

Strawman Decision Points for Local Area Planning Targets Task Force

Introduction:

This document serves as a framework of the key questions upon which the Local Area Targets Task Force has been asked to make recommendations and to facilitate discussion of those questions. The charge given to the Task Force by the Water Quality Goal Implementation Team poses four questions: 1) should the Phase III WIPs include local area planning targets; 2) what are the options for targets, including the scale of targets; and, 3) if there are targets, how should these targets be expressed. This paper presents possible examples for defining “local” and how they might be expressed at different scales. Below is the full charge to the Task Force as well as each of the four questions including example responses to the questions.

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 Task Force (see Question #3).

Question #1: How should “local” be defined?

Options for determining what is meant by “local” include:

- Locality jurisdictional boundaries (city, town, county, borough, township) or collections of such sub-state jurisdictions
- Soil & Water Conservation District areas

- Regional entity boundaries (i.e. planning district commissions; regional river basin commissions)
- Watershed or sub-watersheds of Chesapeake Bay Tributaries
- “Segment-sheds” as depicted in the 2010 TMDL
- Any of the above or any other given jurisdiction based on an identified need for pollutant reductions for a given source sector or sectors

Question #2: Should the Phase III WIPs include local area planning targets (LAPTs)?

As indicated in the Task Force Charge, the first recommendation to address is whether or not LAPTs should be included in the Phase III WIP. Factors to be considered in making this determination include:

- Can the Chesapeake Bay Program Phase 6 modeling suite support local targets?
- Would the establishment of local planning targets facilitate the development of local strategies to achieve the Bay TMDL and result in additional implementation actions?
- Should local targets be established within all states or should they be at the discretion of each state so long as TMDL goals are met?

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. 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
- Acreage 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)

Question #4: What are the Recommended Options for Targets, including Scale

Examples of Target Options:

- A. State A may set local area targets for conservation districts in terms of acreages of BMP implementation that need to be achieved, such as forest buffers on 1,000 acres and cover crops

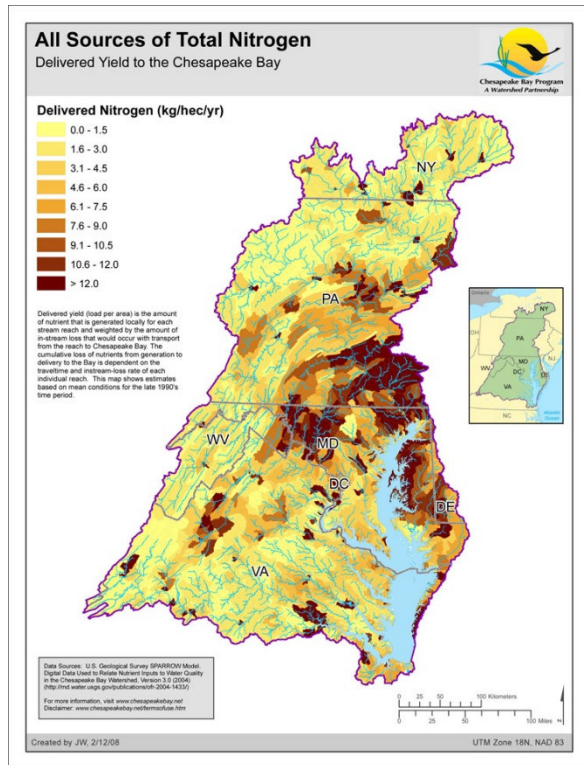
on 15,000 acres. If a conservation district wants to shift BMPs, then it must use CAST to show it is still achieving equivalent nitrogen, phosphorus and sediment reductions.

- B. State B might develop a model ordinance for a particular township or county with provisions for erosion and sediment control, urban nutrient management, post-construction performance standards, and retrofit requirements that, if fully implemented, would achieve State B's urban WIP goals in each locality.
- C. State C might give each county a numeric nitrogen, phosphorus and sediment cap and ask the county to develop a strategy for how each sector will work together reduce pollution to meet the cap, using CAST to assess the impact of management actions.
- D. State D might not set county-level local area targets since it is collaborating with a coalition of conservation districts to develop its Phase III WIP strategy, and the coalition is ensuring that local partners are aware of their role to meet the statewide WIP.

Example Scenario

USGS Monitoring Data shows that Total Nitrogen delivered yields to the Bay are particularly high in County A, Pennsylvania¹. In order to facilitate achievement of Pennsylvania's Bay TMDL goals, Pennsylvania and County A decide to develop a set of localized goals so that resources can be more effectively targeted, and so County A better understands what their expected contribution will be.

¹ Map depicts TN yield averages based on 1990's data. Scenario is for example only.



Because County A has a strong conservation district that helps plan and support agriculture BMP implementation, Pennsylvania works with the County A Conservation District (CACD) to set a goal, in terms of acres of BMPs that must be achieved, in order for Pennsylvania to meet their state WIP goals in the agriculture sector.

Using CAST as a planning tool, PA DEP and CACD determine that 1,000 acres of riparian forest buffers and 15,000 acres of cover crops will need to be implemented in County A in order to help PA stay on track to meet statewide nitrogen, phosphorus and sediment reduction goals. Each year, implementation of practices in County A will be reported by CACD to PA DEP to submit through National Environmental Information Exchange Network to the Chesapeake Bay Program, which provides a mechanism to track progress towards meeting those Bay TMDL goals.