Guiding Principles:
The 2017 Chesapeake Bay TMDL Midpoint Assessment

Purpose: The December 2010 Chesapeake Bay TMDL called for an assessment in 2017 to review our progress toward meeting the nutrient and sediment pollutant load reductions identified in the 2010 TMDL, Phase I and Phase II Watershed Implementation Plans (WIPs) and milestones. Recognizing that change is inevitable over a 15-year period in a dynamic environment like the Bay, the Bay TMDL 2017 midpoint assessment has three primary objectives: 1) gather input from the Partnership on issues and priorities to be addressed in order to help meet the goal of all practices in place by 2025 to meet water quality standards; 2) based on these priorities, review the latest science, data, tools and BMPs, incorporate as appropriate into the decision-support tools that guide implementation, and consider lessons learned; and 3) help jurisdictions prepare Phase III WIPs, which will guide milestones and implementation from 2018 to 2025. In parallel, EPA will continue its oversight role on the implementation of the Bay TMDL and determine if the 2017 interim goal is on track.

The purpose of the **guiding principles** set forth in this document is to guide the Partnership through the midpoint assessment and Phase III WIP development process. The appendix describes a general schedule for the midpoint assessment that is subject to change as the midpoint assessment progresses.

PRINCIPLE 1: CONTINUE IMPLEMENTATION, TRACKING PROGRESS AND REPORTING RESULTS, WITH STABLE TOOLS THROUGH AT LEAST 2017

The priority of the Partnership is the focused implementation of the Chesapeake Bay TMDL, the jurisdictions' WIPs and 2-year milestones. In addition, federal agencies and federal landholders are also responsible for certain commitments and milestones, including responsibilities under Executive Order 13508. The midpoint assessment should not interfere with maintaining the shared goal of having practices in place by 2017 that will achieve 60% of the necessary pollution reductions compared to the 2009 Bay TMDL baseline. The tracking and reporting process of the accountability framework, which is informed by decision-support tools including models and monitoring data, will remain stable up through the midpoint assessment. This accountability framework described within the Chesapeake Bay TMDL includes the jurisdictions' WIPs, two-year milestones by jurisdictions and federal agencies, annual progress reporting and tracking, and federal actions if needed. EPA will continue its TMDL oversight function and assess progress through 2017. Progress will be measured against the Phase II WIP Planning Targets set in August 2011, the Phase I and Phase II WIPs, and the two-year milestones using Phase 5.3.2 of the Watershed Model. The Partnership will also track trends of nitrogen, phosphorus and sediment in the watershed and use updated monitoring data and attainment of dissolved oxygen, chlorophyll-*a*, and water clarity/SAV standards as part of an integrated approach toward assessing progress.

PRINCIPLE 2: ENHANCE DECISION SUPPORT AND ASSESSMENT TOOLS TO ENABLE SUCCESSFUL ENGAGEMENT OF LOCAL PARTNERS

Because the acceleration of implementation efforts at the local level is critical to successfully achieving the Bay TMDL implementation goals, it is essential that the tools, monitoring data and other inputs that inform accountability framework be enhanced to foster the sustained engagement of local partners in the Bay restoration process. The Partnership has an opportunity to encourage and strengthen the commitments to accelerate implementation by incorporating improved local area data and information into the accountability framework in a manner that safeguards the stability enunciated in Principle 1. The Partnership will aim to improve and expand the use of monitoring data in assessing load reduction and water quality restoration progress and in evaluating local and regional effectiveness of management actions. The Partnership will work towards aligning local information, monitoring data and other indicators with the existing modeling, planning and reporting tools that support the accountability framework to enhance the evaluation of progress.

PRINCIPLE 3: INCORPORATE NEW OR REFINED BMPS AND VERIFICATION OF PRACTICES INTO EXISTING ACCOUNTABILITY TOOLS AND REPORTING PROTOCOLS

The Partnership will incorporate the work of the best management practice (BMP) expert panels as they seek to add or refine BMPs to enhance the evaluation of progress and crediting of practices on the ground. The Partnership will also continue work towards developing, adopting and implementing verification protocols for accurately crediting practices resulting in actual nutrient and sediment load reductions. Through verification, the goal is to provide credit for practices that result in additional water quality benefits while eliminating credit for those practices that are not improving water quality because they were never fully implemented, no longer exist, or are not being adequately operated or maintained.

PRINCIPLE 4: ADDRESS EMERGING ISSUES THAT MAY IMPACT CURRENT STRATEGIES AND FUTURE PLANS

The Partnership will work to address other complex issues, including those previously recognized by the Partnership, which can affect actions necessary to restore Chesapeake Bay water quality. Examples include: accounting for the potential consequences of population growth and continuing climate change, accounting for innovative, new technologies, factoring in new understanding of the Susquehanna River dams' influence on nutrient and sediment pollutant loads, understanding and recognizing year-to-year variability of rainfall-driven nutrient and sediment loads and their impact on Bay water quality, and taking full advantage of living resources as natural filters. This is part and parcel of the adaptive management commitment of the Partnership to consider new knowledge and updates in information which can best inform our watershed restoration strategies.

PRINCIPLE 5: PRIORITIZE MIDPOINT ASSESSMENT ACTIONS AND USE ADAPTIVE MANAGEMENT TO ENSURE WATER QUALITY GOALS ARE MET

The Partnership recognizes the need to adaptively manage the Chesapeake Bay restoration. The Partnership will provide input on and review changes in decision-support tools, such as the models and methods used to assess progress, and weigh the effects of these proposed changes against the impacts to meeting the ultimate goal of having all practices on the ground by 2025 to meet water quality standards. Further, the Partnership will consider the need for updates to the current TMDL and WIPs to address any needed modifications informed by the changes to the decision-support tools, as well as jurisdictions' implementation experience to date. EPA's expectations for the scope and content of the Phase III WIPs may vary by jurisdiction depending on their implementation progress through 2017. The Partnership will carefully consider scientific, technical, financial, social, political and other implementation factors during this review. Using this review, the jurisdictions will make necessary adjustments to their WIPs during Phase III to achieve the 2025 goal.

Appendix I – Actions and Schedule

To inform the midpoint assessment, the Chesapeake Bay Program Partnership will fully develop and follow a schedule that includes the following actions and approximate timeframes. This schedule may change during the midpoint assessment process.

1. Gather Partnership input on priority needs for the midpoint assessment (July 2012 – March 2013)
2. Develop work plans for high priorities (December 2012) and other priorities (February 2013) for approval by the Water Quality Goal Implementation Team
3. Incorporate BMP expert panel and workgroup recommendations, with a focus on adding BMPs and updating current BMPs to enhance the evaluation of progress (Underway and Ongoing)
4. Evaluate progress through 2017 and attainment of the "60% by 2017" goal (Completion by March 2018)
5. Refine decision-support tools, as appropriate, to enhance the evaluation of progress and crediting of actions on the ground (Underway, completion estimated by September 2016)
6. Calibrate "proposed final" modeling updates (Completion by 3 months after Step 5, estimated December 2016)
7. Test any refinements and, to the extent possible, assess model certainty and scope for using modeling tools within the WIP and milestone process (Completion by 6 months after Step 6, estimated June 2017)
8. Based on input from the Partnership, EPA provides expectations for scope and content of Phase III WIPs (June 2017)
9. Make any final modifications in response to Step 7 testing and setting Phase III WIP planning targets (Continuous, completion by 6 months after Step 7, estimated December 2017)
10. Develop 2018-2019 Milestones (Completion by early 2018)
11. Develop draft and final Phase III WIPs based on criteria for scope and content that may vary across jurisdictions due to implementation progress (Draft WIPs completed by 6 months after Step 9 and Final WIPs completed by 12 months after Step 9, estimated June 2018 and December 2018, respectively)
12. Modify the TMDL, as necessary
13. Continue EPA oversight of WIP implementation (Ongoing).