



Update on Chesapeake Bay Program Developments

Briefing to the
Water Resources Technical
Committee
October 9, 2009

General CBP Updates

- Watershed Model
 - 5.3 - Not ready yet (Final by Dec. 2009?)
 - 5.2 – Used for initial targets/allocations
- Water Quality Model (*significant changes*)
 - Change in Critical Period '93 – '95 (*1 in 10 years*)
 - Change Reference Curves
- Scenario Builder
 - Tool for developing local options/scenarios (vs. CBPO model runs)
 - Status – Not ready for another 2 years

General CBP Updates

■ Load Allocations

“Preliminary Basin-wide Target Loads”

- 200 M lb TN (vs. 175)
- 15 M lb TP (vs. 12)
- Deemed sufficient to start WIP planning process

■ SIPS - Now WIPs

- More Q's than A's – COG working to address these
- State public process to start – Nov. 2009

General CBP Updates

- Bay TMDLs - Schedule
 - To be issued by EPA
 - Drafts – Due August 2010
 - Finals - Still scheduled to be done by Dec. 2010
 - Deadline now embedded in:
 - Draft Executive Order 202a Water Quality Report
 - Draft EPA Guidance Document
 - Draft CWA Reauthorization Bill

General CBP Updates

■ WIPs – Schedule

- Delays - Updating info. & producing model runs for review/analysis to produce targets & allocations
- Reduces available time to develop WIPs
- Options being considered:
 - Reduce public review period to 60 days
 - Delay date for preliminary WIPs to Aug. 1st
 - Shorten response to comments turn-around time

General CBP Updates

■ WIPs – Schedule

- Oct. 23 – PSC agrees on ‘working’ target loads
- Nov. 1 – States/DC start development of WIPs, sub-sector target loads, etc.
- Nov. 1 – EPA starts first round of public meetings
 - Nov. 16th – District’s proposed TMDL meeting
- June 1 – States/DC submit preliminary WIPs
- August 1 – States/DC submit draft WIPs
- Nov. 1 – States/DC submit final WIPs

■ TMDLs

- Dec. 21, 2010 - EPA publishes final Bay TMDL

Key Issues

■ WIPs

- Insufficient time to develop robust/viable plans
- Cost/Sufficient funding?
- Achievability?
- Accelerated implementation (2-3x current – realistic?)

■ TMDL requirements (WLAs vs. LAs)

- Potential constraints on local flexibility?
- Legal constrains on changes?
- Legal implications to locals of 'consequences'?

Next Steps

Parallel Tracks

- **Technical** (i.e., COG staff review/analysis)
 - WIPs – Getting Answers to Questions
 - TMDL and Allocation Methodology – Identify implications to COG region & potential policy recommendations
 - TMDL Guidance Document – Review to ensure maximum flexibility for local governments/utilities
 - Executive Order Draft 202 Reports – Prepare formal comments
- **Policy**
 - COG Board presentation by Chuck Fox
 - Testimony by CBPC Chair on proposed CWA legislation
 - COG Board presentation by Senator Cardin (Oct. 14) on proposed CWA legislation
 - COG staff to develop formal comments on draft legislation