

EPA TMDLs & STATE/DISTRICT WIPs
Metropolitan Washington Region – PRIORITIES & AREAS OF CONCERN
(COG staff draft for WRTC, 7/8/10)

Sound Science

- Will Phase I WIPs (i.e., WLAs for COG region WWTPs and MS4s) be detailed enough to assess local impacts? Or will that not be clear until Phase II WIPs?
- How will the inaccurate Phase 5.3 results, which significantly under-estimate urban loads, be addressed?
- Are watershed model results accurate enough at a smaller-than-county scale, i.e., the land-river segments)?
- Can we depend on watershed model results to accurately apportion LA (Ag and non-MS4 urban) and WLA (MS4 urban) in the Phase I and Phase II WIPs?
- Watershed Model Concerns:
 1. Does the region support the effort to allow local land use data and even load estimations to substitute for “default” values in the watershed model?
 2. There is a need for the model to greatly increase the resources devoted to urban load estimation. One example, the need to develop more finely delineated BMP efficiencies for the new suite of BMP practices under the overall heading of LID/ESD (right now there is only a generic infiltration BMP in the model). Is the region willing to help develop/provide such resources?

Equitable Responsibility

- Regulatory Stability – Does the region support the principle that one sector should not have to pay the consequences for lack of progress by another sector? What might this mean for our members with both urban stormwater and wastewater allocations?
- How do our members want new growth addressed – which the States/DC will be responsible for outlining in their WIPs?
- What is the region’s view regarding accountability for agriculture?
- EPA will impose “consequences” to the states. How much concern is there that such consequences may be further directed by the states to the local level?
- Does the region espouse the principle that federal properties within the watershed should lead the way (i.e., achieve higher standards) for new development, redevelopment and retrofit? Does this include the concept of requiring the federal government to pay local stormwater fees?

Holistic Requirements

- Does the region feel that an evaluation of costs and affordability should be done? If so, by whom?
- Does the region believe that a UAA should be sought? When might it be appropriate (e.g., now, vs. 2011 with Phase II WIPs, or 2017 – mid-point)?
- Does the region believe watershed-based trading (including interstate trading) is a viable option that should be pursued?

Communication & Voice

- Is it clear how the alignment of Bay TMDLs and other local TMDLs covering the same pollutant will be addressed?
- 2011 adjustments to the Bay TMDLs – Does the region believe that other stakeholder (i.e., not just the states) should be able to suggest that EPA make changes (e.g., UAA)?
- Are there concerns regarding the alignment of WIPs and MS4s for urban stormwater?
- Is it clear how EPA/states will deal with issues such as multiple responsibilities within urban areas including federal, state, municipal, school and private ownership of impervious surfaces and conveyance systems?
- Is there a role for local monitoring and reporting on progress?