

CBPC’s Bay & Local Water Resources Forum with EPA/States - Friday, July 18, 2014
Discussion Points – DRAFT (as of 5/15/14)

Topics	COG Issues / Background	Proposed Actions / Recommendations
<p align="center">Support & Voice for Local Governments</p>	<p align="center">BAY Issues</p> <ul style="list-style-type: none"> • Bay Partners will sign a new Bay Agreement this summer • Local governments are: <ul style="list-style-type: none"> ○ Part of the inter-connected governmental structures that address these environmental issues ○ Actually implement projects, and ○ Therefore are not simply another stakeholder • Two <u>new</u> goals are proposed - Toxics and Climate Change <ul style="list-style-type: none"> ○ These are complex issues with significant local implications ○ The issues cannot be addressed through standard permit/regulatory mechanisms • Bay Partners will need to: <ul style="list-style-type: none"> ○ Support ongoing local efforts, and ○ Recognize the active role local governments (and water agencies) have in actual implementation 	<p align="center">BAY Issues</p> <p>Based on CBPC’s Bay Agreement comment letter:</p> <ol style="list-style-type: none"> 1. Restate need for adequate federal/state funding to support watershed wide modeling and monitoring efforts. 2. Restate need for federal/state technical tools and financial assistance for local governments and utilities. 3. Ask for confirmation that the current nutrient and sediment Watershed Implementation Plan (WIP) process will continue to be used to define and address water quality nutrient goals and outcomes. 4. Ask the Bay Partners to more clearly recognize the unique role of local governments and the need for their substantive input as all of these efforts evolve. <p>New items:</p> <ol style="list-style-type: none"> 5. Ask Bay Partners to address how local input will be provided for the two new goals - Climate Change & Toxics.
<p align="center">Implementation & Schedules</p>	<p align="center">Local Water Issues</p> <ol style="list-style-type: none"> 1. 2. <p align="center">BAY Issues</p> <ul style="list-style-type: none"> • There are delays in issuing stormwater permit guidance and ongoing litigation regarding existing permits. <ul style="list-style-type: none"> ○ This causes uncertainty • There is also still a need at the local level to <u>continue</u> to: <ul style="list-style-type: none"> ○ Secure dedicated or adequate funding for programs, ○ Be able to adequately staff these programs, and ○ Be able to implement all of the projects that will need to be done in order to achieve all of the mid-course targets on time. • Given many uncertainties at the local level, it remains unclear if local governments will be in position to meet all Bay TMDL obligations by the current deadlines – specifically for stormwater. 	<p align="center">BAY Issues</p> <ol style="list-style-type: none"> 1. During the 2017 Mid-Point Evaluation process, EPA/states should: <ol style="list-style-type: none"> a. Clearly evaluate the actual rates of implementation, b. Acknowledge the delays in stormwater permitting schedules, c. Acknowledge the impact of those delays/uncertainties, and d. Recognize all of those conditions when re-evaluating the final TMDL implementation deadline of 2025 – for any sector

	<p>Local Water Issues</p> <ul style="list-style-type: none"> • Delays and uncertainties have implications for local stormwater management programs. • Many Toxic TMDLs exists for local waters: <ul style="list-style-type: none"> ○ Now WWTPs and Stormwater permits are both being required to develop implementation plans • The addition of toxics goals to the new Bay Agreement is focusing greater attention on these issues • Many of these Toxic TMDLs are legacy pollutants and their sources or solutions are not always 	<ul style="list-style-type: none"> 1. Stormwater Permits – States need to: <ol style="list-style-type: none"> a. Recognize good-faith efforts by local governments to comply with requirements even as demands change, and b. Allow adequate time to develop and implement plans before requiring additional work. 2. Toxics – States need to work with all stakeholders to develop coordinated implementation plans that reflect the ubiquitous nature and disperse sources of these pollutants
<p>Flexibility & Adaptive Management</p>	<p>BAY Issues and Local Water Issues</p> <ul style="list-style-type: none"> • Stormwater BMP efficiency determinations for certain BMPs, as well as model numbers, are shifting by the Chesapeake Bay Program. • At the same time, local governments are developing their MS4 TMDL action plans. • These shifting efficiencies make it very difficult to calculate stormwater load reductions and make plans for reaching the end goal. 	<ul style="list-style-type: none"> 1. EPA/states should be consistent in establishing credits for the various BMPs under the Bay TMDL <u>and</u> in individual stormwater permit requirements. 2. EPA/states should provide adequate resources for the evaluation of innovative new BMPs for use in the watershed model. Both should allow local governments to be as flexible as possible in their implementation strategies.
<p>Cost & Benefit</p>	<p>BAY Issues</p> <ul style="list-style-type: none"> • 1. • 2. <p>Local Water Issues</p> <ul style="list-style-type: none"> • 1. • 2. 	