice Data

Remaining Issues to Be Resolved

- (To be filled in during meeting)

Accounting for Non-cost Shared Practices/ Data Transparency, Privacy, and Public Access

Recommended Implementation Actions from Section 17 (page 105)

- Aggregated data considered transparent upon validation

- Treat cost-shared and non cost-shared agricultural conservation practice data the same in terms of applying privacy restrictions

- Public access to all credited practice data

Accounting for Non-cost Shared Practices/ Data Transparency, Privacy, and Public Access

Summary Comments Received from Panel and Committee Members

- It is recognized that transparency of data reported will vary across verification methods and data collection and reporting programs. This variance, however, should not negate the commitment and obligation to ensure transparency at the highest level possible in collection, synthesis and reporting. *For example, some agricultural data may only be available at the County level. However, some Bay watershed jurisdictions already provide online data for specific stormwater BMPs. The goal should be to provide public access to practice-specific data whenever possible.* (Klein)

Accounting for Non-cost Shared Practices/ Data Transparency, Privacy, and Public Access

Summary Comments Received from Panel and Committee Members

- **Public Access to All Credited Practice Data.** All practice and treatment data reported for crediting of nutrient and sediment pollutant load reductions and used in some form by the Partnership in accounting for implementation progress will be made publically accessible through the Partnership's Chesapeake Stat website. *With the exception of data where public access is restricted (e.g. agricultural data), the following specifics needed to credit nutrient-sediment reductions should be available to the public with regard to each specific practice:*

  - *Location;*
  - *Practice type;*
  - *Drainage area;*
  - *Other specific variables needed to compute nutrient-sediment reductions;*
  - *Year installed;*
  - *Agency responsible for inspection;*
  - *Date of last inspection; and*
  - *Practice condition at last inspection.* (Klein)

Accounting for Non-cost Shared Practices/ Data Transparency, Privacy, and Public Access

Remaining Issues to Be Resolved

- [To be filled in during the meeting]

Preventing Double Counting

Summary Comments Received from Panel and Committee Members

- No comments received.

Preventing Double Counting

Recommended Implementation Actions from Section 17 (Page 108)

- **Adopt Preventing Double Counting Procedures**

  Each jurisdiction will, within their respective quality assurance plan, clearly document their specific methods employed to prevent double counting of all submitted practices.

Preventing Double Counting

Remaining Issues to Be Resolved

- [To be filled in during the meeting]

Clean-up of Historical BMP Databases

Summary Comments Received from Panel and Committee Members

- No comments received.

Clean-up of Historical BMP Databases

Recommended Implementation Actions from Section 17 (Page 108)

- Jurisdictions must commit to historical data clean-up

- Move forward with historical data clean-up in parallel with reporting non-cost share practices

Clean-up of Historical BMP Databases

Remaining Issues to Be Resolved

- [To be filled in during the meeting]

Development/Documentation of Jurisdictional BMP Verification Programs

Summary Comments Received from Panel and Committee Members

- Reorganize Section 14 to start with the Panel's recommendations to the jurisdictions (Hanmer)

- The Verification effort should build on the current QAPP agreements the states have with EPA. If there are revisions necessary to the QAPP documents, they can be incorporated over time. This approach avoids a system where similar or the same information is submitted or evaluated in different ways and keeps the integrity of the QAPP agreements as a cornerstone of the verification process. (Baxter)

Development/Documentation of Jurisdictional BMP Verification Programs

For Committee/Panel Discussion

- What do we want to be sure is documented within the jurisdictions' revised QA plans in terms of their strengthened verification programs?

- What role should the checklist play in structuring the content of the jurisdictions' QA plans?

- What level of expectations do we want to establish in the framework document for each of the jurisdictions?

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Sections 14 and 17

- Build upon existing quality assurance plans (Section 17 Page 108)

- Use the Verification Program Design Matrix in developing your program (Section 14 starting on page 93)

- Consider the 14 Development Decisions steps when creating your verification program

- Use the State Protocol Components Checklist

- Address certification/training of verifiers in your programs

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Section 14 (Pages 94-95)

- Aim high or explain why

- Prioritize verification towards priority practices

- Robust upfront verification yields less intensive follow up reviews

- Build in time for continuous improvement early

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Sections 17 (Page 94)

- **Understand the basis on which the Panel will evaluate each jurisdiction's draft verification program**
  - The Chesapeake Bay Program Partnership's five BMP verification principles (see Section 5)
  - The six source sector workgroups' sets of BMP verification guidance (see Section 7, Appendix K)
  - The matrix, list of steps/questions, and checklist provided in the Panel's November 2013 guidance and recommendations (see Tables 9, 10, and 11, respectively)
  - The Chesapeake Bay Program Partnership's final published basinwide BMP verification framework document

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Section 14 (Pages 95-96)

- **BMP Verification Principles**
  - Each jurisdiction will describe, using specific references to specific adopted verification guidance, procedures, and processes, how its overall BMP verification program achieves the CBP Partnership's five BMP verification principles

- **Source Sectors and Habitats:** By the major source sectors and habitats each jurisdiction will provide the following within their QA plans:

  - Provide copies of or cite specific references (with URL links) to the documentation of existing BMP verification programs in operation and overseen by other partners—e.g., NRCS, FSA, other federal agencies, federal facilities, conservation districts, municipalities—which are actively verifying practices implemented within the jurisdiction and which will be reported by the jurisdiction for nutrient and sediment pollutant load reduction credit

  - Provide copies of or cite specific references (with URL links) to the BMP verification guidance and procedures adopted by the Partnership

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Section 14 (Page 96)

- **Source Sectors and Habitats:** By the major source sectors and habitats each jurisdiction will provide the following within their QA plans (Con't):

  – Describe and fully document any jurisdiction-specific modifications to/variations from the Partnership adopted guidance and procedures

  – Document any jurisdictional decisions for focusing their verification programs/protocols on a subset of nutrient and sediment pollutant load reduction practices, treatment, or technologies or geographic areas

  – Document how each respective set of source sector/habitat BMP verification protocols will be implemented by whom, how, and through what programs/mechanisms

  – Document what/which source sector/habitat BMP verification protocols/procedures are already in place, fully operational, and being routinely carried out

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Section 14 (Page 96)

- **Source Sectors and Habitats:** By the major source sectors and habitats each jurisdiction will provide the following within their QA plans (Con't):
  - Document what/which verification protocols/procedures are planned for future implementation, by when, by whom, how and through what programs/mechanisms

  - Describe what further programmatic changes are necessary to be carried out by whom in order to make the source sector/habitat BMP verification protocols/procedures fully operational and routinely carried out

  - Document the agency, departmental, and organizational responsibilities for carrying out the source sector/habitat BMP verification protocols/procedures cross walked with existing or planned regulatory programs, cost share programs, and programs providing technical services

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Section 14 (Pages 96-97)

- **Access to Federal Cost Share Practices:** Each jurisdiction will address assurance for the jurisdiction's full access to federal cost share practices by:

  - Providing as an appendix or providing URL links to the existing 1619 data sharing agreements with USDA

  - Documenting plans to enhance existing or sign new 1619 data sharing agreements with USDA

  - Documenting procedures in place for handling the federal cost share practice data in adherence to the agreement(s)

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Section 14 (Page 97)

- **Preventing Double Counting:** each jurisdiction will address preventing double counting by
  - Providing documentation on the jurisdiction specific procedures either being carried out or which will be carried out to eliminate double (or more) counting of a single reported practice receiving funds from two or more sources which, in turn, are independently tracking and reporting the same practice.

- **Historical BMP Database Clean-up:** each jurisdiction will address historical BMP database clean up by
  - Providing documentation on how the jurisdiction plans to carry out the clean up their historical BMP implementation data base and over what time period.

Development/Documentation of Jurisdictional BMP Verification Programs

Recommended Implementation Actions from Section 14 (Page 97)

- **CBPO Verification and Data Validation Documentation**

  - The Chesapeake Bay Program Office will need to update and expand its own QA plan to fully document the internal procedures it will follow into the future in validating the jurisdictions' annually submitted implementation practice data

Development/Documentation of Jurisdictional BMP Verification Programs

For Committee/Panel Discussion

- What do we want to be sure is documented within the jurisdictions' revised QA plans in terms of their strengthened verification programs?

- What role should the checklist play in structuring the content of the jurisdictions' QA plans?

- What level of expectations do we want to establish in the framework document for each of the jurisdictions?

Development/Documentation of Jurisdictional BMP Verification Programs

Remaining Issues to Be Resolved

- [To be filled in during the meeting]

Partnership Processes for Evaluation and Oversight

Summary Comments Received from Panel and Committee Members

- There needs to be clarification of how the verification principles apply to federal agencies. For example, in our data submissions we provide data supplied by USDA, however we are uncertain as to the robustness of the verification of that data. We have found QAQC problems with USDA data. In short, shouldn't the protocols apply across the board to all entities whose data ends up being reported through NEIEN? (Baxter)

- Independent Evaluations – "At the request of the Partnership……" I don't recall requesting this. I would like to reword this in a way that doesn't sound like everyone is pushing for this. (Monroe)

Partnership Processes for Evaluation and Oversight

Summary Comments Received from Panel and Committee Members

- Page 104: "The BMP Verification Committee recommends the Partnership commit to……….". I do not recall recommending to "Amend the CBP Grant Guidance to Reflect the Verification Principles"; I don't believe this is necessary. (Monroe)

Partnership Process for Evaluation and Oversight

How Implementation Will Be Carried Out

- Clear delineation of decision making roles within the Partnership:
  - CBP Verification Review Panel
  - CBP Principals' Staff Committee
  - CBP Advisory Committees
  - CBP Technical Workgroups
  - CBP Water Quality Goal Implementation Team
  - Jurisdictions
  - Federal agencies and federal facilities
  - U.S. EPA

Partnership Processes for Evaluation and Oversight

Recommended Implementation Actions from Section 15 (Page 100)

- Amend Partnership BMP protocol to address verification

- Amend CBP Grant Guidance

- 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

Partnership Processes for Evaluation and Oversight

Remaining Issues to Be Resolved

- [To be filled in during the meeting]

Implementation of the Basinwide BMP Verification Framework

Summary Comments Received from Panel and Committee Members

- Simplify the approval process: PSC approves framework, EPA approved jurisdictions' verification program via QA Plan approval (Baxter)

- EPA, not PSC should approve the jurisdictions' verification programs (McGee)

- Panel/committee needs more outside guidance to help define appropriate level of sub-sampling for inspection and validation (Gerel)

- Need to offer some basic statistical bounds within which jurisdictional efforts should operate to ensure sound data is presented to the public (Gerel)

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- BMP Verification Principles
  - Amend the CBP grant guidance to reflect verification principles

  - Ensure jurisdictional verification programs are fully consistent with BMP verification principles

  - PSC approval of jurisdictions' programs based on meeting BMP verification principles

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- BMP Verification Protocols
    - Amend the Partnership's BMP protocol to address verification

    - Seek to strengthen ability to verify partnership-defined BMPs

    - Provide partners with access to statistical design expertise

    - Adapt protocols to reflect new verification technologies

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- BMP Data Transparency, Privacy and Public Access

  - Aggregate data considered transparent upon validation

  - Treat cost-share and non-cost shared agricultural conservation practice data the same in terms of applying privacy restrictions

  - Public access to all credited practice data

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- Ensuring Full Access to Federal Conservation Practice Data

  ▪ Ensure 1619 agreements in place for all involved state agencies

  ▪ Use consistent language in all Bay watershed states 1619 agreements

  ▪ Partnership agreement to ensure full access to federal cost share practice data

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- Ensuring Full Access to Federal Conservation Practice Data (con't)

    ▪ Ensure states credit conservation technical assistance

    ▪ Provide states 1619 conservation cooperators access to CEAP data

    ▪ Establish protocols for annually accessing federal cost shared practice data

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- Ensuring Full Access to Federal Conservation Practice Data (con't)

  ▪ Develop common federal cost share practice data template

  ▪ Hold USDA agencies accountable to commitment to enhance data collection/reporting

  ▪ Adhere to common schedule for accessing federal cost shared practice data

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- Preventing Double Counting

    - Adopt preventing double counting procedures

- Clean up of Historical BMP Data Bases

    - Jurisdictions must commit to historical data clean-up

    - Move forward with historical data clean-up in parallel with reporting non-cost share practices

Implementation of the Basinwide BMP Verification Framework

How Implementation Will Be Carried Out

- Jurisdictional BMP Verification Documentation

    - Build upon existing quality assurance plans

- Prioritizing and Targeting BMP Verification

    - Empower jurisdictions to prioritize and target BMP verification

Annual Progress Reporting

Recommended Implementation Actions from Section 17 (Page 109)

- Use the Partnership's data exchange network to document verification status

- Annually review, update, and approve the NRCS Standards/CBP approved BMPs crosswalk

- CBPO review of annual implementation progress data submissions

- Maintain and approve updated documentation on entire annual progress data submission/review process

Annual Progress Reporting

Summary Comments Received from Panel and Committee Members

- We remain concerned about the issue of "cutoff". We can see a situation under the new protocols (and have seen these situations already in our reporting) where data is verified and reported but is discarded because the model does not contain the sufficient land use to apply that practice. There should be a clear process that redistributes a verified BMP to a larger geographic scale and eliminates the practice of cutoff. (Baxter)

Annual Progress Reporting

Remaining Issues to Be Resolved

- [To be filled in during the meeting]

BMP Verification Framework Implementation Timeline

Summary Comments Received from Panel and Committee Members

- To simplify the approval process we would suggest the following: The current documents indicate the states are to have their methods approved by the Verification Committee and then by the PSC. An alternative approach would be for the Verification Committee to layout the acceptable methods in a matrix supported by the source sector workgroups. The PSC could approve the matrix and direct the states and others to detail in their QAPPs (or similar document) at the next scheduled revision to include the elements of that matrix. The partner jurisdictions or others then need to include a description of existing methods consistent with one or more of the matrix items or a process to develop such a capability. EPA approves or disapproves the QAPP. In this way the partnership jurisdictions and others only need to produce a single document needing approval from a single entity. (Baxter)

BMP Verification Framework Implementation Timeline

Summary Comments Received from Panel and Committee Members

- The Principals' Staff Committee is given the responsibility of approving the jurisdictions' verification programs (p. 98). I know we have discussed this, but really? How would that work? It seems unlikely that any jurisdictions is going to challenge the legitimacy of another jurisdictions' protocols. We believe that the Environmental Protection Agency (EPA) ultimately needs to decide if the states' protocols provide reasonable assurance. (McGee)

BMP Verification Framework Implementation Timeline

Summary Comments Received from Panel and Committee Members

- The protocols need to emphasize a flexible element of time. Given that this process is not aligned with state planning and budgeting processes, it will take time to incorporate recommended improvements into state programs. The document should clearly state that necessary improvements will be made over time as states are able to secure necessary resources or redeploy existing resources to achieve the stated goals that may not fit in the rigid timeframes already contained in the document. (Baxter)

BMP Verification Framework Implementation Timeline

Recommended Implementation Actions from Section 17 (Page 110)

- **Take specific steps to Implement the Basinwide BMP Verification Framework**

    – All seven jurisdictions will develop/further enhance their BMP tracking, verification and reporting programs to be consistent with BMP verification principles and all the other components of the basinwide BMP verification framework.

    – The jurisdictions will fully document their BMP tracking, verification and reporting programs within their existing Chesapeake Bay Implementation Grant required quality assurance plans.

    – The BMP Verification Review Panel will review each jurisdiction's quality assurance plan, for assessing the strengths and any possible vulnerabilities in the state verification programs using the Partnership's BMP verification principles as criteria.

BMP Verification Framework Implementation Timeline

Recommended Implementation Actions from Section 17 (Page 111)

- **Take specific steps to implement the Basinwide BMP Verification Framework**

  – The BMP Verification Review Panel will then meet with each of the jurisdictions 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

Recommended Implementation Actions from Section 17 (Page 111)

- **Take specific steps to implement the Basinwide BMP Verification Framework**

  - 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 Partnership's PSC.

  - The Principals' Staff Committee will approve each jurisdiction's BMP verification program or request specific enhancements to address the Panel's findings and recommendation prior to Partnership approval.

BMP Verification Framework Implementation Timeline

Recommended Implementation Actions from Section 17 (Page 111)

- Use first two years to ramp-up jurisdictions' verification programs

- Only verified practices will be credited after the initial two year ramp-up period

BMP Verification Framework Implementation Timeline

Remaining Issues to Be Resolved

- [To be filled in during the meeting]

BMP Verification Framework Implementation

Recommended Implementation Actions from Section 17 (Pages 111-12)

- **Verification Program Development and Implementation Funding**
  - Take full advantage of EPA funding available to support verification

- **BMP Performance Evaluation**
  - Undertake collection of BMP performance data through the Partnership

- **Looking Towards the Future**
  - Look out to a point in the future where outcomes will be measured in place of BMPs for verification of implementation actions

BMP Verification Framework Implementation

Summary Comments Received from Panel and Committee Members

- Recommend a percentage of the overall budget allocated to a landscape, outcome-based model as a pilot project to demonstrate how to align BMP values with the multiple sectors (gov, NGO, corporate, utilities) that are increasingly demanding improvement in natural resources and the accompanying data to account for those improvements. There is sufficient evidence at the international, national and state levels of a trend in this direction and while no one is certain what system eventually emerges, it would be prudent to hedge that outcome-based systems may become a significant part of the future of sustainability accounting. (Gieseke)

BMP Verification Framework Implementation

Summary Comments Received from Panel and Committee Members

- Panel/committee needs more outside guidance to help define appropriate level of sub-sampling for inspection and validation (Gerel)

- Need to offer some basic statistical bounds within which jurisdictional efforts should operate to ensure sound data is presented to the public (Gerel)

Overall Framework

- How do we want to restructure the framework itself and the overall supporting document?

- Do we need to add anything to the framework?

- Do we want to remove something from the framework?

Take a deep breathe as we are almost done….of course, if you all say, yes, yes, definitely agree, go for it Rich, to the next 6 slides we can close out the meeting on a high note and all go home!

Question for the Committee and Panel Members

Are you all comfortable enough with the revised draft basinwide verification framework as documented to encourage our seven jurisdictional partners to begin the process of refining/enhancing their existing BMP tracking, verification, and reporting programs and documenting such refined/enhanced programs now in advance of final review and approval/adoption by the Principals' Staff Committee this fall?

Next Steps Following Joint Meeting

- Write up and distribute summary of the April 1st and 2nd meetings by **April 7** for review/comment by **April 14**

- Follow up with 6 workgroups to get their responses to the feedback/direction from the Panel during the April 1st meeting on their verification guidance by **April 25**

- Edit February 12, 2014 draft framework document by **April 30** to reflect:
  - Written feedback from Panel members
  - Written feedback from Committee members
  - Feedback and agreements coming out of joint meeting
  - Revisions to workgroups' verification guidance

Next Steps Following Joint Meeting

- Distribute revised draft framework document by **May 2** to:
  - WQGIT, Habitat GIT, and Fisheries GIT
  - STAC, CAC, and LGAC

- Schedule briefings for the 3 GITs in **May/June**

- Schedule briefings for 3 advisory committees in **May/June**

- Re-convene the Committee to address feedback from GITs and advisory committees in **July**

Next Steps Following Joint Meeting

- Revise the draft framework document as needed to address feedback from the GITs and advisory committees as agreed to by the Committee by **July 15**

- Distribute the revised final draft framework document to the Management Board and schedule an in-depth briefing for the Board in **August/ September**

- Re-convene the Committee to address feedback from Management Board in **mid-September**

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Next Steps Following Joint Meeting

- Finalize the framework document as needed to address feedback from the Management Board by **September 30**

- Distribute the revised final framework document to the Principals' Staff Committee by **October 1** and schedule an in-depth briefing for the Committee and request for approval/adoption in **October**

Next Steps Following Joint Meeting

- Sunset the BMP Verification Committee **immediately** following the Principals' Staff Committee's approval/adoption of the framework