Chesapeake Bay Program's BMP Verification Program Development Update
August 1, 2012 CBP WQGIT Watershed Technical Workgroup Meeting

BMP Verification Principles Drafted

The Water Quality Goal Implementation Team's BMP Verification Committee has drafted a set of BMP Verification Principles (attached) currently being used by the source sector and habitat restoration workgroup as guidance as they develop their verification protocols.

The BMP Verification Committee will formally seek the Water Quality Goal Implementation Team's (WQGIT) review of the principles as part of the larger verification program package in the October timeframe.

Draft BMP Verification Protocols Drafted and Reviewed

During its June 19 meeting, the five source sector workgroups—Agriculture, Forestry, Urban Stormwater, and Wastewater Treatment—and the two habitat restoration workgroups—Streams and Wetlands—presented their draft BMP verification protocols to the BMP Verification Committee for initial review and feedback. The June 19 meeting summary, briefing materials, and presentations, which are accessible on-line on the CBP partnership's website at http://www.chesapeakebay.net/calendar/event/18404/, provide excellent overviews of how each workgroup is approaching verification of its practices, treatments, and technologies and the BMP Verification Committee's reactions and direction back to each workgroup.

Approaches to Full Access to Federal Cost Shared Data and Double Counting Outlined

Also during the June 19 BMP Verification Committee meeting, Dean Hively, USGS/USDA ARS, presented the proposed approaches to ensuring all six jurisdictions will have access to the full array of USDA NRCS and FSA federal cost shared agricultural conservation practices and accounting for any possible double counting. Dean recommended a five-point approach to ensuring these two objectives—full access and prevention of double counting—could be achieved in tandem through procedures developed working with and tailored to each of the six jurisdictions.

Options for Cleaning up Historical BMP Databases Presented

Jeff Sweeney presented three options to the BMP Verification Committee at its June 19 meeting on how the partnership and the individual jurisdictions could proceed forward with cleaning up their historical BMP databases.

At the WQGIT's July 16 conference call, the BMP Verification Committee requested the WQGIT charge the Watershed Technical Workgroup with responsibility for further pursuing

these historical database clean-up options as this work it outside of the original charge to the BMP Verification Committee.

Role of NEIEN in Ensuring Accounting for Non-cost Shared Data
Marty Hurd, Tetra Tech, presented recommendations on how to ensure non-cost shared BMP data get reported by the jurisdictions through the existing NEIEN system.

Seeking Nominations for the BMP Verification Review Panel
Following up on its June 19 meeting, the BMP Verification Committee sent out formal requests for nominations for members on the Chesapeake Bay Program partnership's BMP Verification Review Panel on June 21. Attached to the email requests were the draft charge and recommended types, expertise and proficiencies of members for the BMP Verification Review Panel.

Emails were distributed to the:
- Water Quality Goal Implementation Team members and its Agriculture, Forestry, Urban Stormwater, Wastewater Treatment, **Watershed Technical**, and Trading and Offsets Workgroups members;
- Members of the Habitat Goal Implementation Team and its Wetlands Action Team and Stream Health Workgroup members; and
- The Chairs and Coordinators of the partnership's three advisory committee: Citizens, Local Governments, and Scientific and Technical Advisory Committees.

The emailed request asked that by Monday, July 23, the members email CBPO staff their nominations for panel members, including each nominee's 1) affiliation, 2) contact information (email address, phone number), and 3) which set(s) of the member type, expertise and/or proficiencies listed on page 3 of the attach BMP Verification Review Panel charge is addressed by the nominee. Compilation of the received nominations have been distributed to the BMP Verification Committee for discussion at its August 12th conference call.

BMP Verification Web Page Posted
The BMP Verification Committee's web page has been posted on the CBP partnership's web site at
http://www.chesapeakebay.net/groups/group/best_management_practices_bmp_verification_committee. The Committee is also listed as a workgroup under the Water Quality Goal Team and can be accessed directly from the WQGIT's web page.

Upcoming Schedule and Next Steps

This schedule is subject to change based on the BMP Verification Committee's September meeting review of the entire BMP verification framework.

August 16th BMP Verification Committee Conference Call
- Review of the revised draft June 5th BMP verification principles
- Review of BMP verification review panel nominations
- Discussion of expectations for the states' verification programs—what should be included
- Institutionalizing the application of life spans into our tracking, verification, and reporting systems

September 12th BMP Verification Committee Meeting
- Review of the entire BMP verification program framework
- Are we ready to seek partnership approval of the entire framework or is more time needed to fully develop all the framework's elements

October:
- Presentation to the Water Quality Goal Implementation Team
- Briefings for Habitat and other Goal Implementation Teams
- Briefings for the CBP partnership's advisory committees (CAC, LGAC, STAC)

November:
- Presentation to the Management Board
- Briefings for the CBP partnership's advisory committees (continued)

January:
- Presentation to the Principals' Staff Committee

Winter 2012/2013:
- PSC communication of the Partnership's BMP Verification Program to partners/stakeholders through some formal agreement mechanism

Spring 2013:
- BMP Verification Review Panel reviews states' proposed verification programs

Watershed Technical Workgroup's Role in BMP Verification

- Developing recommendations for how the partnership and the individual jurisdictions should carry out the clean-up of their respective historical BMP data bases—these recommendations will be part of the larger BMP verification framework

- Help ensure the jurisdictions' BMP tracking and reporting systems embrace and incorporate verification all the way through the NEIEN-based submissions

Draft Chesapeake Bay Program Partnership's
BMP Verification Principles[1]

Revised: June 5, 2012
Subject to Further Revision

The Chesapeake Bay Program (CBP) partnership has committed to the development and adoption of a basinwide best management practice (BMP) verification framework for implementation through the seven watershed jurisdictions' BMP verification programs. These jurisdictional BMP verification programs will be reviewed by the BMP Verification Review Panel for adherence to the Partnership's BMP verification principles prior to approval by the CBP Partnership.

The CBP Partnership has defined verification as the process through which agency partners ensure practices, treatments, and technologies resulting in reductions of nitrogen, phosphorus, and/or sediment pollutant loads are implemented and operating correctly. The process for certifying tradable nutrient credits is a separate, distinct process not addressed either by these principles or through the partnership's BMP verification framework.

Working to verify that practices are properly designed, installed, and maintained over time is a critical and integral component of transparent, cost efficient, and pollutant reduction effective program implementation. Verification helps ensure the public of achievement of the expected nitrogen, phosphorus, and sediment pollutant load reductions over time. The CBP Partnership will build from existing practice tracking and reporting systems and work towards achieving the following principles.

PRINCIPLE 1: PRACTICE REPORTING
Verification is required for practices, treatments, and technologies reported for nitrogen, phosphorus and/or sediment pollutant load reduction credit through the Chesapeake Bay Program (CBP) partnership. Verification protocols will ensure that practices are:
- Properly designed, installed, and maintained to ensure that they are achieving the expected nitrogen, phosphorus, and sediment pollutant load reductions reviewed and approved to by the CBP Partnership;
- Consistent with or functionally equivalent[2] to established practice definitions and/or standards;
- Not double counted; and
- Currently functional at the time of seeking credit and not removed from the landscape.

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[1] The CBP BMP Verification Committee's May 18, 2012 revised draft verification principles as further edited to address the specific comments and overall direction from the CBP Water Quality Goal Implementation Team during their May 21, 2012 conference call.

[2] The CBP BMP Verification Committee intends to provide a clear definition of 'functionally equivalent' in the next version of the draft BMP verification principles.

For verified practices not consistent with, nor fully or partially functionally equivalent to, established practice definitions and/or standards, partners and stakeholders can seek CBP Partnership approval for crediting through the established CBP Partnership's BMP review protocol.

Any practice, treatment, and technology (or partial or full equivalency) approved by the CBP Partnership that is properly tracked, verified, and reported will be incorporated into the CBP Partnership's models and credited in the accounting of progress toward the jurisdictions' milestones and in the interpretation of observed trends in monitoring data.

PRINCIPLE 2: SCIENTIFIC RIGOR
Verification of practices assure effective implementation through scientifically rigorous and defensible, professionally established and accepted sampling, inspection, and certification protocols regardless of funding source (cost share versus non-cost share), source sector (agriculture, urban, etc.), and jurisdiction (state, local). A method and schedule for confirmations to account for implementation progress over time will help ensure scientific rigor. Verification shall allow for varying methods of data collection that balance scientific rigor with cost-effectiveness and the significance of or priority placed upon the practice in achieving pollution reduction. Crediting of practice data will vary based upon the level of scientific rigor of data collection, thus encouraging enhancement of the process as new resources become available.

PRINCIPLE 3: PUBLIC CONFIDENCE
Verification protocols incorporate transparency in both the processes of verification and tracking and reporting of the underlying data. Levels of transparency will vary depending upon source sector, acknowledging existing legal limitations and the need to respect individual confidentiality to ensure access to non-cost shared practice data. Still, to ensure public confidence in the actual occurrence of practice implementation and resultant pollution load reduction, verification protocols must place a priority on transparency.

PRINCIPLE 4: ADAPTIVE MANAGEMENT
Advancements in Practice Reporting and Scientific Rigor, as described above, are integral to guaranteeing desired long-term outcomes while reducing the uncertainty found in natural systems and human behaviors. Verification protocols will recognize existing funding and allow for reasonable levels of flexibility in the allocation or targeting of those funds. Funding shortfalls and process improvements will be identified and acted upon when feasible.