

Chesapeake Bay Program's BMP Verification Program Development Update

March 12, 2012 CBP Water Quality Goal Implementation Team Conference Call

Working Up Through the Partnership

Briefings on and discussions of the partnership's BMP verification program have been held to date with the following workgroups, teams and committees.

- **Water Quality Goal Implementation Team:** January 9, February 13, March 12
- **Agricultural Workgroup:** January 12, March 8
- **Forestry Workgroup:** February 1, February 27, March 6
- **Trading and Offsets Workgroup:** January 18, February 22
- **Stormwater Workgroup:** February 8
- **Wastewater Treatment Workgroup:** February 7
- **Management Board:** February 8, March 6
- **Principals' Staff Committee:** February 16
- **Citizens Advisory Committee:** March 1
- **Local Governments Advisory Committee:** March 1
- **Scientific and Technical Advisory Committee:** March 27 (scheduled)

Water Quality Implementation Team's Requests

Documented the WQGIT's five requested amendments to the proposed BMP verification program process and schedule within the January 9th conference call's summary as follows:

- Review and verification of the extensive sets of data used within the suite of Chesapeake Bay Program Partnership's models and supporting tools will be a component of the larger verification program;
- A 'steering committee' will be convened under the WQGIT to help guide the verification program development process all the way up to presentation to the Principals' Staff Committee for final decisions on behalf of the Partnership;
- The proposed BMP Verification Panel will be convened in the spring time (as opposed to the fall as described in the original proposal) in order to work directly with the source sector workgroups during the development of the verification protocols;
- The Partnership retained the option of modifying the proposed schedule as needed to ensure there is sufficient time for development, review and approval of the verification program; and
- The involved Goal Implementation Teams and their respective source sector and habitat workgroups will be asked to nominate members for the BMP Verification Panel.

Management Board's Decisions and Direction

At its February 7th conference call, the Management Board decided the following:

- Move forward with the Water Quality Goal Implementation Team's proposal for developing a comprehensive BMP tracking, verification and reporting system, recognizing the aggressive timeline and the possible need for the CBP partnership to revise the timeline later.
- Add regular updates and requests for review/decisions on the BMP verification system development process as a standing issue on upcoming MB meeting and conference call agendas for the next six months. The MB requested to be consulted on key decision points as the proposal moves forward through the outlined process.
- The Management Board would be responsible for making decisions on the BMP verification panel's membership, elevating to the Principals' Staff Committee for decisions only if necessary.

Principals' Staff Committee's Decisions and Direction

At its February 16th meeting, the Principals' Staff Committee decided the following:

- Proceed with the framework, schedule and process for developing a comprehensive BMP tracking, verification and reporting system on behalf of the Partnership. The Partnership will communicate its work on this initiative widely with stakeholders and will track its development, review progress, and modify the framework and schedule, as needed, throughout its development.
- The Principals' Staff Committee will take on the responsibility reviewing, modifying, and adopting the BMP verification framework on behalf of the partnership when proposed by the Management Board and to communicate the adoption of the BMP verification framework widely with stakeholders.

Management Board's Decisions and Direction

At its recent March 6th meeting and upon receiving its requested monthly update, the Management Board decided the following:

- Move forward with the activities and next steps proposed for March and April (see below for details).
- Continue to work up through the workgroups, the WQGIT's Steering Committee and then the WQGIT itself continuing to get their collective input and feedback along the way, but start to bring forward initial drafts of the BMP principles, protocols, and

framework of the basinwide verification program to the Management Board for early review, reaction and direction back to the workgroups, Steering Committee and WQGIT.

- Work to share a more detailed description of the draft charge, role, and type of members for the BMP panel (after working this through the Steering Committee) with the Management Board and the partnership's advisory committees so they all can be better positioned to recommend actual members for the panel.
- Move forward now to fully engage the other 'source' workgroups—wetlands and stream restoration—in the BMP verification protocol development process so that these two workgroups are fully engaged to the degree that the agricultural, stormwater, wastewater, forestry and offsets and trading workgroups currently are.

Upcoming Priorities and Next Steps

March

- Formalize the WQGIT's BMP Verification Steering Committee membership and convene the Steering Committee via conference call.
- Present a preliminary draft BMP Verification Panel charge and membership to the Steering Committee for review and feedback.
- Present a working draft set of verification principles to the Steering Committee for review and feedback.
- Work through the Agricultural Workgroup to synthesize lessons learned by the states' pilot efforts to track and report non-cost shared practices.
- Schedule briefings with the Vital Habitat Goal Implementation Team's Stream Habitat Workgroup and the Wetlands Evaluation Workgroup.
- Set up contractual staff support for the source sector workgroups as they develop their detailed verification protocols.
- Reach out to the USDA NRCS six state conservationists.
- Set up a BMP verification web page on the CBP Partnership's web site.

April

- Initiate briefings for the other five Goal Implementation Teams.
- Schedule briefings for the Watershed Technical Workgroup, BayTAS Team, and NEIEN Team.
- Continue working with USGS and USDA on addressing the full accounting of federal cost shared practices and preventing double counting.
- Synthesize existing draft protocols, principles, and program elements and brief the WQGIT and then the MB on progress to date, issues to be addressed, and next steps.

- Identify and synthesize lessons learned from other BMP verification efforts across the country.
- Bring forward a draft BMP verification panel charge and proposed membership to the Management Board for review and decisions.

Key Issues/Concerns Raised within the CBP Partnership

- Concerns about the schedule and needing more time for development of the source sector specific verification protocols.
- Ensuring the BMP Verification Panel is convened in time to interact with the source sector workgroups and their development of verification protocols.
- Ensuring the source sector workgroups and the WQGIT's BMP Verification Steering Committee are given the time they need to develop and have input on the BMP verification protocols and draft verification principles.
- Being sure the BMP verification principles encompass all the necessary attributes yet allowing for sufficient flexibility within each jurisdiction to tailor their BMP verification programs to meet their needs and circumstances.
- The need to ensure verification of implementation of the practices will not take resources away from implementation of the practices themselves.
- Concerns about the ability of jurisdictions to clean up their historical BMP databases.
- Need to continue to involve the three advisory committees and engaged stakeholders throughout the BMP verification program development process.