

An aerial photograph of a bay, likely Chesapeake Bay, showing numerous sailboats anchored in the water. The shoreline is densely forested with trees in various shades of green and brown. The water is a deep blue-grey color.

Guide for EPA's Evaluation of Watershed Implementation Plans:

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U.S. EPA Chesapeake Bay Program

Attachment J2

WQGIT Meeting

April 6, 2010

Overview

- Purpose of Guide
- Summary of Major Feedback and Responses
 - Concern with June 1
 - Level of Detail/Future Uncertainty
 - Federal Lands and Facilities
 - Accounting for Growth
 - Non-Significant Facilities
 - Many additional comments and revisions – thank you for the quick and thorough review
- Questions?

Submission of WIPs by June 1

- Summary Comment:
 - Jurisdictions concerned that will not be able to submit WIP that fully meets EPA expectations by June 1 given:
 - Level of detail
 - Modeling delays
- Response:
 - Maintain June 1 deadline for preliminary Ph I WIP
 - Preliminary WIP should be as complete as possible, guided by the key information highlighted on page 1 of the Guide
 - Jurisdictions should address remaining expectations in draft Ph I WIP submitted Aug. 1
 - EPA will provide feedback on key elements to include in draft Ph I WIP

Level of Detail Given Future Uncertainty

- Summary Comment:
 - Difficult to commit future administrations and legislatures to specific actions, policies, legislation, rules and budgets
- Response:
 - Under Elements 5 (Commitment to Fill Gaps) and 7 (Contingencies), clarification that EPA may accept “proposed,” “expected” and/or “possible” strategies
 - Recognize strategies and actions may be refined in Ph II and III WIPs and 2-year milestones so long as Bay jurisdictions are on pace to have practices in place by 2025 to meet WQS in all segments and by 2017 that would result in 60% of necessary nutrient and sediment reductions compared to current loads

Federal Lands and Facilities

- Summary Comment:
 - Bay jurisdictions lack necessary information and authority to 1) estimate current loads; 2) identify future target loads; and 3) identify programs and policies to achieve target loads for federal lands and facilities
- Response:
 - Current Loads: Federal agencies can provide assistance
 - Commitment to Fill Gaps:
 - States with authority to permit federal PS can set target loads for point sources and use permits to assure targets are met. Should also describe how any state regulations would apply to federal lands and facilities
 - Federal agencies can provide information on programs and policies to reduce nutrients and sediment from federal lands and facilities, in particular from nonpoint sources
 - Jurisdictions may consult with federal agencies when setting current, interim and future target loads for federal lands and facilities

Accounting for Growth

- Summary Comments:
 - Jurisdictions want options for addressing new or increased sources; net improvement offsets could be viewed as singling out developers
- Response:
 - Clarify that “net improvement offsets” are consequence for insufficient restoration progress
 - Clarify that upfront target loads for future growth, trading programs and nutrient banks are options

Nonsignificant Wastewater Plants

- Summary Comments:
 - Inefficient for jurisdictions to identify all nonsignificant wastewater treatment plants in their WIPs
- Response
 - Clarify that only significant facilities must be identified with individual target loads in WIP in order to avoid 0 WLAs
 - Additional options for establishing target loads for nonsignificant facilities



Questions?

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