

Recommendations of the Local Planning Targets Task Force

Introduction:

This document serves as a framework of the key questions and options that the Local Area Targets Task Force recommends that jurisdictions consider when developing their Phase III WIPs. The charge given to the Task Force by the Water Quality Goal Implementation Team poses two primary questions: 1) should the Phase III WIPs include local area planning targets; 2) if there are targets, what are the options for how these targets could be expressed in different jurisdictions. In order to provide jurisdictions with the flexibility to develop plans that fit their needs, this paper presents options for how a jurisdiction could define “local”, and how those different scales could be used to better express localized implementation planning. Below is the full charge to the Task Force as well as the Task Force’s recommendations.

Task Force Charge - as Assigned by the Water Quality Goal Implementation Team (WQGIT)

“To make recommendations to the Water Quality Goal Implementation Team (WQGIT) regarding whether the Phase III WIPs should include local area planning targets (LAPTs) and, if so, options for how these targets could be expressed in different jurisdictions. The Local Area Planning Targets Task Force (Task Force) will address findings from the Chesapeake Bay TMDL Stakeholder Assessment, including the goal of raising awareness of local partners’ contribution toward achieving the Bay TMDL; the technical capacity of the Chesapeake Bay Program’s Phase 6 modeling suite; how local implementation addresses local conditions, needs and opportunities, such as local water quality; and the availability of tools to assist in the development and optimization of local implementation strategies. The Task Force will review the efforts of some jurisdictions to develop LAPTs as part of the Phase II WIPs and recent work to establish federal facility targets. Task Force recommendations will be presented as part of the development of the Phase III WIP expectations by EPA.”

What is meant by target?

A target is a local goal that helps the states achieve their WIPs and helps local partners to better understand their expected contributions. Such a target may be expressed in a variety of ways, to be determined by the jurisdictions, based on the recommended options provided by the Task Force (see Question #3).

Question #1: Should the Phase III WIPs include local area planning targets (LAPTs)?

In light of the varied nature of local government structures (including soil & water conservation districts) across the Chesapeake Bay jurisdictions, the task force recognizes that one size will not fit all with regard to the development and implementation of local area planning targets for the Phase

III WIP. Accordingly, the Task Force recommends that the determination as to whether or not there should be local area planning targets is best made by the seven Chesapeake Bay jurisdictions, in partnership with their local and regional partners, stakeholders and federal and state facilities. Providing such flexibility will allow the jurisdictions to design WIP III planning and local engagement processes that are best suited to them and their partners. Doing so will facilitate “buy in” from local partners because they will have been involved with a key decision relating to the WIP III planning process. Each jurisdiction should also have the flexibility to establish variable approaches on targets within the jurisdiction. As an example, a jurisdiction may identify a “high yield” sub watershed that is contributing high loadings from the agricultural source sector and establish targets expressed as needed agricultural BMP implementation for soil & water conservation districts in that watershed. That same jurisdiction may establish state wide programmatic stormwater requirements or strategies to reduce loadings from the urban source sector.

The Task Force further recommends that jurisdictions consider the following factors in determining whether or not to develop local area planning targets (i.e. smaller than the state-basin level): will improve their ability to achieve optimum local engagement, water quality protection and accelerated progress toward the development and implementation of strategies for the Phase III WIP.

- Would the establishment of local planning targets facilitate the development of local strategies to achieve the Bay TMDL and result in additional implementation actions?
- Would the establishment of local area planning targets accelerate progress toward the implementation of practices to achieve the Chesapeake Bay TMDL?
- Would the establishment of local area planning targets provide maximum flexibility to enhance local buy in and engagement in the WIP process?
- Would the targets allow a jurisdiction to focus limited resources for implementation?
- Are there feasible methods to monitor the progress towards achieving local area planning targets?

If yes:

- How would the state work with their targeted local partners to establish local planning targets that are realistic and achievable?
- What resources would the state and local jurisdictions need to establish local area planning targets and to adequately implement strategies to achieve those targets?
- Have the largest sources of nutrient and sediment loads within the jurisdiction been identified, and has consideration been given to which scales might be most effectively used for addressing those loads?
- Targets should be limited to a scale and source specificity that is scientifically defensible.
- How will progress be measured?

If no:

- What programs are already in place and would be developed that could improve facilitation of local partner implementation in meeting the Bay TMDL and WIP commitments without local area targets?
- Have the largest sources of nutrient and sediment loads within the jurisdiction been identified, and has consideration been given to which scales might be most effectively used for addressing those loads?

Question #2: How should “local” be defined?

If a jurisdiction determines that developing local area targets or planning implementation at a local scale would better facilitate implementation, there are several options for how they may define local. The Task Force recommends that jurisdictions consider the following options for defining “local”:

1. Locality jurisdictional boundaries (city, town, county, borough, township) or collections of such sub-state political subdivisions; federal and state facilities
2. Soil & Water Conservation District (Conservation District) boundaries
3. Regional entity boundaries (i.e. planning district commissions; regional river basin commissions, utility districts)
4. Watershed or sub-watersheds of Chesapeake Bay Tributaries
5. Targeted areas with high nitrogen, phosphorus or sediment yields (loadings)
6. “Segment-sheds” as depicted in the 2010 TMDL
7. Any area, entity or political subdivision based on an identified need for pollutant reductions for a given source sector or sectors
8. Some combination of the above

Question #3: How should LAPTs be Expressed

There are many options for how to express local goals in a way that helps states achieve their WIPs, and helps local partners to better understand their expected contributions. Targets may be expressed using any one of these options, or in some combination. All options are supported by the Chesapeake Bay Program partnership’s decision support tools (i.e. CAST).

- Percentage of Best Management Practice (BMP) Implementation on land uses defined in the Phase 6 model
- Quantifying implementation goals for particular BMPs
- Programmatic Goals (i.e. ordinances with provisions for Erosion and Sediment Control, Urban Nutrient Management, post-construction performance standards) that include specific implementation, oversight and enforcement requirements
- Numeric nitrogen, phosphorus and sediment as expressed as reductions or maximum load goals
 - Numeric load goals for one or more pollutants (Delivered load of 300 lbs P)
 - Numeric reduction goals for one or more pollutants (reduce loads by 4000 lbs N)
 - Yield based goals for one or more pollutants (0.41 lbs P/acre/year from developed lands)
- Pace of implementation over a certain time frame

- Percent reduction of existing loads over a certain time frame
- Percent of flow in certain tributaries/runoff captured – yield based targets
- *For further discussion – quantity vs. quality goals*