



## **MEMORANDUM**

**DATE:** October 5, 2012

**SUBJECT:** Workgroups Development of their Final BMP Verification Protocols

**FROM:** Rich Batiuk, Chair  
CBP WQGIT BMP Verification Committee

**TO:** Frank Coale, Chair  
CBP WQGIT Agricultural Workgroup

Norm Goulet, Chair  
CBP WQGIT Urban Stormwater Workgroup

Tanya Spano, Chair  
CBP WQGIT Wastewater Treatment Workgroup

Rebecca Hanmer, Chair  
CBP WQGIT Forestry Workgroup

Denise Clearwater, Co-chair  
Bernie Marczyk, Co-chair  
CBP Habitat GIT Wetlands Action Team

Mark Secrist, Co-chair  
Ron Klauda, Co-chair  
CBP Habitat GIT Stream Health Workgroup

Thank you for your leadership in the development of your workgroup's draft BMP verification protocols. The Chesapeake Bay Program Partnership would not have achieved the progress accomplished thus far embarking on its verification journey back in January of this year, without the significant efforts to your respective workgroup. With the Management Board's recent approval of the revised BMP verification schedule for the Partnership, I am requesting your assistance in bringing the work on verification protocols to a successful conclusion by January 2013. To help your workgroup reach closure on its recommended protocols, I am addressing several issues raised by the workgroups and our Partners through this memorandum.

### Workgroup Consensus

I am asking each of you to seek consensus within your respective workgroup on the recommended BMP verification protocols by January 25, 2013. Where you can't reach consensus, please clearly document the majority and minority opinions of your workgroup and forward that documentation to the BMP Verification Committee for its consideration and decisions on the final protocols to move forward through the Partnership. I will work closely with you and your workgroup coordinator to ensure the expressed majority and minority opinions of your workgroup receive full consideration by the Committee.

### Defining 'Equity' Across Sectors and Habitats

The draft BMP verification principles currently under consideration by the Partnership call on the partners to "strive to achieve equity in the measurement of functionality and effectiveness of the implemented BMPs among and across the source sectors." I have been asked to provide the workgroups with a working definition of the level of verification to which the equity principle would apply.

At this time, the desired level of verification across permitted sources would be that being proposed by the Stormwater Workgroup's current draft verification protocols addressing regulated stormwater. For non-regulated sources, the desired level of verification would be that being proposed by the Agricultural Workgroup's current draft verification protocols.

The Stormwater Workgroup's referenced draft protocol version was presented to the BMP Verification Committee at their June 19 and September 12 meetings and is accessible on-line at [http://www.chesapeakebay.net/groups/group/best\\_management\\_practices\\_bmp\\_verification\\_committee](http://www.chesapeakebay.net/groups/group/best_management_practices_bmp_verification_committee) under the "Projects & Resources" tab. The Agriculture Workgroup's referenced draft protocol Version 3.2 was released on October 5 and is accessible on-line at [http://www.chesapeakebay.net/groups/group/agriculture\\_workgroup](http://www.chesapeakebay.net/groups/group/agriculture_workgroup) under the October 11, 2012 Agriculture Workgroup Meeting documents.

To aid in the process of appropriately defining expectations for verification among sectors and habitats, the BMP Verification Committee requested the Chesapeake Bay Program Office staff to develop a matrix for cross-comparing each of the six workgroups' current draft verification protocols. The matrix envisioned is not to judge the adequacy of the current draft protocols—it will allow make comparisons across sectors and habitats using a common set of categories/characteristics. CBPO staff are working on this and as soon as the matrix has been drafted, I will share copies with each of you.

### Meeting of Workgroup Chairs/Coordinators

As another means for addressing the Partnership's call for 'equity' in BMP verification across sectors and habitats, I would like to work with you to schedule and carry out a roll-up-the-sleeves working session involving all workgroup chairs and coordinators in the November time frame. The objective of such a working session would be to reach agreement on where further

refinements/changes are needed in individual protocols to move us that much closer to equity across sectors and habitats. I want to use this forum to work through all the protocols prior to when you will be presenting your final protocols to the Partnership's BMP Verification Review Panel and the BMP Verification Committee. Our invited expert reviewers and our partners need to see them as an integrated set of protocols resulting in a common level of verification and confidence—a goal we can only reach with your direct help.

### Ramping Up BMP Verification

Concerns have been expressed on ensuring the jurisdictions will be afforded the time they will need to build up their programmatic capacity to fully carry out their BMP verification programs once approved by the CBP Partnership. It is our intention to ask the Partnership to recognize that jurisdictions will need time to implement improvements in their current verification programs and, thus, to incrementally provide credit along the timeline of implementation. Reporting and receiving credit for verified practices will be viewed as incremental over time—not an all or none situation.

Thank you, again, for your work and commitment to integrating verification into the Partners' BMP tracking and reporting programs and raising the confidence in the numerous and widespread implementation actions being taken across the Bay watershed. Please let me know if you have any questions or concerns about what I have outlined within this memorandum.

cc: Mark Dubin, Agricultural Workgroup Coordinator  
Tom Schueler, Stormwater Workgroup Coordinator  
Ning Zhou, Wastewater Treatment Workgroup Coordinator  
Sally Claggett, Forestry Workgroup Coordinator  
Jennifer Greiner, Wetlands Action Team Coordinator  
Debbie Hopkins, Stream Health Workgroup Coordinator  
Nick DiPasquale, CBP Management Board Chair  
Larry Merrill, CBP Water Quality Goal Implementation Team Chair  
Russ Baxter, CBP Water Quality Goal Implementation Team Vice Chair  
Katherine Antos, CBP Water Quality Goal Implementation Team Coordinator  
CBP BMP Verification Committee Members