

General Guidance for Review Questions

- (1) Overall, the questions should be more general and open-ended, with more focus on the validity of the science used and conclusions drawn, and with less focus on approval of the methods used and approaches taken.
- (2) More specifically, the questions should be worded so there are no questions requesting a simple “yes” or “no” answer. In lieu of questions beginning with “do we accept...”, we suggest questions more in the vein of:
“Please comment on the overall appropriateness of the approach taken, given XXXXX.”;
“How justified are the conclusions, given the approach used and data available?”;
“Please comment on the scientific rigor of the methods used ...”; and
“Is there any additional scientific information that should be included...?”
- (3) Be very clear when review documents include or provide undocumented features of the present procedures as well as refinements and clarifications to the previously published procedures. This could lead one to wonder whether the review panel is tasked with simply answering the question: “Does this document successfully explain the present procedures currently used by the CBP?” Or does the CBP seek a more scientific review? If this is the case, is the review ONLY of the “refinements” or is the review requested of some of the existing protocols?

Note that one can imagine at least 3 different general types of questions for the review panel to consider:

Type 1: How well does the document explain the present approach/procedures/protocols/science currently used by the CBP?

Type 2: Within the context of a given overall conceptual approach (based on past decisions that are not subject to review here), how well do the proposed procedures and protocols reflect “best practices” in regard to available scientific understanding and the given constraints?

Type 3: For the longer term consideration of the CBP, what major shortcomings do you find in the overall approaches and procedures used and what alternative approaches and data gathering might you recommend?

Based on conversations with CBP representatives to date, we think that it might be most useful (for the CBP’s current objectives) to steer panelists toward Type 2 questions. But we need to design a process that both leaves room for early response to problems identified with Type 1 (so that the review panel can proceed to Type 2 with clear understanding), and, importantly, there needs to be some mechanism for the panel to address questions of Type 3, not only because these always arise anyway, but also because they are in the long-term best interest of the Bay Program.

- (4) One potentially useful approach for dealing with Type 3 questions could be to more explicitly clarify the difference between Type 2 and Type 3 questions in the CBP request document. If this could be properly done, review panels could then be asked to think separately about Type 3 questions and reserve these for an Appendix or a document to come later. This will help to not delay CBP’s receipt of the Type 2 questions.