

Communications on Revising of Two-year milestones

Overall Message

[Guide for Chesapeake Bay Water Quality Two-year Milestones July 6, 2011](#)

- EPA recognizes that the Bay watershed jurisdictions' actions may differ from their milestone commitments based on changing conditions and the availability of new information. EPA does not expect the Bay watershed jurisdictions to revise their commitments on an ongoing basis throughout the milestone period if they can account for their actions in the annual progress reporting due to EPA at the end of December each year. EPA supports adaptive management of two-year milestones so long as the overall pace of pollutant reductions remains consistent with a Bay watershed jurisdiction's WIP commitments and remain on pace to implement practices to achieve 60%¹ of the pollutant reductions allocated to the jurisdiction in the Bay TMDL by 2017, and 100% of the practices by 2025.

Prior Decisions

- MSWG agreed to use the out-year to develop milestones through 2017 in order to incorporate growth in their milestones. ([MSWG call 2/6/13](#))
- When evaluating 2014-2015 milestone progress, EPA will assess whether statewide and sector load reductions are on track to have practices in place by 2017 that will achieve 60% of necessary reductions compared to 2009. ([WQGIT call 1/10/14](#); [6/2014 evals](#))
- 10/8/14: WQGIT approved adopting the updated 2014 land use projections.
 - No objections were raised. ([See meeting minutes for full discussion](#))
- EPA has demonstrated that we do not take federal actions based strictly on model results from updated data being used in the model.

Numeric Specific

[Notes from 11/5/12 MSWG call](#)

- If states have more current land use available that data should be accounted for in the milestone/progress run as long as it does not undermine the calibration of the model. States should be able to provide this information on a yearly basis.

¹ Language modified from the Two-year Milestone Guide wording to reflect corrected language that EPA "expects practices in place to achieve 60% of the loads by 2017" vs. the original Guide language which states "60% of the practices should be in place by 2017".

Programmatic Specific

Notes from the 12/12/12 MSWG call regarding the midpoint evaluation of Programmatic milestones

- Milestones dates that have past but have not been completed should include updated dates in the status update.
- Any changes or updates to a milestone itself should be clearly marked using track changes or another method to signal that a milestone has been altered.

11/25/13 Footnote on Programmatic Milestone Template

- As part of the adaptive management process for achieving water quality goals, jurisdictions may submit programmatic milestones that modify, are in place of, or are in addition to milestones listed in their WIPs so long as the jurisdiction can demonstrate that they will be as effective toward meeting water quality goals.

5/28/13 MSWG call

- EPA will continue to use Adaptive Management (incorporating most recent jurisdiction submissions of milestone targets) when assessing whether jurisdictions have met their milestone targets. (This comment was made in reference to programmatic milestones.)

Additional Feedback

WIP & 2-Year Milestone Clarification Memo for PSC FINAL 11 09 2010

- At the end of the 2-year milestone period, EPA will simulate the reduction in nutrient and sediment loads delivered from the jurisdiction to the Bay based on practices reported jurisdictions in the past 2 years. If jurisdictions implement nutrient and sediment controls that differ from the upfront 2-year milestone commitments but these controls result in the same or greater nutrient and sediment reductions, EPA does not expect to adopt federal backstop actions. However, if nutrient and sediment reductions are less than the 2-year milestone commitment and the schedule identified in the WIP, EPA reserves its authority to carry out appropriate federal actions in that jurisdiction as identified in EPA's December 29, 2009 letter.

Expectations for Milestone Evaluation (Milestone Guide - From Various EPA letters per footnotes)

EPA expects:

- To evaluate at the end of each two-year milestone period and whether jurisdictions have fulfilled their milestone commitments^{1,3}
- jurisdictions to annually report the controls that were implemented^{1,2}

- to simulate the reduction in loads delivered from the jurisdiction to the Bay based on practices reported²
- to take appropriate action to ensure that reduction commitments are fulfilled if EPA determines that a jurisdiction does not meet expectations, ^{1,3}
- to identify which source sectors, basins, and/or counties or other local areas are not meeting milestone commitments, if goals are not met¹

Footnotes are as follows:

1. [November 4 Expectations Letter](#)
2. [November 9, 2010 MEMORANDUM: Clarification on Watershed Implementation Plans and 2-Year Milestones](#)
3. [Fed Actions Letter 12/29/09](#)