

Chesapeake Bay TMDL Update

Agenda Item #14

Presented to
Hampton Roads Planning District Commission
September 15, 2011

Whitney Katchmark
Principal Water Resources Engineer



Phase II WIP

Status:

- Local teams established.
- Regional Steering Committee meets first Thursday of every month.
 - Facilitating communication with State and EPA
 - Identifying key technical issues and developing strategies to address
 - Identify legislative priorities and draft recommendations

Schedule:

- October – provide State with corrections to landuse and BMPs (existing nutrient controls) for each locality.
- February – provide State with strategic plan to implement future BMPs to meet TMDL nutrient reductions in 2017 and 2025.



Regional Steering Committee - Progress

Communication with State and EPA

- Working with Chesapeake Bay Program to expand nutrient control menu
- Correspondence with DCR
 - Clarification on Phase I WIP assumptions.
 - State is not estimating phosphorus reductions associated with the fertilizer ban.
 - Currently no credit for urban tree planting not intended for land conversion.

Exclude nutrient loads from lands controlled by State and Federal Agencies, and industrial permit holders.

- Federal properties will be excluded from locality loads
- HRPDC staff working with DEQ to quantify land regulated under industrial stormwater permits
- HRPDC staff working to estimate land area controlled by VDOT



Legislative Priorities

Onsite Sewage Systems

Issue

- Localities may not have tools to require septic tank upgrades or require citizens to switch from septic tanks to sewer system.
- Only mechanism for meeting onsite requirements in TMDL would be for local governments to pay citizens.
- Inadequate funds to implement this part of the TMDL.

Actions

- VDH seeking tax credits for upgrading septic tanks that discharge less nutrients; may need Bay localities' support.
- Subcommittee created to develop legislative proposals for onsite sewage requirements in TMDL.



Locality Strategic Planning Process

- Quantify the nutrient load changes associated with correcting landuse and existing BMP data.
- Calculate the gap between existing loads and target loads.
- Quantify the load reductions for proposed BMPs and nutrient control strategies.
- Develop strategies to meet the target loads to find the most cost effective and valuable set of projects for the locality.



Waiting for Data & Tool from State

State has not released locality landuse, existing BMPs, and future target loads based on 5.3.2 Bay model.

- 5.3.2 model revised landuse data changes target loads from 5.2 model.
- State says EPA model results for urban loads and ag land under nutrient management are flawed.

State has not provided a tool to estimate local nutrient loads.

- Virginia Assessment and Scenario Tool (VAST) is proposed database tool for inputting landuse and proposed BMPs to meet the 2017 & 2025 target loads.
- VAST format works for final input to State; not for local planning process.

Original deadline: August 1st

Current schedule: September 15th



HRPDC Staff Actions

- Developed an interim spreadsheet so localities can estimate the nutrient removed by existing BMPs.
 - Enhancing the spreadsheet to serve as a local planning tool.
- Received Coastal Zone grant to evaluate how TMDL requirements can be incorporated into comprehensive planning process and local codes. (\$90,000)
- Applied for NFWF grant to create decision matrix for selecting BMPs. (\$50,000)
- Applied for Coastal Zone focal area grant (\$30,000)
 - 1) estimate potential nutrient reductions from redevelopment;
 - 2) evaluate potential and challenges of nutrient reductions on private property.
- RFP released for EPA grant; discussing proposal through VAPDC



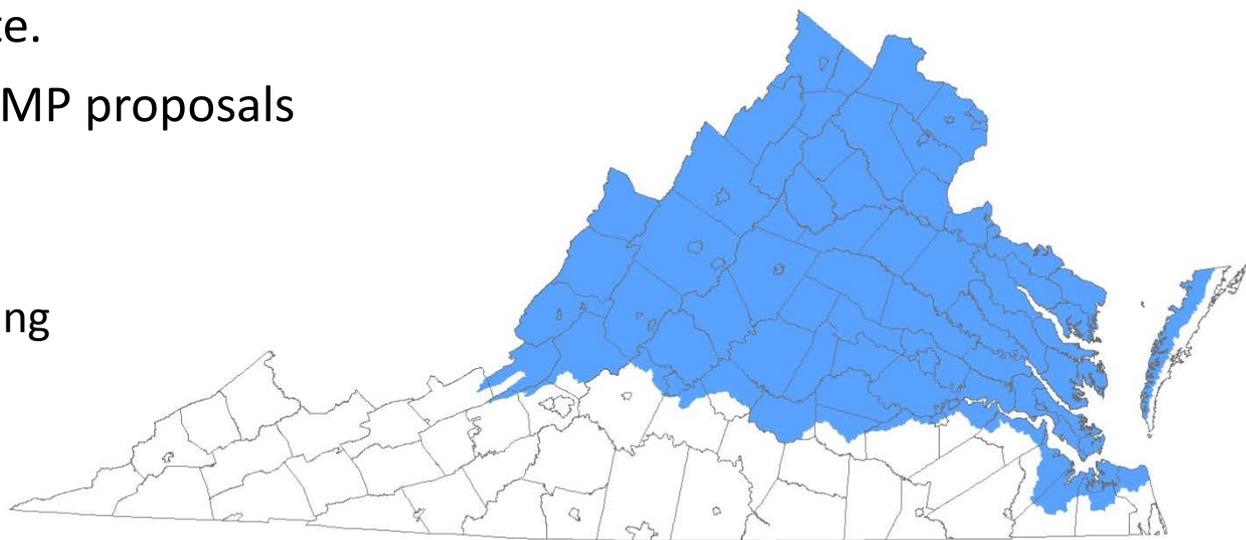
Reaction around the State

Urban Localities

- Not doing work until get 5.3.2 model data.
- Disappointed with State's incomplete BMP input files for Bay model.
- Concerned about submitting proposed BMPs to State.
- May submit multiple BMP proposals based on:
 - 1) existing funding
 - 2) potential future funding
 - 3) TMDL requirements

Rural Localities

- Reluctant to participate.
- Unsure of obligations.
- Looking to Soil & Water Conservation Districts to implement agricultural nutrient reductions.



Why HR Should Continue Planning

- In letters to EPA, Hampton Roads localities have repeatedly stated our support for a clean Bay.
- In order to move forward on policy and implementation decisions, we need to know:
 - ❖ How difficult will it be to implement the TMDL?
 - ❖ How much will it cost?
 - ❖ What is feasible by 2017 & 2025?

If the requirements & schedule are too demanding, localities need to define more realistic alternatives to have productive negotiations with the State and EPA.



Discussion

