

# Chesapeake Bay Program Updates

Presentation to PDTAC

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# Chesapeake Bay Program/EPA

- EPA TMDLs:
  - Establish by December 31, 2010
  - Full implementation of controls by 2025 (with 2017 mid-point)
- Various Federal Documents Guide State/DC Efforts:
  - President's Executive Order
  - 202/203 Reports
  - EPA Accountability Framework
  - EPA Watershed Implementation Plan (WIP) and Two-Year Milestone (2YM) Expectations letter
  - EPA Consequences letter
- New 'Evaluation Guidelines' for Each of 5 Groups:
  - Pending (March 24, 2010)
  - Wastewater, Stormwater, Agriculture, Tracking & Reporting, and Offsets & New Growth

# TMDL 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
  - Apparently close to original Tributary Strategy level loads
    - Good news - but were those actually realistic/achievable?
- Watershed Implementation Plans
  - More Q’s than A’s – COG working to address these
  - State public process to start – Nov. 2009

# EPA's Chesapeake Bay Accountability Framework

## Watershed Implementation Plans (WIPs)

- Phase 1 Submitted by:
  - Prelim – June 1, 2010
  - Draft – August 1, 2010
  - Final – November 1, 2010
- Initially project through 2017
- Phase II and III will provide more details in later years
- County Level Allocations in 2012
- Growth Allocation – States/DC to identify (if/how)

## Two-Year Milestones (TYMs)

- 2011 TYMs adopted in 2009 (Statewide)
- Issued every 2 years
- Linked to accountability/consequences
- Future: 2013, 2015, etc. more local

## Tracking and Assessing (Accountability System)

- WIP Preparation
- TYM Preparation
- TYM Implementation
- NPDES Permits (wastewater & stormwater)
- NPS Mechanism ('reasonable assurance')
- Evaluation Guidelines [Pending]
  - Wastewater, Stormwater, Agriculture, Tracking & Reporting, and Offsets & New Growth

## Federal Actions: "Consequences"

- Potential Options:
1. Expand NPDES Coverage
  2. NPDES Permit Objection
  3. Require Net Offsets
  4. Fine Scale WLAs & Las
  5. Additional Point Source load reductions
  6. Enforcement & Compliance
  7. Redirect Grant Funds
  8. Implement Local Nutrient WQS

# Federal Consequences – Local Implications

1. Expand NPDES Coverage ***[Issue for VA counties re: SW]***
2. NPDES Permit Objection ***[MS4 permit/development links?]***
3. Require Net Offsets ***[Accounting for Growth given load caps? – By sector]***
4. Fine Scale Cap Load Allocations (WLAs & LAs) ***[Retain any county level flexibility?]***
5. Additional Point Source Load Reductions ***[Includes Wastewater and Stormwater]***
6. Enforcement & Compliance ***[States transference to local level? How applied to sectors/basins/localities?]***
7. Redirect Grant Funds ***[? - Not sure]***
8. Implement Local Nutrient Water Quality Std. ***[? - Not sure]***

# Summary

- COG's Committees Being Briefed:
  - Water Resources Technical Committee
  - Chesapeake Bay & Water Resources Policy Committee
  - Cooperative Forecast Committee
  - Planning Directors Technical Advisory Committee
  - COG Board
  - MDPC & MWAQC (not in several years)
- 2010 & Beyond – Managing Now & For Future
- Questions?