

State Support for Watershed Implementation Plans

Background

EPA is establishing a Total Maximum Daily Load (TMDL) for the amount of nitrogen, phosphorus and sediment that the Chesapeake Bay can receive and meet water quality standards. EPA must allocate loads among sources with a “reasonable assurance” that allocations can be achieved. EPA believes that state and local partners should inform these decisions since meeting these allocations will involve state and local action. Therefore, EPA expects the six watershed states and the District of Columbia to develop Watershed Implementation Plans (WIPs) describing how to allocate nutrient and sediment loads among sources, what actions and resources are necessary to meet allocations, and when these actions will be implemented. EPA expects WIPs to contain enough detail so that counties, conservation districts, permit writers and other stakeholders are fully aware of their contribution to clean and safe water.

EPA recognizes that WIPs will involve significant analysis and stakeholder engagement. The Agency is offering support in response to requests from states and the District for assistance developing WIPs that meet EPA expectations.¹

Support

In Fiscal Year 2010, EPA is providing \$400,000 in contractor services to the six states in the Chesapeake Bay watershed and the District of Columbia to support the development of Phase I and Phase II WIPs. EPA is providing this support through access to Agency contractors for approximately 3,360 hours of contractor Level of Effort (LOE). States and the District have been allocated contractor hours as shown in the table below.

State	Allocated Hours	Hours Utilized	Remaining Hours
DE	288	0	288
VA	697	38 ^a	659
WV	275	0	275
MD	756	0	756
DC	316	0	316
PA	730	0	730
NY	303	0	303
Total	3,365	38	3,327

^a VA has utilized approximately 38 hours of contractor support as of January 27, 2010.

Specifically, states and the District may use their allocation of contractor hours for assistance including but not limited to: data analysis to support TMDL implementation; researching ordinances and laws to control nutrient and sediment loads; evaluation of existing ordinances and/or drivers of land use; evaluation of the effectiveness of management activities and controls; and facilitation of stakeholder dialogues. States and the District may use Tetra Tech, Inc. (Tetra Tech) for all of these services. Jurisdictions interested specifically in facilitation services may access contractors through EPA’s

¹ EPA’s expectations for Watershed Implementation Plans are available at http://www.epa.gov/reg3wapd/pdf/pdf_chesbay/tmdl_implementation_letter_110409.pdf.

Conflict Prevention and Resolution Center (CPRC). Please note that the number of contractor hours was estimated using a medium range Level of Effort. Therefore, the total number of hours available to the states may vary due to contractor rate increases or decreases depending upon the type of service requested (i.e. facilitation support).

Next Steps for Accessing Contractor Support

States and the District should submit initial and subsequent proposals for contractor assistance from Tetra Tech and/or CPRC to Jennifer Sincock. Proposals should be one to two pages in length and identify the following:

- State
- State contacts
- Contractor requested (Tetra Tech for all tasks; CPRC for facilitation)
- Purpose
- Background information
- Task description
- Estimated number of hours
- Approaches needed to complete the tasks
- Deliverables
- Timeframe

EPA will review the proposals and work with the states and the District to identify any additional informational needs prior to approval. Once the proposals are approved, EPA will send the requested contractor a technical direction to complete the work detailed in the proposals. The contractor will contact the states and the District to schedule conference calls to start work on these proposals. Please note that only EPA can provide technical direction to the contractors as requested by the states and the District.

Therefore, EPA will need to work closely with the states and the District to ensure that their needs for WIP support are met through the contractor support. Although the contractor will perform work under the terms of the state proposals, since it is an EPA contract, EPA needs to be advised of all conference calls, meetings, and correspondence with the contractors to ensure that work is being performed within the scope of the contract. Tetra Tech and CPRC contracts are in place, so services will be available upon approval of proposals.

EPA Contacts:

Bay TMDL Contracts: Jennifer Sincock, sincock.jennifer@epa.gov, 215-814-5766

WIP Expectations: Katherine Antos, antos.katherine@epa.gov, 410-295-1358