

DRAFT 9/30/2013

General Guidance to be Shared with the Source Sector Workgroups/Jurisdictions as they Continue to Develop/Revise their BMP Verification Guidance/Programs Respectively

9/30/2013 Working Draft Coming Out of August 28-29 Panel Meeting Enhanced with Notes from Panel Members and Points Raised During September 12 Ag Verification Tool Webinar

Verification Guidance

- Describe the products of the source sector workgroups' as verification guidance, not protocols—the jurisdictions will be ultimately responsible for development of the specific protocols tailored to their source sectors and their priority practices and regions
- All workgroups should following the Urban Stormwater Workgroup's guidance document as a template to follow in terms of the providing the right level of narrative detail to provide effective guidance to the jurisdictions
- All workgroups need to provide guidance which aims high, not necessarily for the gold standards, but not weighed down by factoring in all practicability and funding considerations—we don't want to position the jurisdiction to head for the minimum required, reaching for a gold standard because innovation will result along the way
- All references to funding constraints need to be removed from the workgroups' guidance
- Recommend grouping BMPs and providing verification guidance for related sets of practices

Structuring Verification Guidance

- Consider organizing the workgroup's verification guidance based on the Panel's recommended narrative guidance and accompanying matrix and checklist (see draft matrix and checklist for details)

Verification Protocol Design

- Clearly document the reasons/rationale behind the selection of the statistical survey design.
- Appropriate professional entity should be employed to help the jurisdiction set up the statistical survey design approved by CBP entity (a standing external survey design group).
- Enhanced verification up front (at the lowest level) reduces the need for intensive spot checks
- Seek more periodic statistical survey-based (e.g., more intensive spot-checks) verification if choice is made not to undertake more site specific verification up-front (e.g., initially depended on self certification)
- Provide guidance which enables/encourages each of the jurisdictions to focus their resources on the specific BMPs and regions where the jurisdictions are most relying on the specific BMPs/regions for pollutant load reductions under their watershed implementation plans (WIPs)

- Provide specific guidance to the jurisdiction on how they can prioritize those BMPs which provide for the majority of the nutrient/sediment reductions from that respective source sector and target those practices for verification

Transparency

- Aggregated data can be used only if there is an independent (third party) verification through statistical sampling

BMP Life Spans/Expiration Dates

- For all future BMP panels, establish a life span/expiration date for each of the practices at which time they must be re-verified or remove from the database
- For existing CBP approved BMPs, the source sector workgroups need to assign a life span/expiration date for each of the CBP Partnership approved BMPs—need to consider contract/permit life span, engineering design life span, and actual life span
- 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 verification post the designated lifespan
- Need to develop specific guidance on how verification procedures should be set up to address the issue of life span, including building in a system for flagging reported practices which are past their established life spans—build on the principle that at a certain ‘shelf life’, there is either verification or removal from the database
- At the end of a designated lifespan, the reported practice needs to be re-verified or removed from the database
- Recommend continued reporting of a practice after its recorded lifespan as long as the proper level of verification occurs confirming the practice is still functioning

Double Counting

- States must provide clear documentation of their double counting procedures in their quality assurance plans

Standards/Practices Specifications and CBP BMP Definitions

- Each workgroup need to provide specific references to the cross walk of CBP BMP definitions and accepted practice standards to document the basis on which the jurisdictions will be verifying

Non-Cost Shared Practices/Functional Equivalents

- Provide the jurisdictions with clear guidance on how to best go about setting up specific, rigorous regimes for verification (inspections) for crediting non-cost shared practices with confidence equivalent to that required for cost-shared practices
- Once a state or the Partnership agrees to a set of definitions for functional equivalency, will need to have clear verification procedures established

Certification/Training

- Need to identify those designated as responsible for gathering the verification data and need to understand their level of training/certification.

- Need certification/training programs in place for those individuals involved in verification and data entry to provide for some basic training/certification in order to do either task
- Where possible, describe the recommended qualifications for the personnel who are carrying out the various elements of the jurisdiction's verification program
- Describe the recommended processes which would lead to the desired level of certification for the individuals involved in the various stages of verification

Outcomes

- Build in specific adaptive management feedback loop to move towards the 'right' level of verification over time