

Attachment B

Chesapeake Bay Program Partnership's BMP Verification Review Panel Charge and Membership

REVISED DRAFT

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Overview

The Chesapeake Bay Program partnership has embarked on a precedent-setting process for developing a basinwide BMP verification framework supporting state specific BMP verification programs. In addition to partnership adoption of a set of verification principles and development of sector focused verification protocols, an independent panel of national and regional verification experts will be established. The BMP Verification Review Panel will provide advice, feedback, and recommendations to the Chesapeake Bay Program partnership as it develops a BMP Verification Program for confirming nutrient and sediment reductions from the full array of best management practices and technologies implemented across all sources (agriculture, urban, on-site treatment systems, wastewater dischargers, etc.) in the Chesapeake Bay Watershed.

Charge

The BMP Verification Review Panel (the Panel) will provide advice, feedback, and recommendations to the Chesapeake Bay Program partnership as it develops its Verification Program.

The Panel will review and provide feedback on and recommendations for changes to the draft set of BMP verification principles.

Individual panel members will work directly with the appropriate source sector/habitat restoration workgroups, providing advice, feedback, and recommendations during the respective workgroup's development of verification protocol specific to their sector/habitat.

The Panel will use the verification principles as criteria for assessing the strengths and any possible vulnerabilities in the state verification programs, providing written feedback and recommendations to the Chesapeake Bay Program's Management Board on each jurisdiction's program.

The Panel will also evaluate whether the level of verification rigor is consistent across source sectors and across all seven watershed jurisdictions.

Membership

The Panel will be comprised of recognized national and regional verification, certification, and mitigation tracking experts who are independent of the Chesapeake Bay Program partnership¹.

The panel as a whole will include expertise and proficiencies in as many of the following areas as possible:

- Applied knowledge and experience in running verification programs.
- Applied knowledge and experience in balancing verification needs with resource/staff needs.
- Knowledge of variety of verification tools (on-the-ground verification techniques, statistical techniques, survey techniques, etc.) available and their utility and application for verifying practices across a multitude of sources.
- Knowledge of water quality-related nutrient and sediment reduction practices and innovative technologies within various source sectors (agriculture, urban, on-site systems, wastewater, etc.)
- Knowledge and experience with verification programs used for water quality-based trading programs.
- Knowledge of the Chesapeake Bay Program, TMDLs, and concept of reasonable assurance for nonpoint source nutrient/sediment reductions.
- Knowledge and expertise necessary to really work through the entire verification framework coming forth from the work of the partnership.
- Understanding of how practices and technologies and their effectiveness may vary by geographic region in the watershed.
- Balance of membership from government, academic, programmatic, private sector, etc.

Specific members to be sought include:

- Members with specific source sector experience in agriculture, stormwater, and on-site treatment systems.
- Member from the prior National Academy of Science/National Research Council's Chesapeake Bay Independent Evaluation Committee (see separate file listing the Committee members).
- Member with from a local government with well recognized hands-on experience with verification at the locality scale.
- Member with demonstrated habitat restoration and mitigation program verification related experience.
- Private sector member with ISO 9000/14000 experience.
- Member with LEED/Green Building Council experience with verification procedures.
- Draw member(s) from the Chesapeake Bay Commission's Economics of Nutrient Trading Study Advisory Council members (see separate file listing Advisory Council members).
- Members with recognized regional/local expertise so the members come to the table already knowing the Bay watershed states, the issues, and the challenges being faced.

¹ Chesapeake Bay Program partners and key technical experts are engaged in BMP tracking, verification, and reporting activities will be directly involved in developing verification principles and protocols for the Panel's review and would, therefore, have a conflict of interest to be avoided on the panel's membership.

Specific names recommended/nominated:

- See separate list of the National Academy of Sciences/National Research Council's Chesapeake Bay Evaluation Committee members (Attachment C)
- See separate list of Chesapeake Bay Commission's Economics of Nutrient Trading Study Advisory Council members (Attachment D)
- Dr. Doug Beegle, Penn State University
- Dr. Kurt Stevenson, Virginia Tech
- Dr. Jim Shortle, Penn State University
- Eric Schaeffer, Environmental Integrity Project
- Bobby Cochran, Willamette Partnership
- Jeff Kelble, Shenandoah River Keeper
- George Kelly, Environmental Banking
- Nikki Tinsley, NT, Inc., Chair, Chesapeake Bay Program's Citizens Advisory Committee
- Bob Ensor, Howard County (Maryland) Conservation District
- Dana York, Green Earth Connection
- Dr. Tom Simpson, Watershed Stewardship
- Dr. Fred Samadani, Private Environmental Consultant

All panelists will be asked to identify any potential financial or other conflicts of interest prior to serving on the Panel. The Panel will have an equitable representation of experts, affiliations, and source sector and geographic knowledge. These conditions will ensure the Panel is not biased toward particular interests or regions.

The Panel may elect to solicit input or presentations from groups that may not qualify as panel participants but may provide valuable insights into the verification issue that will help with its review.

Panel Operations

The Panel will use a combination of face to face meeting, video conferences, and conference calls through which to carry out its charge.

The Panel, or a subset of its members, will participate in the on-going Chesapeake Bay Program verification meetings to build an in-depth working knowledge of verification issues facing each source sector and jurisdiction and provide feedback throughout the process.

The Panel will invite guest experts to its meetings as needed to ensure they have an in-depth understanding of key issues as they review the verification principles and protocols.

Panel Formation and Staffing

The Panel's membership will be selected by and the Panel will be formally convened by the Chesapeake Bay Program Management Board with input and nominations from the Chesapeake Bay Program's Goal Implementation Teams and supporting workgroups and the three advisory committees.

Staff support for the panel will be provided by the Chesapeake Bay Program Office's internal BMP Verification Team—source sector (agriculture, forestry, stormwater, on-site systems) and habitat restoration (streams, wetlands) workgroup coordinators—led by Rich Batiuk, Associate Director for Science.

Funding for supporting the Panel (e.g., travel, meeting logistics) will be provided by EPA through the Chesapeake Bay Program Office.

Process/Schedule

- The Panel will be convened by [date].
- The Panel will review and finalize its scope, charge, and deliverables by [date].
- The Panel will participate in on-going meetings of CBP on verification starting [date].
- The Panel will review and provide feedback to the CBP on the draft verification principles and protocols by [date].
- The Panel will begin reviewing the states' BMP verification programs by [date].