

**Chesapeake Bay Program
Water Quality Goal Implementation Team Meeting
September 21, 2009
Attachment D**

**Scenario Purpose and Information Sources for
Enhanced Program Implementation Level**

Purpose

- The Enhanced Program Implementation Level scenario is an effort to try to quantify the ‘do-ability’ of achieving various nutrient and sediment controls in the Chesapeake Bay watershed.
 - Many stakeholders questioned feasibility, especially in response to E3, including the PSC.
- Used as a reference point among loadings and implementation levels for 1) current assessment (2008), 2) existing tributary strategies, 3) draft Bay nutrient loading caps, 4) final loadings expressed in the Chesapeake Bay TMDL, and 5) E3.
- Do an affordability assessment.

Qualitative Definition

- A working qualitative definition of the Enhanced Program Implementation Level scenario is suggested as: the amount of nutrient and sediment controls for different source sectors that can be expected to be employed on a large scale. Enhanced Program Implementation may include limit-of-technology for some sources sectors but is, perhaps, less than limit of technology for all nonpoint source sectors. Do-ability can be expressed at several levels, including:
 - Technical achievability – the maximum of current technology to reduce nutrients
 - Operational achievability – the maximum tolerance for individuals and society to support nutrient controls. For example, will society support large-scale conversion of cropland to forest? Can operators of small package WWTP operate sophisticated plants designed to achieve low levels of nutrients?
 - Financial achievability – the maximum cost burden on individuals or society to reduce nutrients
- While it is difficult to separate the financial achievability from the rest of this analysis, the Enhanced Program Implementation analysis only addresses the first two levels of do-ability.

Specifics

- Point source discharges likely to be same as existing tributary strategies.
- Some nonpoint source practices and programs may not be universal to jurisdictions as they are in E3.
 - Nonpoint source practices would be considered for Enhanced Program Implementation Level if reported in a jurisdiction’s annual model assessment, Tributary Strategy, or Milestone.

Specifics (continued) – Enhanced Program Implementation Level

- Levels of implementation and control technologies for the Enhanced Program Implementation Level scenario are subjective. Implementation levels for each nonpoint source practice and program will take the following into consideration:
 - Tetra Tech March 18, 2009 literature review for EPA.
 - Historic documentation of scenario “Full Voluntary Program Implementation”.
 - Implementation levels in historic and current annual model assessments, Tributary Strategy and E3 scenarios.
 - CBP workgroup, subcommittee, and implementation team (jurisdictional) responses to assigned task for “Full-Funding Full-Regulatory” scenario.
 - EPA perspectives, including reports fulfilling “120-day” and “180-day” responses to the May 12, 2009 Executive Order 13508, *Chesapeake Bay Protection and Restoration*.
 - Urban sector domain is extent of MS4 regions where, for the year 2010, 56% of the urban area and 69% of the impervious surfaces in the Chesapeake Bay watershed fall within regulated MS4 regions.
 - EPA is estimating the number of animal operations that are or could be CAFO as well as their nutrient generation and ultimate fate.
 - CAFO = farms that confine the threshold number of animals to meet the medium and large CAFO definitions in the current CAFO regulations.
 - There needs to be a translation to acres that could be regulated for Enhanced Program Implementation Level scenario.
 - There is considerable emphasis on “next-generation nutrient management plans”.