

# **BMP Verification: Feedback to Urban Stormwater Workgroup on the Jurisdictions' Draft Stormwater Verification Program Plans**

**CBP Urban Stormwater Workgroup Meeting  
October 20, 2015**



# Reviews Provided

- BMP Verification Review Panel
  - August 7 from July 30-31 Panel mtg
  - September 4<sup>th</sup> from Aug 27-28 Panel mtgs w/jurisdictions
  - September 21<sup>st</sup> final recommendations to Partnership
- CBP Workgroup Sector Coordinators
  - September 4<sup>th</sup>
- EPA Sector/State WIP Leads, CBP Quality Assurance Coordinator
  - September 4<sup>th</sup>
- [http://www.chesapeakebay.net/about/programs/bmp/additional\\_resources](http://www.chesapeakebay.net/about/programs/bmp/additional_resources)

# Overall Panel Feedback

- Follow the recommended formats and content (e.g. Table 8 from the Basinwide BMP Verification Framework)
  - Delaware's and West Virginia's draft verification plans provide good examples to follow
- Provide answers to all the questions posed in the urban stormwater section of the Panel's evaluation form (at end of August 7<sup>th</sup> Panel Report)
- While the Panel recommends the prioritization of BMPs, they note that verification protocols must be developed for all BMPs that a jurisdiction plans to report

# Overall Panel Feedback

- If a BMP has been inspected and found to meet standards, then the state needs to clearly document their plans to ‘restart the clock’ on that practice and apply a new life span
- If a BMP has been inspected and found not to meet standards, then the state needs to clearly document the process for corrective maintenance and the application of a new life span, or alternatively, to remove it from the jurisdiction’s tracking data base

# Overall Panel Feedback

- Training requirements for inspectors were not clearly documented—see NY's draft ag plan for a good working example
- Verification of E&S control for active construction vs. stormwater management for post construction was conflated or confusing at times—provide clear distinctions for the verification approaches for these very different categories of BMPs

## Partnership's Independent Review Panel Feedback on States' Draft BMP Verification Plans – August 2015

	DE	MD	WV	VA	PA	NY	DC
Agriculture							NA
Forestry							
Stream Restoration							
Urban Stormwater							
Wastewater							
Wetlands							

## Partnership's Independent Review Panel Feedback on States' Draft BMP Verification Plans – August 2015

	DE	MD	WV	VA	PA	NY	DC
Urban Stormwater							

# Panel Feedback by State

**District of Columbia:** Submitted a draft verification QA plan which provided no supporting documentation beyond their urban BMP data base.

**Delaware:** Developed plan working with local stakeholders and array of state agencies. Needs to address end of life span/re-verification/continued reporting and crediting procedures.

**Maryland:** Missing clear documentation of the who, when, where and how responsibilities for each of the described urban stormwater verification procedures. [Has since provided a revised draft set of stormwater BMP verification protocols for review]



# Panel Feedback by State

**New York:** Stormwater program description is based on NY's erosion and sediment control construction general permit program, with no inspection requirements were documented. Need to document oversight of local inspectors.

**Pennsylvania:** Inspections and larger verification procedures to be further fleshed out—current process is largely complaint driven. Did not commit to verification of legacy BMPs resulting in phasing out of these practices. No verification protocols and no established life spans for the post construction practices.

# Panel Feedback by State

**Virginia:** Excellent urban nutrient management verification protocols. Question how this “class of BMPs is expected to be maintained in perpetuity and no sunsets will apply” will be ensured through their re-inspection efforts. Need to document the process for removing practices where are found to not be operating or abandoned as well as the process followed for getting the practice corrected and then re-reported.

**West Virginia:** Great format for documentation and excellent summary table. If problems are identified as a result of an inspection, there is no description of the required corrective actions, or removal of the BMP from the crediting system.

# Upcoming Schedule

- **November 16<sup>th</sup>:** jurisdictions submit their revised BMP verification program plans to EPA
- **Through December:** EPA's review teams of sector experts/state WIP coordinators review revised plans
  - Based on how they addressed the comments previously provided by the BMP Verification Review Panel, the Partnership's six sector workgroup coordinators, and EPA
- **Early to mid-January:** EPA senior managers review

# Upcoming Schedule

- **Week of January 18<sup>th</sup>:** EPA notifies jurisdictions of decisions then notifies the larger Partnership
- **2016-2017:** two year 'ramp-up' period
- **2018:** only verified practices will be credited in the future

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# Questions

