

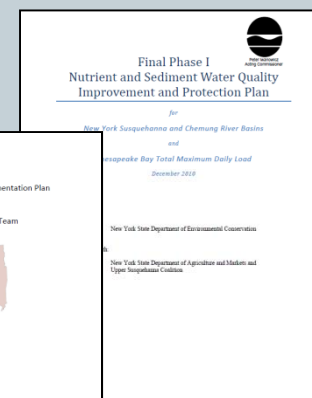
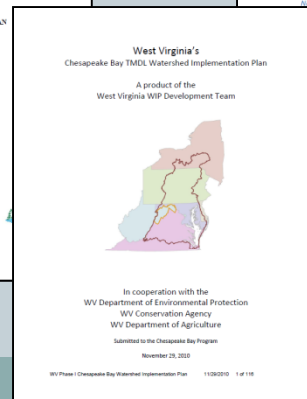
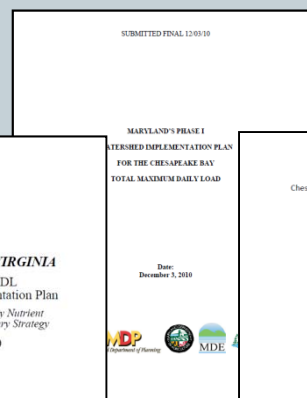
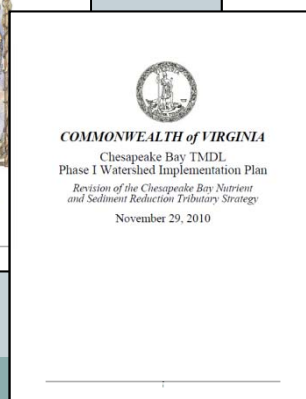
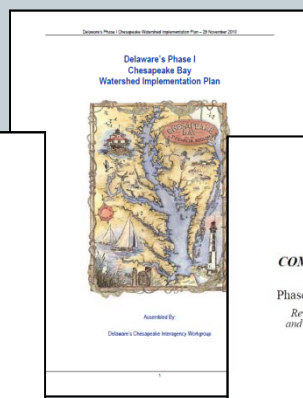
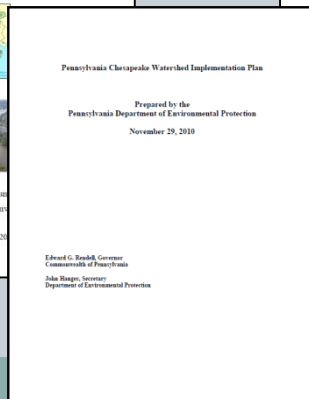
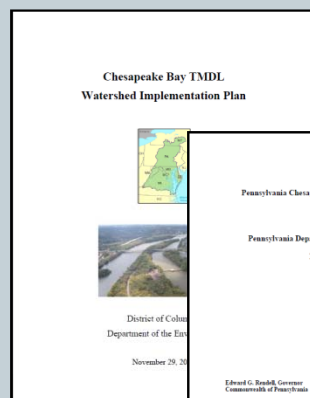
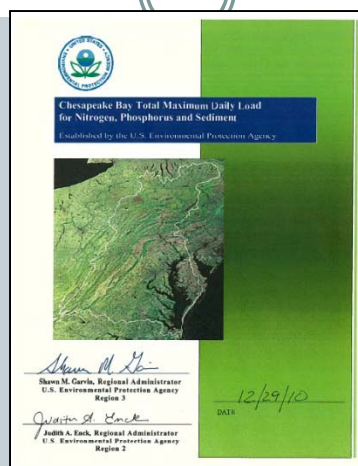
EPA's Evaluation of Bay Jurisdictions' Draft Phase II WIPs & Final 2012-2013 Milestones



**CITIZENS ADVISORY COMMITTEE
SPRING MEETING
MARCH 1–2, 2012
CHARLOTTESVILLE, VA**



Bay TMDL Based on State Plans





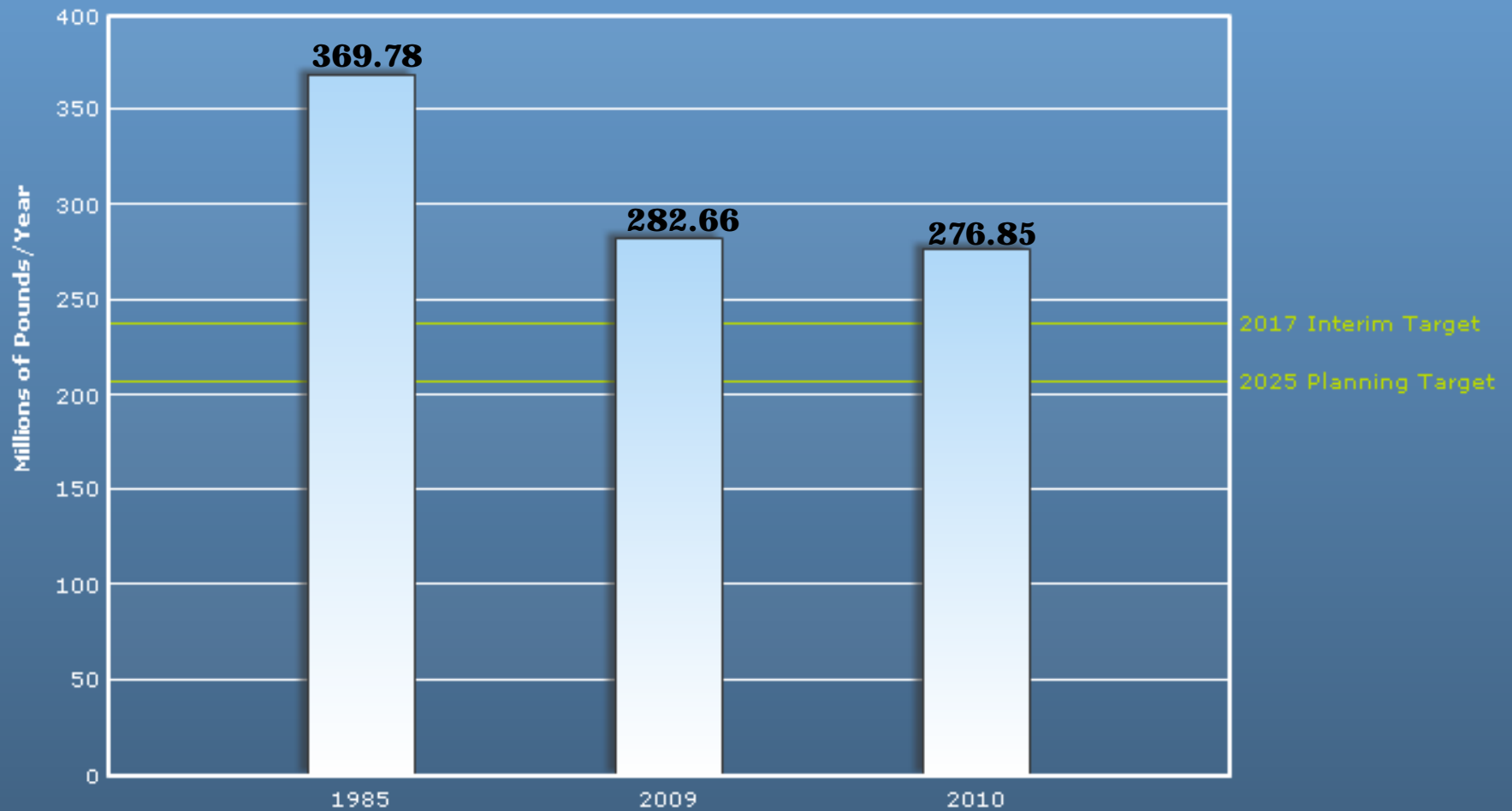
Across the Watershed

We are – and have been – making progress throughout the watershed in reducing pollution to the Bay and its local rivers and streams.



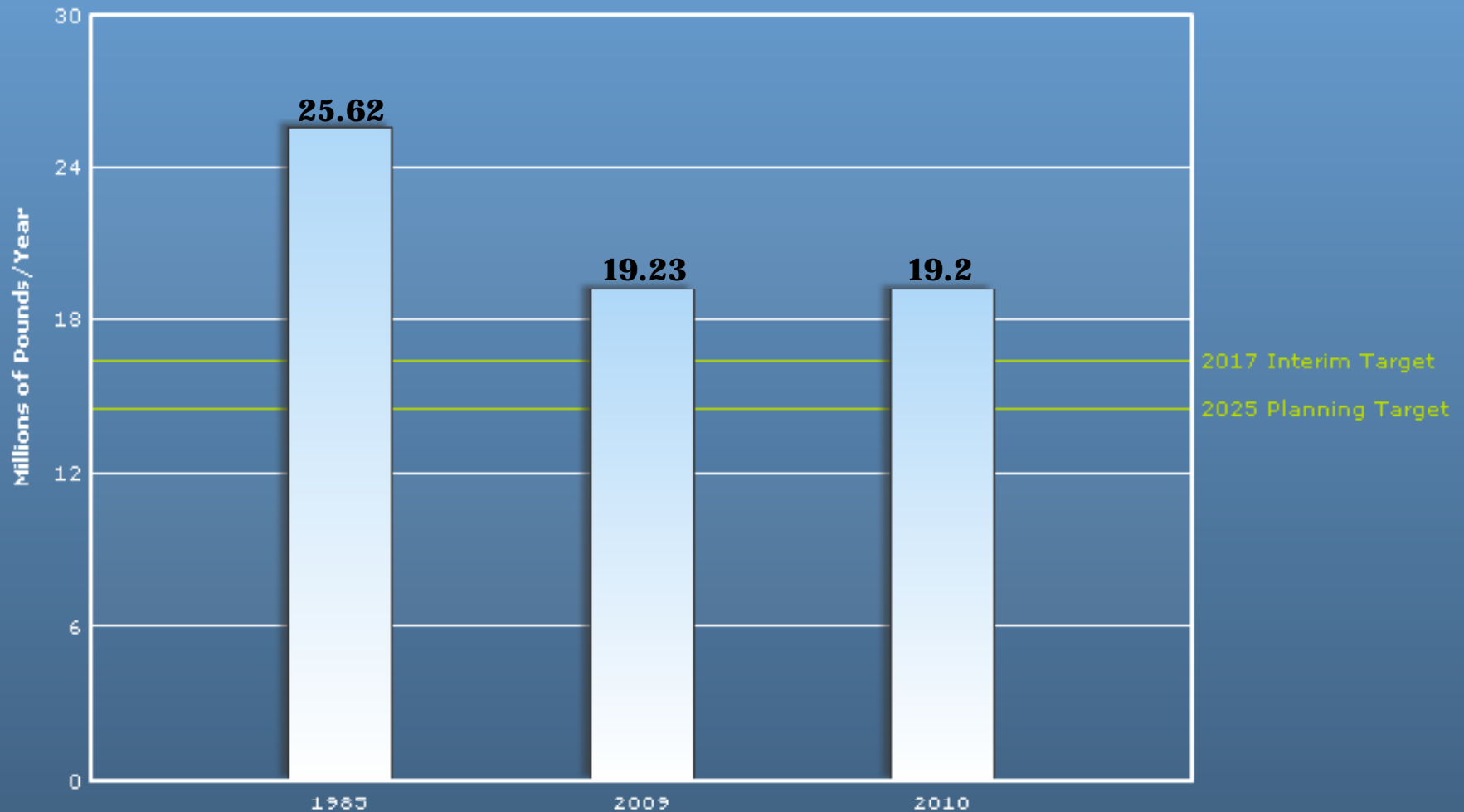
Nitrogen Loads to the Bay*

*Loads simulated using 5.3.2 version of Watershed Model and wastewater discharge data reported by the Bay jurisdictions. Loads include atmospheric deposition of nitrogen to tidal waters. Planning targets established in August 2011 represent level of effort necessary to meet the TMDL.



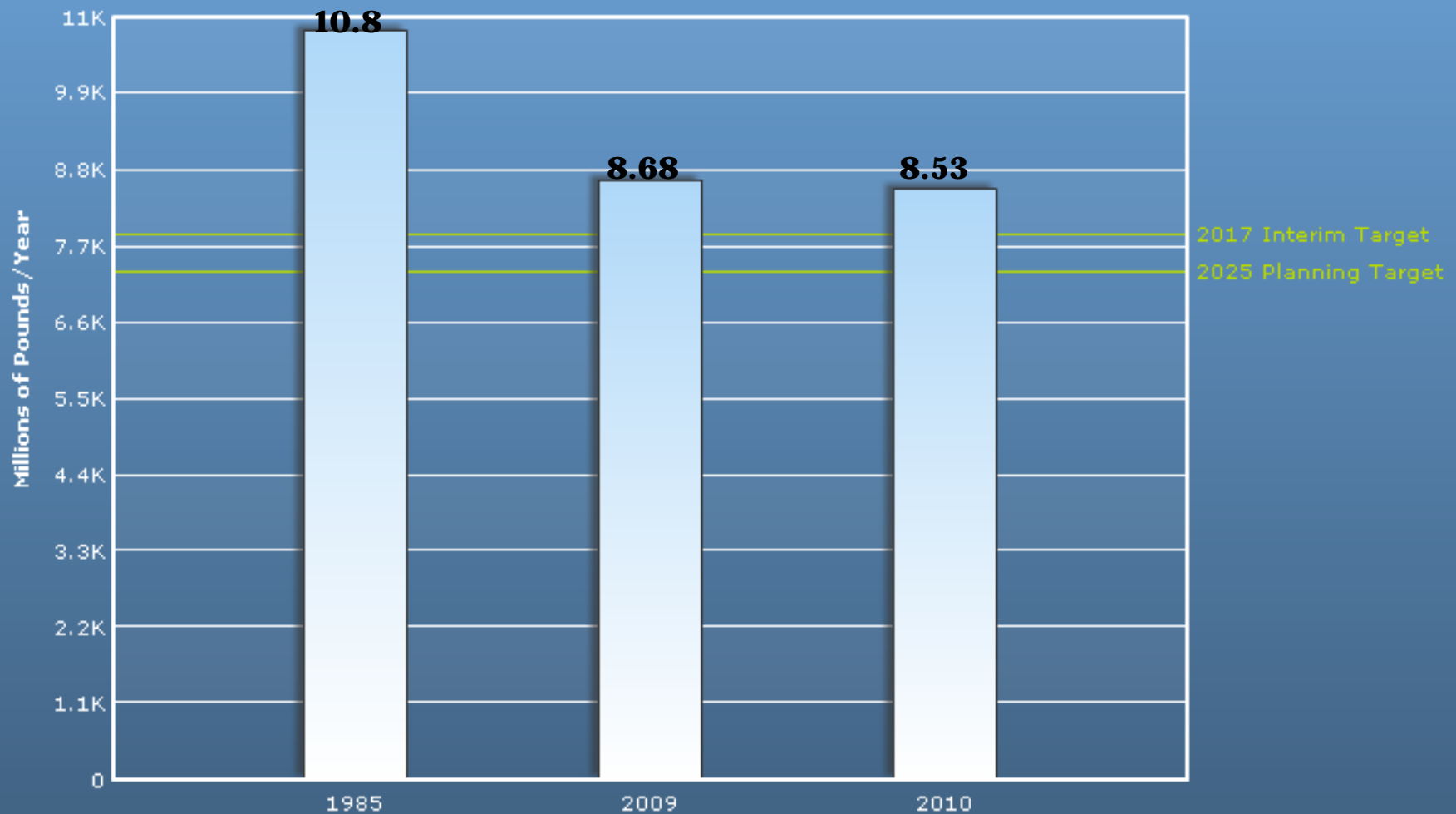
Phosphorus Loads to the Bay*

*Loads simulated using 5.3.2 version of Watershed Model and wastewater discharge data reported by the Bay jurisdictions. Planning targets established in August 2011 represent level of effort necessary to meet the TMDL.



Sediment Loads to the Bay*

*Loads simulated using 5.3.2 version of Watershed Model and wastewater discharge data reported by the Bay jurisdictions. Planning targets established in August 2011 represent level of effort necessary to meet the TMDL.





Across the Watershed



- **Phase II is about taking it local**
- Key evaluation points of draft Phase II WIPs and final 2012-2013 milestones:
 - Local stakeholder involvement in WIP/Milestone development and implementation
 - No backsliding from Phase I WIP commitments (i.e. reasonable assurance just as strong as in the Phase I WIP)
 - Improved reasonable assurance in sectors that received backstop actions, allocations, or adjustments or enhanced oversight in Bay TMDL
 - 2012-2013 milestones reflect commitments to necessary, near-term actions to achieve long-term cleanup goals



Across the Watershed



- Generally **jurisdictions are on track** in meeting pollution reduction targets by 2017 and 2025.
- **More specificity was included on clean-up strategies** and how they apply to the local level.
- EPA expects improved reasonable assurance in some sectors.
- **EPA will continue to work with the jurisdictions** to address concerns between now and March 30, 2012.



Delaware



- **Overall, the draft Phase II WIP and final 2012-2013 milestones meet EPA expectations.**
 - No backsliding from key commitments or reasonable assurance in Phase I WIP.
 - Local partners and other key stakeholders were engaged.
 - The 2025 draft input deck meets the Phase II WIP planning targets.
 - Final 2012-2013 milestones align with key WIP commitments.
 - Increased staff and new stormwater and offset regulations.
- **Maintain “ongoing oversight” for all sectors to ensure commitments are implemented.**



District of Columbia



- **Overall, the draft Phase II WIP and final 2012-2013 milestones meet EPA expectations.**
 - Commendable progress engaging and assigning target loads to federal agencies.
 - Final 2012-2013 milestones identified important near-term commitments to implement WIP strategies.
 - The 2017 & 2025 input decks meet the Phase II WIP planning targets.
 - Strong emphasis on capacity building and upgrades at Blue Plains Wastewater Treatment Plant.
 - Implementing MS4 permit and new stormwater regulations requiring a retention standard.
- **Maintain “ongoing oversight” for all sectors to ensure commitments are implemented.**



Maryland



- **Overall, the draft Phase II WIP and final 2012-2013 milestones meet EPA expectations.**
 - Implementation of a significant local engagement initiative with key stakeholders.
 - Commitments to upgrade significant numbers of on-site systems and connect others to wastewater treatment plants.
 - Expansion of trading program to include ecosystem services.
 - Committed to a schedule to reissue Phase I & II MS4 permits.
 - Final 2012-2013 milestones identify important near-term commitments to implement WIP strategies.
 - Appropriate and important emphasis on local financing of stormwater BMP implementation.
- **Maintain “ongoing oversight” for all sectors to ensure commitments are implemented.**



New York



- New York has not submitted a complete draft Phase II WIP that is publicly available and has yet to submit a final 2012-2013 milestone input deck.
- EPA expects New York to submit a final Phase II WIP by March 30.
- EPA will review the Phase II WIP and milestones to determine whether to take federal actions or change the level of oversight.



Pennsylvania



- **Progress is being made on several commitments from the Phase I WIP that are reflected in the Phase II WIP.**
 - Provides updated information for activities since the Phase I WIP.
 - 2025 WIP input deck approximately meets the Phase II WIP planning targets.
 - Development of statewide guidance for addressing stormwater offsets to be complete in early 2013.
- Milestones for agriculture and wastewater generally align with strategies in draft Phase II WIP.
- **Maintain “enhanced oversight” for all sectors and backstop adjustments for stormwater to ensure commitments are implemented.**



Pennsylvania



- **Improvements EPA expects Pennsylvania to address in Final Phase II WIP and 2012-2013 milestones to avoid federal actions for all sectors:**
 - Further detail on how to assure compliance with existing state regulations.
 - Additional agricultural milestones to advance manure to energy technologies.
 - Greater alignment between stormwater milestones and WIP commitments.
 - Additional clarity on the process for on-going local engagement.



Virginia



- **The draft Phase II WIP provides some updated information on progress since finalizing the Phase I WIP.**
 - Conducted extensive amount of outreach to local stakeholders.
 - Process for continuing local engagement during implementation is expected in final Phase II WIP.
- **No Phase II WIP input deck submission**
 - Submission of WIP and Milestone input decks in advance of the Final Phase II WIP deadline is expected.
- **Most of Virginia's programmatic milestones are in alignment with the Phase I and II WIP commitments.**
 - Additional details on process for achieving stormwater commitments given the continued backlog of expired MS4 permits is expected.
- **Maintain “ongoing oversight” for all sectors to ensure that commitments are implemented – with the exception of the stormwater sector, which will remain in “enhanced oversight.”**



West Virginia



- **The draft Phase II WIP demonstrates substantial improvements compared to the Phase I WIP.**
 - Significant amount of outreach conducted with local stakeholders.
 - Plan is directly informed by local agricultural producers and demonstrates stronger reasonable assurance.
 - Identifies stormwater regulations as a contingency if urban stormwater strategy goals are not achieved.
 - Developed a basic framework for an offsets and trading program.
- Final 2012-2013 milestones closely align with WIP commitments.
- **Upgrade agriculture sector from a “backstop action” to “enhanced oversight,” and stormwater and wastewater sectors from “enhanced oversight” to “ongoing oversight” to ensure commitments are implemented.**

Next Steps



- EPA will continue to work with the Bay jurisdictions to address any outstanding issues leading up to the Phase II WIP deadline.
- March 30, 2012: Final Phase II WIPs and amendments to Final 2012-2013 Milestones due to EPA.
- Post-March 30: Potential for federal actions based on evaluation of final Phase II WIPs and...

Focus on implementation!