

Appendix M. Bay Program Process for Development of the Basinwide BMP Verification Framework

At the [February 16, 2012 Principals' Staff Committee meeting](#)¹, the Bay Program reached agreement to proceed forward with development of a basinwide BMP verification framework. The [Principals' Staff Committee](#) agreed to proceed with the proposed work plan, the initial schedule, and a process for developing a comprehensive BMP tracking, verification and reporting system on behalf of the Bay Program. The Water Quality Goal Implementation Team's [BMP Verification Committee](#)² was established and charged with communicating the Bay Program work on this initiative widely with stakeholders and tracking the framework development and review progress. The Principals' Staff Committee agreed it would resolve and approve issues related to reviewing, modifying, and adopting the BMP verification framework and schedule on behalf of the partnership—as recommended by the [Management Board](#)—and to communicate the adoption of the basinwide BMP verification framework widely with stakeholders.

Roles and Responsibilities within the Bay Program

The overall decision making process on the elements of the basinwide BMP verification framework was based on work flowing up from the source sector and habitat restoration workgroups to the BMP Verification Committee (Table M-1). The BMP Verification Committee then worked closely with the [BMP Verification Review Panel](#), seeking their review of the BMP verification principles, guidance, and the other framework elements.

Factoring in feedback from the Panel, the BMP Verification Committee then worked up through the [Water Quality Goal Implementation Team](#), [Habitat Goal Implementation Team](#), and [Fisheries Goal Implementation Team](#) as well as briefings and seeking feedback from the Bay Program's three advisory committees—[Scientific and Technical Advisory Committee](#), [Citizen Advisory Committee](#), and [Local Government Advisory Committee](#), prior to going to the Management Board. Based on discussions and decisions by the Management Board, recommendations were then presented to the Principals' Staff Committee for final review, decisions, and adoption. As the Bay Program entered the final stages of review, approval, and adoption of the basinwide framework, the BMP Verification Panel presented its feedback and recommendations directly to the Management Board and Principals' Staff Committee.

Table M-1. BMP verification framework development and decision making roles within the Chesapeake Bay Program management structure.	
Bay Program Group	Description of Role
<i>Technical Workgroups</i>	Development of the source sector/habitat specific verification guidance
<i>BMP Verification Committee</i>	Oversight of development of the elements of the BMP verification framework; initial decision making on what is

¹ <http://www.chesapeakebay.net/S=0/calendar/event/17880/>

² http://www.chesapeakebay.net/groups/group/best_management_practices_bmp_verification_committee

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	included in the framework components, factoring in reviews and feedback received from the BMP Verification Review Panel, the Goal Implementation Teams, and the Bay Program's three advisory committees
<i>BMP Verification Review Panel</i>	Reviewing and providing feedback on the principles, guidance, and other elements of the basinwide BMP verification framework; responsible for the review of the jurisdictions' proposed BMP verification programs and providing recommendations back to the Principals' Staff Committee
<i>Goal Implementation Teams</i>	Reviewing recommendations coming from the BMP Verification Committee; providing feedback to the BMP Verification Committee; agreeing on what gets forwarded to the Management Board for further review and decisions
<i>Management Board</i>	Reviewing recommendations from the Goal Implementation Teams; receives the direct feedback and recommendations from the BMP Verification Review Panel; decides what will be forwarded to the Principals' Staff Committee for review and final decisions
<i>Principals' Staff Committee</i>	Final decision-making on the basinwide BMP verification framework on behalf of the larger Bay Program based on recommendations from the Management Board and the BMP Verification Review Panel

Framework Development and Decision Making Sequence over Time

The development of the framework worked from the technical level up to the policy level, with built-in feedback loops. All the workgroup, goal implementation team, board, committee, and panel conference calls and meetings where BMP verification was a topic on the agenda were open to the public. All these conference calls and meetings were also announced in advance via the web, with full public access to all conference call/meeting agendas, advance briefing materials, presentations, and conference call/meeting summaries through the Bay Program's web site calendar accessible at <http://www.chesapeakebay.net/calendar>. A complete listings of all the Bay Program's workgroup, goal implementation team, board, committee, and panel conference calls and meetings at which discussion of any BMP verification related items were on the agenda is provided in Appendix N, with links to each respective web-based conference call/meeting calendar event listing.

The framework development schedule evolved through time as the Bay Program's workgroups, teams, committees, and panel got a better understanding of just how long it was going to take to develop, review and reach agreement among the Bay Program Partners on the different components of the basinwide framework. The BMP Verification Committee formally requested the Management Board's approval of changes to the Bay Program's basinwide BMP verification

framework development schedule. The approved, updated schedule was then posted on the BMP Verification Committee's web page for public access.

The Water Quality Goal Implementation Team and Habitat Goal Implementation Team's six **technical workgroups**—[Agriculture](#), [Forestry](#), [Urban Stormwater](#), [Wastewater Treatment](#), [Wetlands](#), and [Streams](#)—developed their sector specific BMP verification guidance over the course of their normal schedules of workgroup conference calls and face-to-face meetings. Each set of verification guidance underwent numerous reviews as drafts were distributed among workgroup members and interested parties, discussed by the workgroup during publically scheduled conference calls and face to face meetings, and direction from the collective workgroup membership was given on further changes to be made.

At several BMP Verification Committee meetings over the course of 2012 and 2013 (e.g., [June 19, 2012](#), [September 12, 2012](#), and [February 21, 2013](#)), all six sets of workgroup chairs and workgroup coordinators were invited to present their respective workgroup's most recent version of their draft verification guidance and answer questions from the full Committee membership. As a follow up to each of these Committee meetings, the workgroups received written feedback and requests for further enhancements to their draft guidance from the BMP Verification Committee chair.

In parallel, the BMP Verification Review Panel invited the workgroup chairs to present their verification guidance at Panel meetings (e.g., [December 6, 2012](#), [August 28-29, 2013](#), and [April 1, 2014](#)). The Panel's distributed its overall recommendations to all the workgroups on development of their guidance along with specific comments directed to each individual workgroup on [November 19, 2013](#)³ (See Appendix D).

The **BMP Verification Committee** scheduled conference calls and face-to-face meetings timed to coincide with the availability of the next round of draft verification guidance documents and other draft components of the larger BMP verification framework. Each meeting and conference call was structured so that the members had access to advance briefing materials and the requested decisions and actions were outlined in the agendas themselves so members could come prepared to make decisions and provide the requested feedback/direction.

Early on in the development process, the Committee established a series of web pages on the Bay Program's web site for publically sharing the draft and interim products of its collective work⁴. The Committee continued to use its series of web pages as a forum for ensuring the Bay Program and other interested parties had access to the most recent draft versions of components of the basinwide framework, so they could follow the progress of the Committee's work over time.

³ *Chesapeake Bay Program BMP Verification Review Panel's Guidance and Recommendations to the Six Source Sector Workgroups, the CBP BMP Verification Committee, and the Seven Watershed Jurisdictions*. Distributed November 19, 2013.
[http://www.chesapeakebay.net/channel_files/21511/cbp_bmp_verif_review_panel_recommendations_11_19_2013.p
df](http://www.chesapeakebay.net/channel_files/21511/cbp_bmp_verif_review_panel_recommendations_11_19_2013.pdf)

⁴ All the various draft versions of the workgroups' BMP verification guidance were made publically accessible at http://www.chesapeakebay.net/groups/group/best_management_practices_bmp_verification_committee under the Projects and Resources tab.

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The Committee formed an [Ad-hoc Transparency Subgroup](#) to work directly with the Citizens Advisory Committee (see below) on exactly how transparency would be built into the basinwide BMP verification framework. See Appendix K for a listing of the Subgroup members and see Appendix A for documentation of the efforts of the Subgroup.

The [BMP Verification Review Panel](#) established its meeting and conference call schedule based on the timing when the BMP principles, guidance, and other components of the basinwide framework were already well formed drafts, but not yet close to final. The Panel's feedback and recommendations from each conference call/meeting were provided to the BMP Verification Committee for follow up action or assignment to one of the six technical workgroups. And as with the workgroups, goal implementation teams, and committees, all the Panel's meetings and conference calls were open to the public with all the agendas, advance briefing materials, and presentations posted on the Bay Program's web site in advance (see Appendix N for the list of the specific meeting dates).

The [Water Quality Goal Implementation Team](#) received regular verbal and written updates on the progress of development of the basinwide BMP verification framework during its regularly scheduled monthly conference calls (see Appendix N for the list of the specific conference call dates). The BMP Verification Committee would periodically bring specific draft framework components to the attention of the Team for review and feedback. Once the BMP Verification Committee had developed the entire draft BMP verification framework, the Water Quality Goal Implementation Team was asked for their review and approval to bring the framework forward to the Management Board.

The Bay Program's three **advisory committees**—Scientific and Technical, Citizens, and Local Government—were periodically briefed on the progress being made in development of the basinwide verification framework (see Appendix N for the list of the specific meeting dates). Each advisory committee was focused on particular issues or components of the overall BMP verification framework as described here. The Bay Program asked each respective advisory committee to help work through the resolution of the issues they raised.

The [Scientific and Technical Advisory Committee](#) (STAC) focused its attention on the process of verification and ensuring there were clear oversight, performance evaluation, and programmatic review functions built into the basinwide BMP verification framework (see Appendix N for list of specific meeting dates). The STAC formed a BMP Verification Subgroup (see Appendix A for the membership list) charged with responsibility for reviewing the proposed approach to ensuring evaluation and oversight of the jurisdictions' verification programs. The Subgroup provided its [draft review findings and recommendations](#) to the BMP Verification Committee in August 2013⁵ (see Appendix U).

The [Local Governments Advisory Committee](#) (LGAC) placed its emphasis on ensuring the proposed verification procedures could be effectively carried out by local governments

⁵ CBP Scientific and Technical Advisory Committee. August 16, 2013. Draft Review by STAC BMP Verification Subgroup. Annapolis, MD.
http://www.chesapeakebay.net/channel_files/20832/draft_stac_verification_oversight_subgroup_16aug2013.pdf

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throughout the Chesapeake Bay watershed (see Appendix N for list of specific meeting dates). LGAC was aided by the presence of a Pennsylvania Township Manager on the BMP Verification Review Panel (see Appendix C), ensuring a local perspective was factored into the discussions and recommendation of the Panel.

The [Citizens Advisory Committee](#) (CAC) provided the most specific documentation on their concerns and recommendations for addressing those concerns in their correspondence with the Bay Program (see Appendix J).^{6, 7, 8, 9, 10} The CAC pursued clarity in how the Bay Program was going to ensure full accountability and transparency throughout the basinwide BMP verification framework and the resultant jurisdictional BMP verification programs, and championed priority attention to those practices on which jurisdictions were relying upon the most in their WIPs (See Appendix N for list of specific meeting dates). CAC formed a Workgroup on Verification and Transparency (see Appendix A for a list of members) in response to a request from the Bay Program to help describe exactly how transparency could be built into the BMP verification framework.

The [Management Board](#) received regular verbal and written updates from the BMP Verification Committee on the progress of development of the basinwide BMP verification framework during its regularly scheduled conference calls and face-to-face meetings (see Appendix N for the list of the specific meeting and conference call dates). The BMP Verification Committee would periodically bring specific draft framework components or requests for modification to the overall work plan/schedule to the attention of the Board for review, feedback, and decisions. Once the Water Quality Goal Implementation Team reviewed the entire draft basinwide BMP verification framework, the Management Board was asked for their review and approval to bring the draft framework forward to the Principals' Staff Committee for final review and approval.

The [Principals' Staff Committee](#) was periodically briefed on the progress of development of the basinwide BMP verification framework (see Appendix N for the list of the specific meeting dates). At these meetings, the Principals' Staff Committee was asked to affirm that the Bay Program was heading the right direction on the development of the verification framework or

⁶ Citizens' Advisory Committee. January 3, 2012. Letter to the Principals' Staff Committee. Provided as Appendix D. Available at http://www.chesapeakebay.net/channel_files/20829/cac_letter_to_psc_on_nas_recs_jan_2012.pdf

⁷ Citizens' Advisory Committee. December 17, 2012. Letter to Nick DiPasquale. Provided as Appendix E. Available on-line at:

http://www.chesapeakebay.net/channel_files/19255/final_cac_letter_to_cbpo_on_ag_bmp_verification_dec_17_2012.pdf

⁸ DiPasquale, N. February 4, 2013. Letter to John Dawes, Chair, Citizens' Advisory Committee. Provided as Appendix L. Available on-line at:

http://www.chesapeakebay.net/channel_files/19255/cbpo_response_to_cac_on_bmp_verification_020413.pdf

⁹ Harrison, V., Hanmer, R., Der, A., and J. Blackburn. May 22, 2013. Recommendations of the CAC workgroup on verification and transparency. Provided as Appendix M. Available on-line at:

http://www.chesapeakebay.net/channel_files/20829/memo_to_cac_from_verification_and_transparency_workgroup_may_22_2013.pdf

¹⁰ Citizens Advisory Committee to the Chesapeake Executive Council's July 25, 2013 Letter to Nick DiPasquale, Director, Chesapeake Bay Program. Available on-line at:

http://www.chesapeakebay.net/channel_files/20829/cac_bmp_verification_letter_final_july_25_2013.pdf

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provide other direction. Once the Management Board reviewed the entire draft BMP verification framework, the Principals' Staff Committee was asked for their final review and approval.