

MEMORANDUM

SUBJECT: Submission of Bay Jurisdiction Draft 2012-2013 Milestones
DATE: September 29, 2011
FROM: James Edward, Deputy Director
Chesapeake Bay Program Office, EPA Region III
TO: Chesapeake Bay Program Management Board Members

A number of Bay jurisdictions have asked specific questions about and requested clarification on EPA's expectations for the 2012-2013 milestones. Through this memorandum, EPA seeks to clearly outline the expectations for the submittal of the draft water quality two-year milestones for Bay watershed jurisdictions set forth in the Guide to Chesapeake Bay Water Quality Two-year Milestones distributed on July 6, 2011. This memo discusses both load reduction milestones and programmatic milestones. Draft water quality milestones for federal agencies are due to EPA by October 3, 2011 and the draft water quality milestones for Bay watershed jurisdictions are due November 1, 2011. The final submission for both federal agencies and Bay watershed jurisdictions is January 7, 2012¹ for the 2012-2013 two-year milestones.

Load Reduction Milestones to be Submitted Using the Provided Templates

EPA expects load reduction milestones to be submitted using the attached templates provided with this memo. Attachment 1 is the spreadsheet to provide the projected flows and concentrations in 2013 from wastewater treatment plants (WWTP) and the planned reductions and/or eliminations of combined sewer overflows (CSOs) for 2012-2013. Attachment 2 provides the format for the draft input deck, which includes all of the projected Best Management Practice (BMP) implementation levels for the next two years, except for WWTP practices. The draft input deck is in the same format that was used by the Bay watershed jurisdictions for the 2010 Phase I Watershed Implementation Plan (WIP) submissions. Jurisdictions may use the Maryland Assessment and Scenario Tool (MAST) or the Chesapeake Assessment and Scenario Tool (CAST) to develop input decks for all sources, except wastewater, that are in the appropriate format for analysis by the Chesapeake Bay Program modeling tools.

¹ USEPA (2011), *Guide for Chesapeake Bay Water Quality Two-year Milestones*, July 6, accessed at http://www.epa.gov/reg3wapd/pdf/pdf_chesbay/2year_milestoneguidecomments70611.pdf

Jurisdictions Need to Submit Input Decks Reflecting Planned BMPs

An input deck provides what types of BMPs are anticipated to be implemented, the amount of each BMP and associated units, the types of land uses or animals the BMPs apply to, and where the BMP will be located. Through the input deck template, jurisdictions can identify BMP locations by the state (broadest scale), major basin, river segment, county or land segment, or land-river segment (most specific scale). The Chesapeake Bay Program's modeling tools will automatically distribute BMPs submitted at broader scales to more specific land-river segments. The BMP implementation levels should result in load reduction levels consistent with the pace of reductions projected in the Phase I WIP. EPA will work with each of the Bay watershed jurisdictions between the draft submission date and the final submission to determine the level of reductions expected for the 2012-2013 milestones.

Jurisdictions can Use Placeholder BMPs within 2-Year Milestone Commitments

Bay watershed jurisdictions can include placeholder BMPs for practices not yet approved by the Partnership for use in the Chesapeake Bay models in their two-year milestone planning commitments and receive credit. Bay watershed jurisdictions may also use placeholder BMPs that have been included in CAST to estimate the load reductions achieved from implementing those practices. However, interim placeholder practices need to be vetted through the Chesapeake Bay Program protocol² prior to being reported in annual progress runs as actual implementation progress.

Contacts for Questions About Input Deck Submissions

All input deck spreadsheets containing WWTP and CSO information and any related questions should be submitted to Ning Zhou. Input decks for all other sources, e.g. CAFOs and MS4s, and related questions should be submitted to Jeff Sweeney and Chris Brosch. All contact information is provided in Attachment 3.

Expectation for Submission of Programmatic Milestones

In addition to the input deck submission, EPA expects to see programmatic water quality milestones where Bay watershed jurisdictions have identified that new programs (including regulations, guidance or legislation), or significant changes in programs are needed to support the pace of actions presented in the Phase I and/or Phase II WIP and in the 2012-2013 milestone commitments. Attachment 4 provides a standardized format for programmatic

² USEPA (2010) *Protocol for Development, Review and Approval of Loading Effectiveness Estimates for Nutrient and Sediment Controls in the Chesapeake Bay Model*. Mar 15, accessed at <http://archive.chesapeakebay.net/pubs/Nutrient-Sediment_Control_Review_Protocol.pdf>

milestones. These programmatic water quality milestones should reflect a major deliverable, such as the hiring of additional program staff or the proposal of a rulemaking process. Milestones are measurable, observable, and demonstrate progress that the jurisdiction is developing the necessary capacity to achieve the goal of implementing 60% of the practices needed to achieve the pollution reductions allocated to the Bay watershed jurisdiction in the Chesapeake Bay Total Maximum Daily Load (TMDL) by 2017 and 100% of those practices by 2025. This format includes a section for a Bay watershed jurisdiction to cite the WIP page or section for reference or further detail. Bay watershed jurisdictions should also consider linking the milestone BMPs from the input decks to their WIPs in the template for programmatic milestone commitments.

Programmatic milestones should be submitted in the Word document provided and these should be submitted to the respective EPA WIP Team Jurisdictional lead (Attachment 3) with a copy to Suzanne Trevena, Katherine Antos, and Lucinda Power.

cc. CBP WQGIT Milestones Workgroup Members