

Local Planning Goals Task Force Comments on Revised Recommendations

Department of Defense

DoD abstained on Monday's LAT TF meeting until a follow up call could be scheduled to discuss DoD/EPA position alignment on a couple of issues. From our discussion this week, there was one area that did not align, and therefore am submitting the following comments on the current recommendations document. Our comment is not new and was communicated throughout LAT TF meetings and during the November Management Board meeting.

Our position continues to circle back to fair implementation requirements and equitable distribution of loads. It is our understanding that local area planning goals would essentially be the total aggregate of the major state river basin's load. A baseline or minimum threshold for local area planning goal development should be established in order to ensure equity for all sources.

The scale at which a federal facility target and local area planning goal may be different (i.e. size, multiple political boundaries, etc.), but the methodologies to determine reductions must be consistent and equitable between the two. We certainly acknowledge methodologies can vary based on the jurisdiction and understand flexibility is necessary among the states. However, flexibility may allow for inequity. Therefore, numeric or implementation based goals need to be developed per "local area" with each state particularly if federal facility targets are going to remain intact and maintain momentum through 2025.

DoD provides the following language for consideration:

"When EPA or the Jurisdictions calculate numeric or implementation based Local Area Planning Goals and Federal Facilities Targets, the methodologies used to determine reductions must be consistent and equitable between the two."

Chesapeake Bay Foundation

CBF cannot support the current set of recommendations which do not explicitly tie the local area planning goals to items which are specifically associated with quantifiable levels of nutrient reduction, either through approved BMPs, policies which specify expected nutrient reductions (e.g. fertilizer bans) or other options that would provide reasonable assurance that implementation of these goals would lead to the scientifically defensible expectation of nutrient and sediment reductions. This specification is an essentially component to providing reasonable assurance. While the specification that goals should be measurable (which is currently included) is helpful, there are several goals which could be measurable but do not have direct implications upon nutrient reductions. With that said, as some other partners have also voted, CBF does not support but does not wish to stand in the way of the completion of the task force.