



Framing of Issues for September CBPC Forum

ISSUES

- Climate Change — Chesapeake Bay Program needs to allocate 8 M lbs. additional nitrogen and the Phase III WIP milestones will need to be updated in 2022 to include them.
- Conowingo WIP — Chesapeake Bay Program needs to allocate 6 M lbs. additional nitrogen

FRAMES

1) There are multiple drivers for water quality at the local level. The Bay TMDL and the Phase III WIP are just one of these drivers. Bay Partners should look at co-benefits where possible.

Some local drivers include:

- a. Local TMDL requirements (sediment, bacteria, trash and potentially temperature).
 - b. Emerging contaminants, including freshwater salinization syndrome (**COG's salination monitoring project**).
 - c. Mitigating flooding risks and protect existing infrastructure, which will consume an increasing proportion of limited local resources going forward (**Climate change**)
 - o We appreciate the CBP work underway to update the IDF curves (for intensity, duration and frequency of precipitation events) that drive stormwater BMP design.
- 2) A long-term approach is needed when seeking local government & utility infrastructure investments**
- a. Stormwater BMPs being installed between now and 2025 are already determined under the 4- to 5-year planning-to-implementation cycle. Local budgets are set.
 - b. State and federal expectations for achieving and maintaining nutrient reductions post-2025 need to be coordinated with utilities' long-range capital improvement plans since these entities are planning now for how to accommodate population growth and other regulatory drivers.
- 3) Wastewater treatment plants need to protect their growth capacity**
- a. The Phase III WIP plans in Maryland, Virginia and the District rely on wastewater load reductions that have gone below the load allocations set for these plants in the 2010 TMDL.
 - b. As population grows, actual flows will approach design flow capacity.
 - c. The region's wastewater plants are basically at their Level of Technology for nutrient reduction.
 - d. Utilities are also facing other challenges: Infrastructure maintenance, preparations for **climate change**, and emerging contaminants such as PFAS.
- 4) Climate Change and Conowingo WIP allocation decisions should be based on equity, not political considerations. Implementation rates should be flexible to account for local affordability.**
- a. Phase III WIPs funding should not be diverted or expanded other purposes (e.g. to support the **Conowingo WIP**).

- b. A cautious approach to setting climate change reduction targets is warranted, given local resources are severely strained
- c. If mitigating **climate change** impacts, or the Conowingo WIP, results in nutrient reduction targets greater than a particular state can currently handle, the solution is not to reduce the amount of reduction in the allocation process, but to give that state more time and more federal resources to accomplish the increased goal.
- d. The implications of the covid-19 pandemic response on local and state government budgets are significant, but uncertain.

5) Need to better address equity & messaging for diverse communities

- a. Water quality affects everyone: Everyone should have access to clean water and be included in education and outreach.

6) Research needs

- a. More **federal funding** for stormwater resiliency research is needed – particularly how BMPs will be affected by higher volumes of water, and balancing BMPs to meet both water quality and water quantity performance.

7) Local agricultural efforts

- a. Agriculture has cross-cutting ties to vital regional issues including water quality, climate change, soil health. COG will describe ongoing regional work to promote ag sustainability and food system resiliency.