

Local Area Targets Chesapeake Bay Program

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Regional Environmental Committee

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Local Area Target Task Force

Official Charge:

- To make recommendations to Water Quality Goal Implementation Team (GIT) regarding whether the Phase III WIPs should include local area targets (LATs) and, if so, options for how these targets could be expressed in different jurisdictions.
- Task Force recommendations will inform the Phase III WIP expectations.

Timeline

LAT Task Force:

- **April – September:** Task Force has monthly conference calls to develop initial recommendations for WQGIT
- **June 27th** EPA released preliminary Phase III WIP expectations
- **Fall 2016 – Early 2017:** Task Force refines recommendations based on Beta versions and final Phase 6 Watershed Model
- **March 2017:** Task Force delivers final recommendations to Water Quality GIT
- **No Later Than June 2017:** EPA releases Phase III WIP expectations

Phase 6 model completed in June 2017

Phase III WIP: draft due June 2018, final due December 2018

Do we need targets?

Strawman says.....

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.

Everyone assumes.....

What is meant by target?

Assign number of pounds N, P, TSS that county has to reduce from existing modeled loads

Concerns about LATs

Resolution on EPA's Efforts to Institute Numeric Water Quality-Based Effluent Limitations on Local Governments *(Passed EELU, unanimous)*

The National Association of Counties (NACo) opposes efforts by U.S. EPA to institute localized numeric water quality-based effluent limitations or area pollution targets.

Preliminary Phase III WIP expectations

EPA expects each of the seven jurisdictions to describe in their respective Phase III WIPs how they, in collaboration with local and federal partners, will:

- Specify the programmatic and numeric implementation commitments between 2018 and 2025 needed to achieve their 2025 goals;
- Commit to comprehensive strategies for engagement of the full array of their local, regional, and federal partners in WIP implementation;
- Account for all population growth and changes in land uses and offset all resultant new or increased nutrient and sediment pollutant loads;
- Make adjustments to the jurisdictions' state-basin, Bay segment watershed, and source sector Phase III WIP planning targets to factor in the new information developed through the Bay TMDL's midpoint assessment;
- **Develop and implement local area targets at the scales and in the form best suited for directly engaging local and federal partners in WIP implementation; and**
- Factor in the projected influence of continued climate change on Chesapeake Bay watershed pollutant loads and Bay water quality into their 2018-2025 programmatic and numeric commitments.

Task Force Approach

- Question #1: How should “local” be defined?
- Question #2: Should the Phase III WIPs include local area planning targets (LAPTs)?
- Question #3: How should LAPTs be expressed?
- Question #4: What are the recommended options for targets, including scale?

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

1. Locality jurisdictional boundaries (city, town, county, borough, township) or collections of such sub-state jurisdictions political subdivisions; federal and state facilities
2. Soil & Water Conservation District (Conservation District) areas
3. Regional entity boundaries (i.e. planning district commissions; regional river basin commissions)
4. Watershed or sub-watersheds of Chesapeake Bay Tributaries
5. Targeted areas with high nitrogen, phosphorus or sediment yields (loadings)
6. “Segment-sheds” as depicted in the 2010 TMDL
7. Any of the above or any other given jurisdiction area, entity or political subdivision 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? **Modelers won't give specifics**
- Would the establishment of local planning targets facilitate the development of local strategies to achieve the Bay TMDL and result in additional implementation actions? **Maybe**
- 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?
Flexibility

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

Question #4: What are the recommended options for targets, including scale?

Examples of Target Options:

- 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.
- 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.
- 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.
- 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

Deleted

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Best option might be no LATs but next best?