

# NEW CHESAPEAKE BAY AGREEMENT – KEY ELEMENTS & IMPLICATIONS FOR COG MEMBERS

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Briefing for PDTAC

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# New Bay Agreement

- New agreement proposed – 30 years since first agreement was signed
- Agreement is:
  - Still ‘voluntary’ – though now Bay TMDL exists for some goals
  - Between states (DC, MD, VA, DE, PA, NY, WV) – Upstream states of NY & WV & DE now signatories
- Public Comment Period - through March 17, 2014
- Agreement located at:  
[www.chesapeakebay.net/watershedagreement](http://www.chesapeakebay.net/watershedagreement)

# New Bay Agreement - Elements

- 7 High-level Goals and time-bound/measurable outcomes proposed
- Goals:
  1. Protecting, restoring and enhancing finfish, shellfish and other living resources, their habitats and ecological relationships
  2. Restoring, enhancing and protecting a network of land and water habitats to support high-priority species and to afford other public benefits
  3. Reducing pollutants to achieve the water quality necessary to support the aquatic living resources of the Bay and its tributaries and protect human health
  4. Sustaining state-identified healthy waters and watersheds
  5. Conserving treasured landscapes in order to maintain water quality and habitat; sustaining working forests, farms and maritime communities; and conserving lands of cultural, indigenous and community value
  6. Expanding public access to the Bay and its tributaries
  7. Enabling students in the region to graduate with the knowledge to use scientific evidence and citizenship skills to act responsibly to protect and restore their local watershed
- Assessment - There are Planning (wastewater treatment capacity) and Land Use (forest, tree canopy, & protected lands) issues of potential impact/implication to COG's members

# Existing Bay TMDL– Land Use

- Land use is key aspect of model used to measure compliance with TMDL requirements
  - Previous version of this model relied mostly on satellite imagery and Bay-wide assumptions for land use
- New version will incorporate local land use data under oversight of new Land Use Workgroup
- Model requires forecast of future land use
  - Will be opportunity for local government staff to review methods used to estimate future land use change

# Existing Bay TMDL - Wastewater

- Key driver continues to be implementation to meet Bay TMDL
  - 2017 – 60% implementation
  - 2025 – 100% implementation
- All COG wastewater plants (WWTPs) are anticipated to meet Bay deadlines to be able to implement technologies to meet nitrogen reduction goals
- New efforts - to detail/quantify septic/on-side loadings, spray irrigation, & land application of biosolids
- Concerns:
  - What if other sectors clearly cannot meet deadlines? Will they seek to require WWTPs to do more?
  - When/Will load cap on WWTPs become a growth constraint?
  - What are links between COG's RAC's & current capacity assumptions?

# New Bay Agreement – Land Use

- Has an overall numeric goal for preservation of natural resource lands:
  - “By 2025, protect an additional two million acres of lands throughout the watershed currently identified as high-conservation priorities at the federal, state or local level, including 225,000 acres of wetlands and 695,000 acres of forest land of highest value for maintaining water quality”
- Impact on local governments in region unknown (will depend on state actions)
- Calls for creation of metric to measure the rate at which resource lands are converted to other uses and the increase in impervious surface
  - Discussion of doing so on a normalized (per capita) basis
- Calls for assistance to local governments to reduce the rate of resource land conversion and increase in imperviousness
  - Some concern about EPA and state intrusion into land use decision making by local government

# New Bay Agreement – Wastewater

- Will decisions made regarding other sectors have any direct or indirect implications on wastewater sector?
- What wastewater implications might there be for the overall urban landscape (i.e., the nutrient & sediment loads) in how urban stormwater, air deposition and/or urban forest loading assumptions and/or the new goals are defined or implemented?

# Wrap-Up/Next Steps

- COG staff:
  - Actively working with COG's Water Resource Technical Committee (wastewater & stormwater staff)
  - Provide regular updates to COG's Chesapeake Bay & Water Resource Policy Committee
  - Periodically brief PDTAC
  - Actually chair/co-chair &/or participate in Bay sector work groups that deal with:
    - Tanya Spano – Wastewater
    - Karl Berger – Urban stormwater, landuse
- Questions? Need any additional information?