

# **Revised Guidelines for Watershed Implementation Plans**

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**Attachment A  
Water Quality Goal Implementation Team  
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# Overview

- What we heard
- What we need
- What we've changed
- Revised approach
- Accountability over time

# What We Heard

Partners concerned with drafting and completing plans by May/December 2010:

- With specific controls
  - Likely more controls available in 2025 than 2010
  
- By county/impaired segment drainage
  - Lack time to fully engage local decision-makers and commit them to specific controls
  
- Suggest deferring some planning until after TMDL established

# What We Need

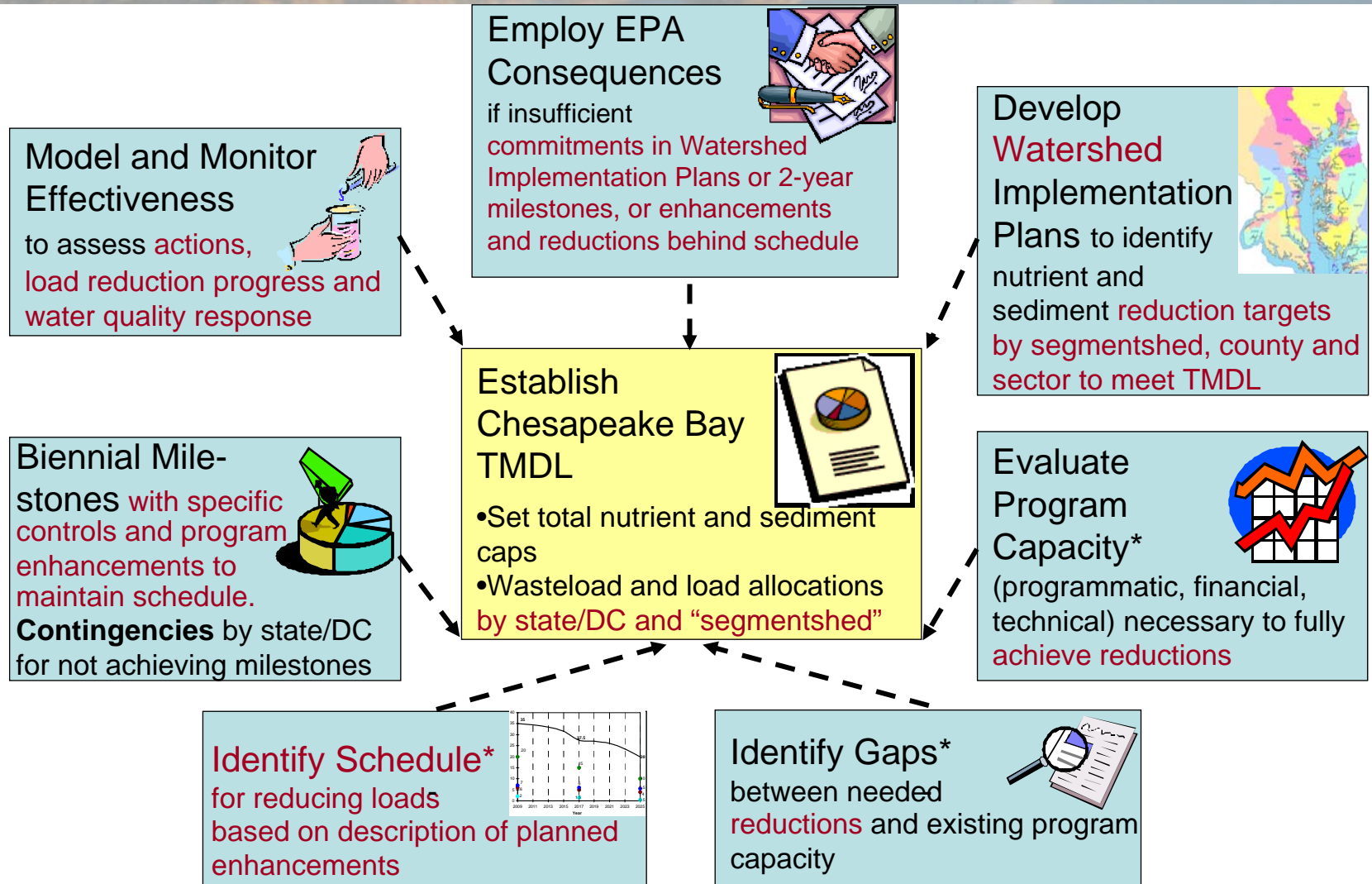
- Fulfill responsibilities under §117 and 303 of Clean Water Act and Executive Order
- TMDL wasteload and load allocations
  - By impaired segment drainage area
  - By jurisdiction
  - By sector
- Assurance that will be more successful than past planning efforts and goals
- Accountability with clear triggers and timelines for imposing consequences

# What We've Changed

- Watershed Implementation Plans focus on reduction targets (interim, final) and schedule rather than specific controls
  - By impaired segment drainage area
  - By county
  - By sector
  
- Watershed Implementation Plans still identify existing capacity and commit to fill capacity gaps through program enhancements, with dates for key actions
  
- Defer identification of specific controls to 2-year milestones
  - By impaired segment drainage area
  - By county
  - By sector
  
- Reasonable assurance demonstration includes EPA's commitment to evaluate milestones and impose consequences through ongoing accountability framework



# Revised Approach



\* Included in Watershed Implementation Plan

	Tributary Strategy	2009 State 2-Year Milestones	Watershed Implementation Plans	Future 2-Year Milestones
1) Scale of interim and final load target	Basin- and Sector-Specific	Statewide	Basin, "Segmentshed"-County and Sector-Specific	Basin, "Segment"-County and Sector-Specific
2) Bay model % reductions by sector in each "segmentshed" and county			✓	
3) Load reduction schedule that meets interim and final targets ( <b>Note:</b> Primary link between Watershed Implementation Plans and 2-Year Milestones to evaluate whether adequate progress)			✓	✓
4) Identification of program gaps			✓	
5) Program enhancements (legal, funding, etc) and schedule to fill		✓	✓ (with schedule)	✓
6) Contingencies		Somewhat	✓	✓
7) Account for growth by setting aside allocations or specifying how will offset			✓	✓
8) General description of planned pollution controls	✓		✓	
9) Quantitative planned BMP controls	✓	✓		✓
10) Quantitative planned PS controls	✓	✓	✓	✓
11) County/segmentshed location of BMP's				✓
12) Uniform, transparent and consistent tracking and reporting requirements			✓	✓

# Watershed Implementation Plan Includes:

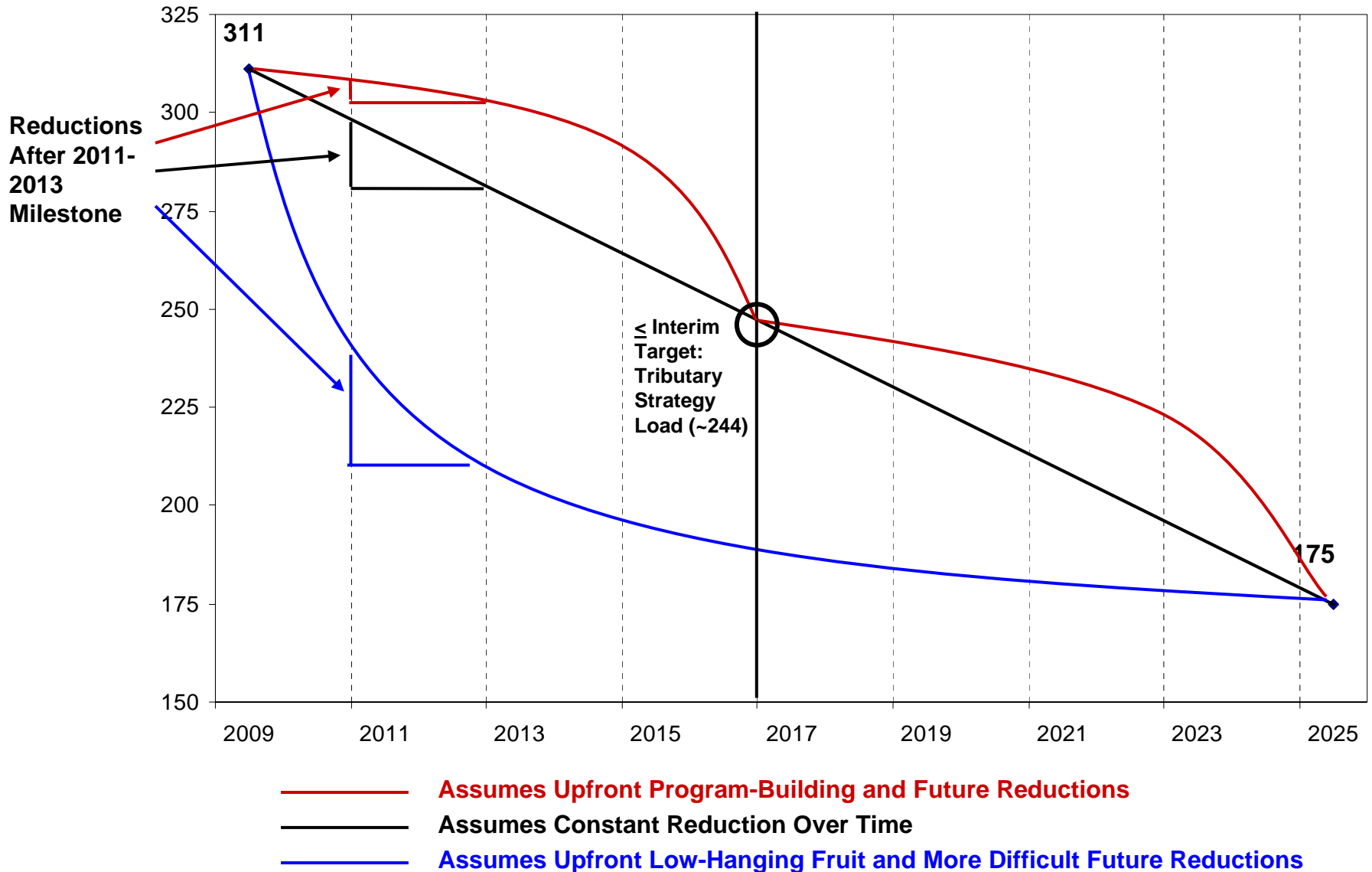
1. What State/DC will do State/District-wide
  - Policies, regulations, etc., by sector
  - Dates for key actions
2. What state will do in each major basin, by sector
  - Interim and final reduction targets by sector
  - Dates for key actions
3. Appendix with interim and final reduction targets for each segmentshed/county, by sector
  - Report targets using input deck template for Chesapeake Bay Program Decision Support System
4. Appendix with reduction schedule by major basin
  - Hits interim and final target
  - With reference to dates for key actions discussed in body of WIP<sup>8</sup>



# Planned Program Enhancements and General Description of Pollution Controls Must Include:

- Enforceable or binding commitments that controls will be implemented and maintained
- Permits or contracts with quantifiable limits and milestones consistent with wasteload and load allocations
- Estimate and commit necessary resources (funds, technical assistance, permit reviewers, inspectors) to support implementation and maintenance of practices
- Historic compliance and participation rates, and measures and authorities to increase rates to achieve necessary reductions
- Process for reporting, tracking and verifying practices

# What the Compiled Watershed Implementation Plan Nitrogen Reduction Schedule Would Look Like Baywide



# Interim Target: Average Tributary Strategy Load

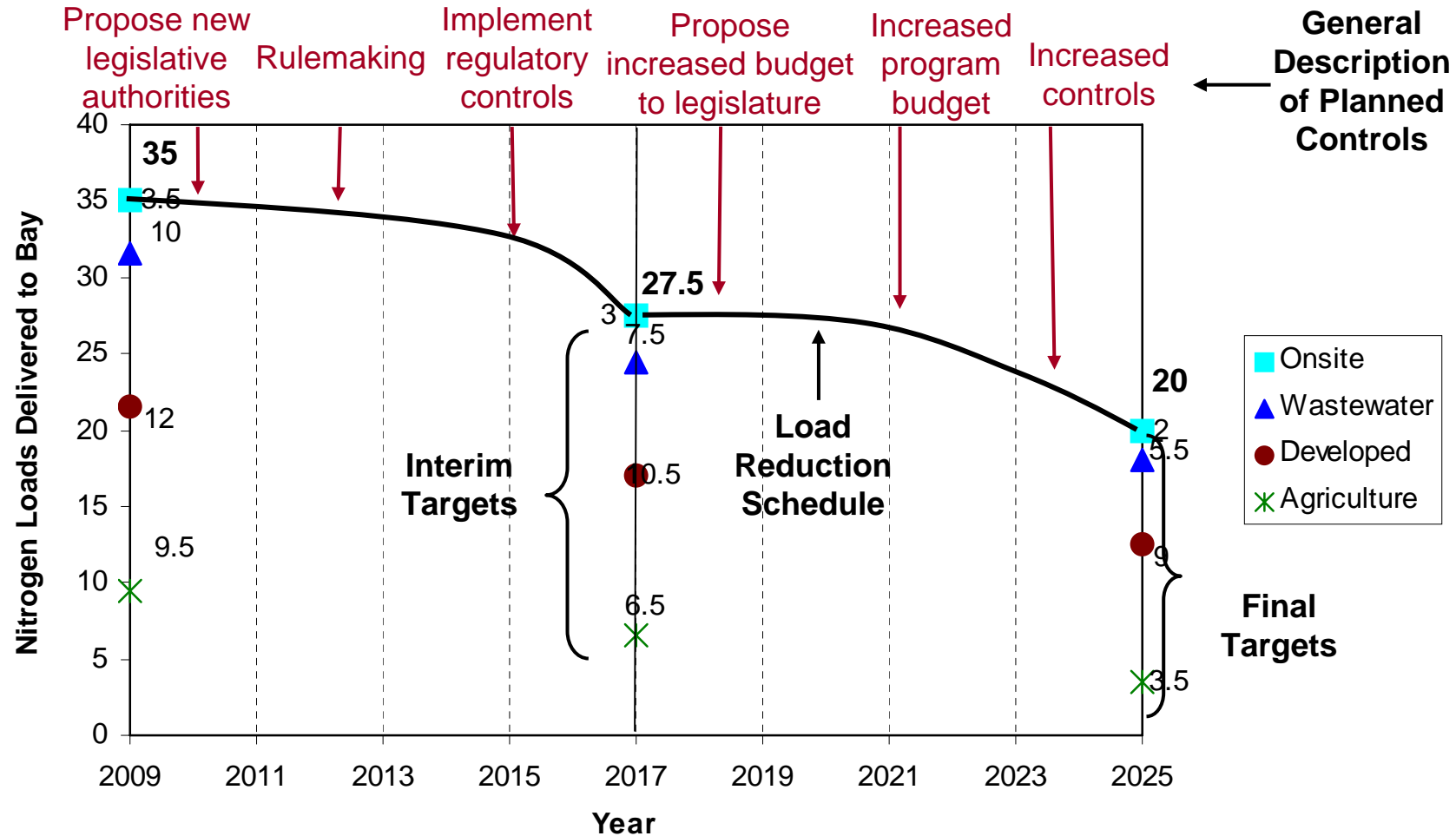
## Why?

- Don't want to overly prescribe shape of reduction schedule given different state approaches
- Need some measure before 2025 to assure jurisdictions on a trajectory to meet 2025 goal

## Description:

- Use allocation methodology to distribute tributary strategy load (~244 mil lbs/yr N, 16 mil lbs/yr P) among major basin jurisdictions
- Familiar reference point
- Does not mean that jurisdictions have to implement specific controls identified in tributary strategies

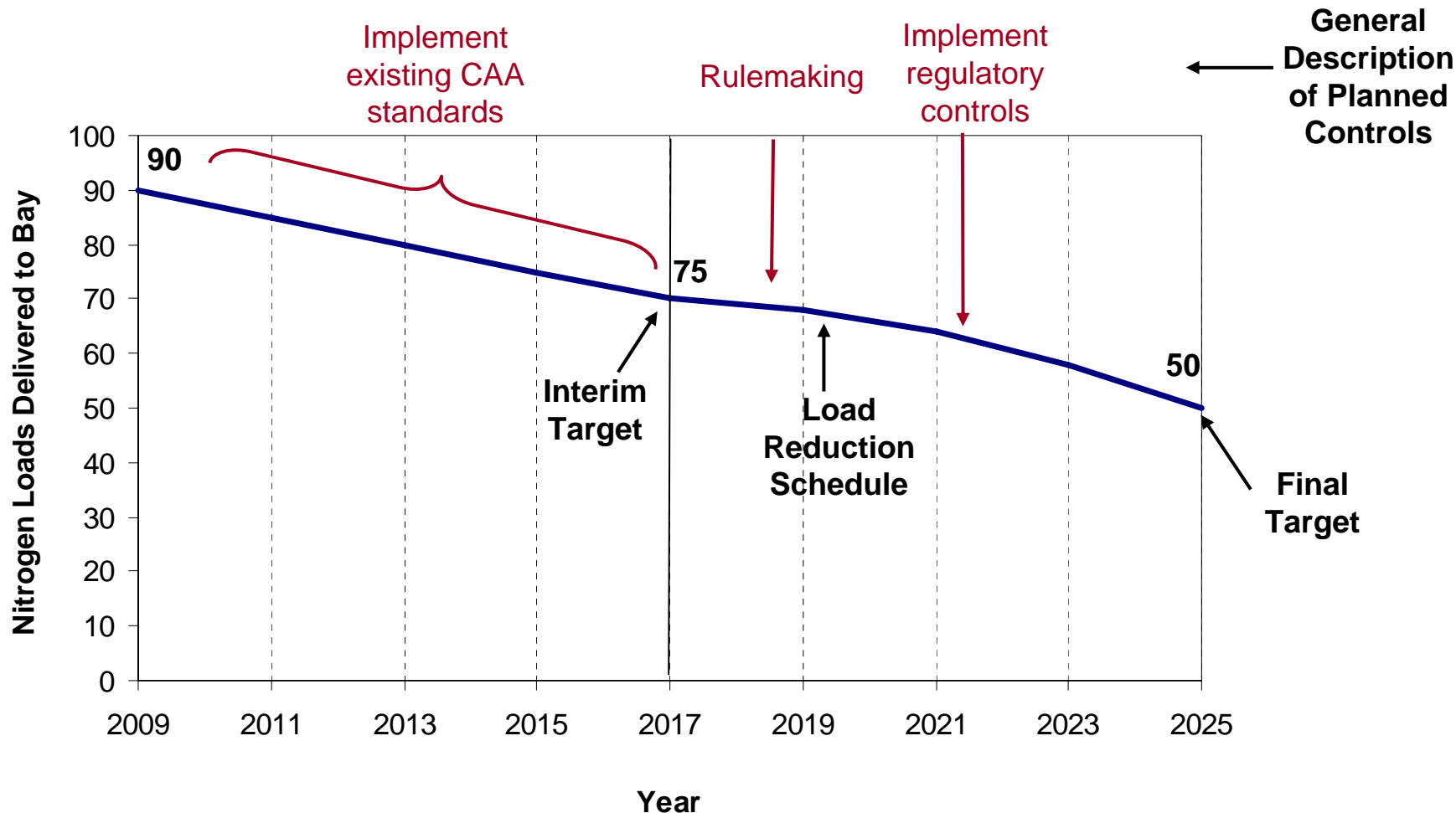
# Example: MD W. Shore Projected N Delivery by Source Sector



\*\* Note: Numbers are illustrative and do not indicate Western Shore and sector current, tributary strategy, or target loads \*\*

- Attaining specific load reductions by the interim target would be required
- Jurisdiction would determine desired reduction schedule to meet load reduction
- EPA would evaluate milestones based on whether consistent with reduction schedule

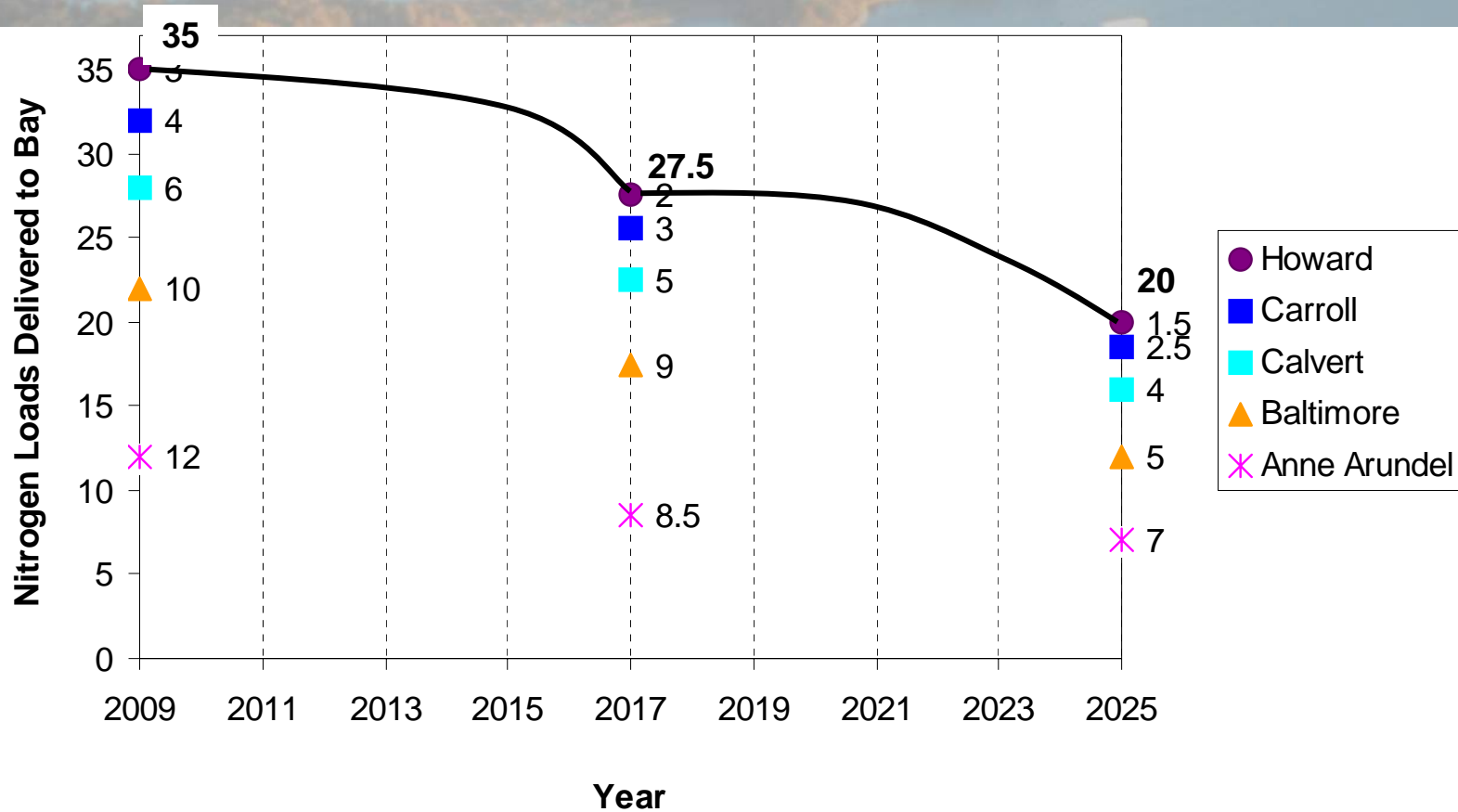
# Example: EPA Plan to Reduce Atmospheric N Deposition



\*\* Note: Numbers are illustrative and do not indicate current, tributary strategy, or target loads for atmospheric nitrogen deposition \*\*

- Attaining specific load reductions by the interim target would be required
- EPA would determine desired reduction schedule to meet load reduction
- EPA would evaluate milestones based on whether consistent with reduction schedule

# Example: MD W. Shore Projected N Delivery by County

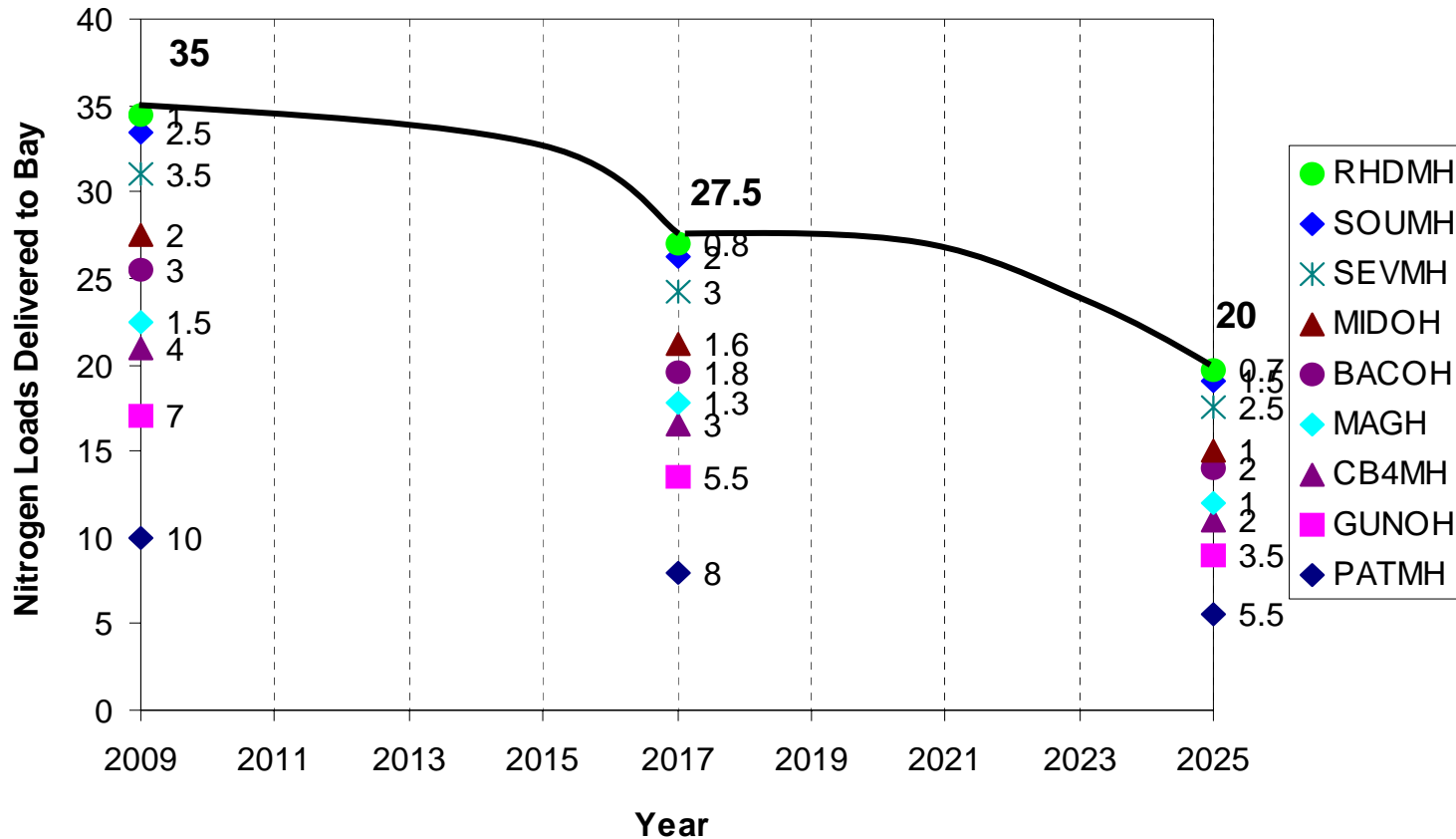


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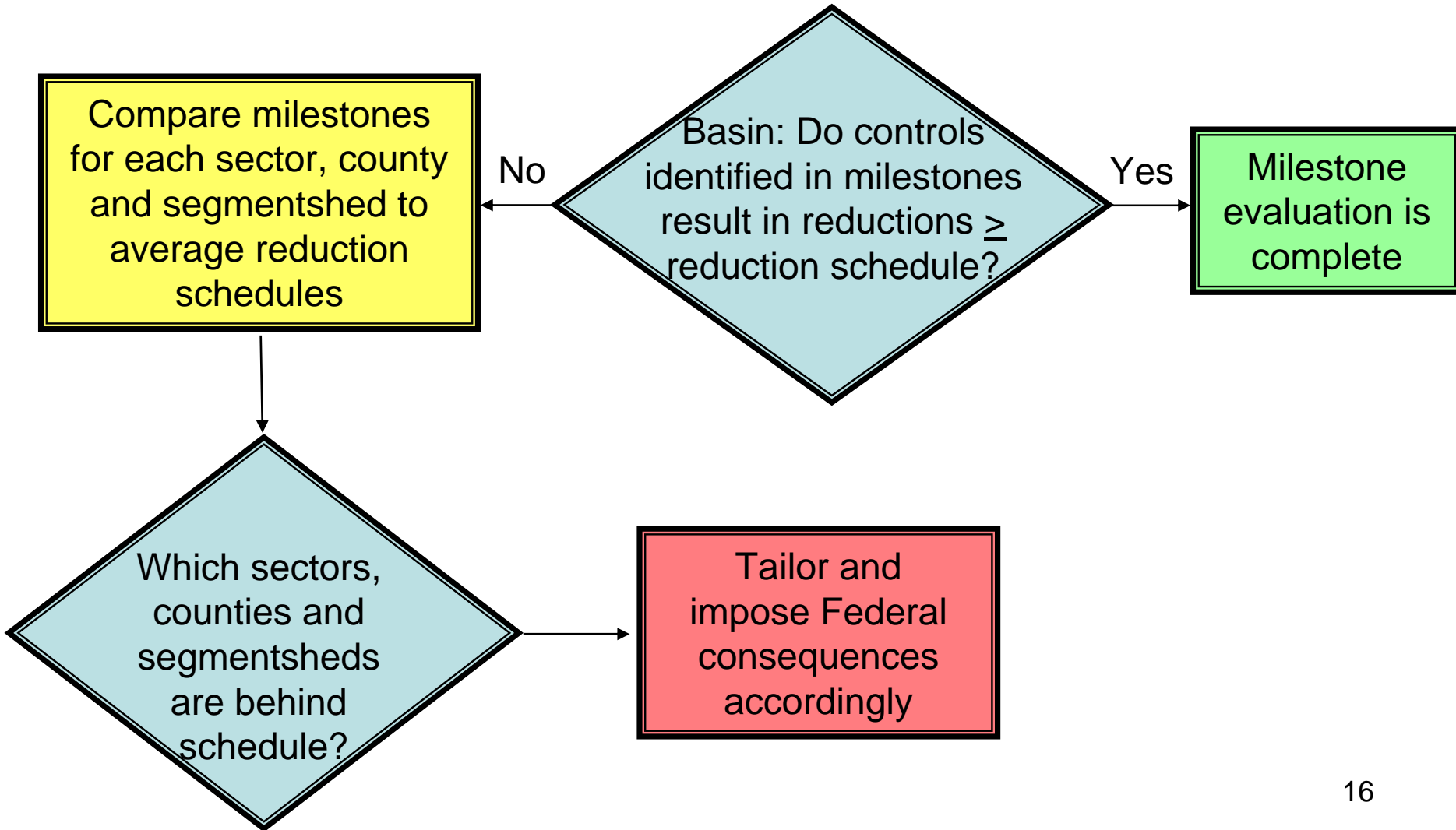
# Example: MD W. Shore Projected N Delivery by “Segmentshed”



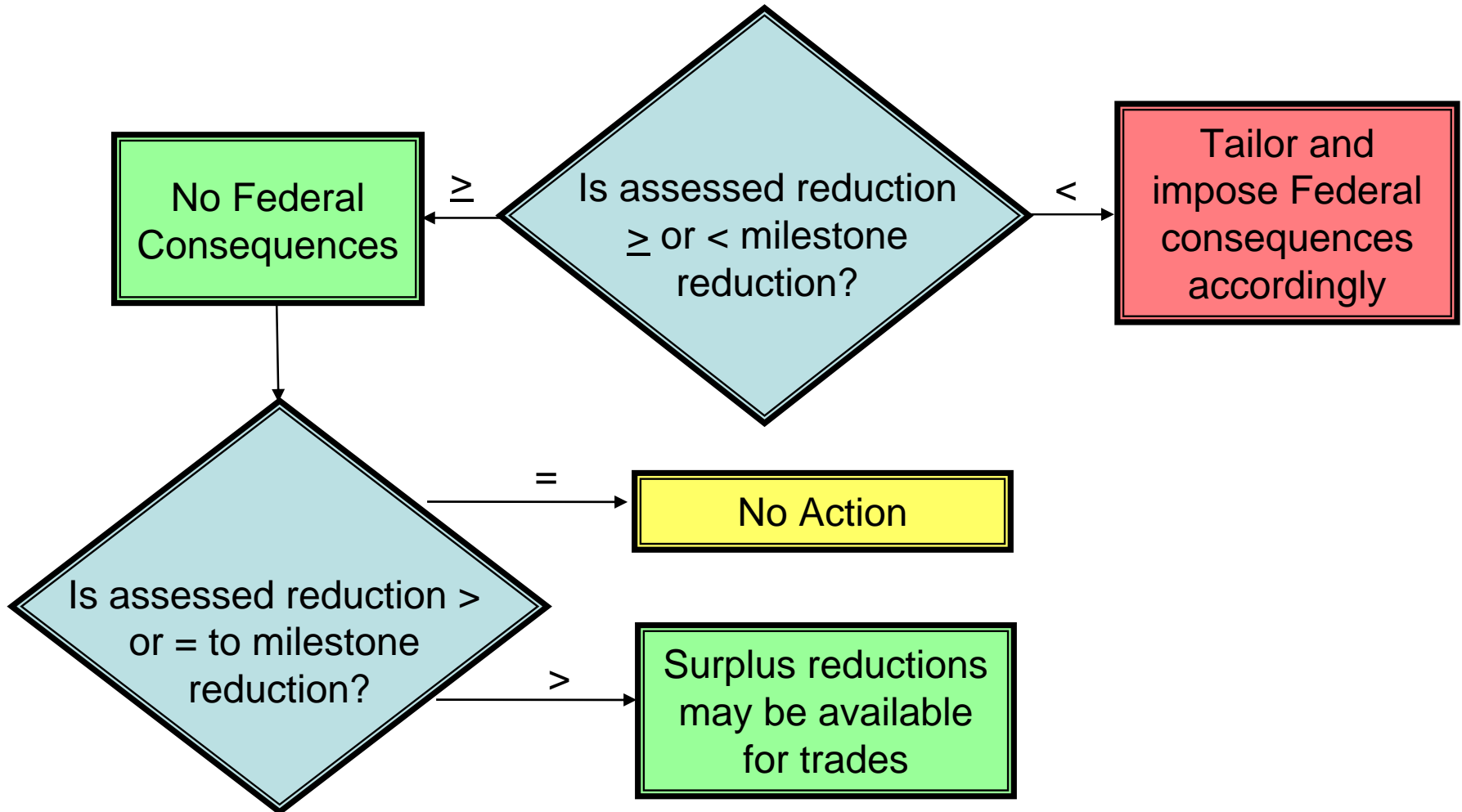
\*\* Note: Numbers are illustrative and do not indicate Western Shore and “segmentshed” current, tributary strategy, or target loads \*\*

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# Assessing Proposed Milestones



# Assessing Milestone Progress



Will also assess progress with realigned water quality monitoring and refresh models with updated data (land use, agriculture census, etc.)

# Advantages Over Previous Approach

- Avoids jurisdictions spending time to identify controls that may not implement by 2025
- Focuses on goal (reductions) rather than methods (controls)
- Clarifies emphasis on and incentives for innovation
  - Creates a possible baseline for trading
- Maintains ongoing process and protocol for accountability by State/DC, segmentshed, sector and county

# Feedback Requested

- Do you prefer Watershed Implementation Plans to specify controls or reduction targets and general enhancements?
- What questions do you have about this approach?
- What aspects of this approach appeal to you? Concern you?

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