

Update on Non-Regulated Stormwater in the Bay Watershed

USWG

March 20, 2018

**Table 1: Percent of Developed Land
By Regulatory Category ¹**

Bay State	<i>Non-Regulated</i> ²		<i>MS4 Permittees</i> ³		<i>Combined Sewer</i> ⁴	
	%TC ⁵	%IC ⁶	%TC	%IC	%TC	%IC
DE	63	26	7	4	0	0
DC	5	6	22	30	8	27
MD	18	7	47	29	>1	>1
NY	54	32	6	5	1	1
PA	52	21	13	9	2	3
VA	48	22	16	15	>1	>1
WV	54	17	18	9	1	1
BAY Average ⁷	42%	18%	18%	14%	2%	5%

Feedback So Far

- Effect of high NRS on BMP Implementation – Draft PA Case Study on Phase 3 WIPs
- Feedback from Trading and Offsets Workgroup – Emphasize BMP “Sharing” Rather than Formal “Trading”
- Inter-municipal trading allowed under most state trading programs, but only after minimum MS4 treatment baselines are exceeded
- Explore greater role for Soil water Conservation Districts to assist NRS communities

Feedback so Far

- Extensive comments from DDOE, but none from high NRS states
- Need to consider environmental justice issues
- Like the idea of PRP “help desks” but not sure how they would be implemented in each state or Bay-wide
- Need to translate loose concepts like “BMP-sharing” into more concrete examples
- Need more outreach options to engage NRS communities

Next Steps

- Split memo into the “NRS problem” and a wider range potential solutions
- Raise the issue to the WQGIT due to Phase 3 WIP implications
- Deal directly with individual states on improved strategies to engage NRS communities
- Scope out what a pilot for BMP sharing might look like in a test watershed
- Develop simplified guidance for small guidance on pollutant reduction planning