

EPA's Preliminary Draft Phase III WIP Expectations

Background: The Chesapeake Bay Program Partnership has requested that EPA release its draft Phase III WIP expectations well in advance of the Partnership-approved date of January 2017. Therefore, EPA intends to release a preliminary draft for Partnership review in late June 2016, pending RA approval on this initial set of expectations.

Purpose of the Phase III WIP Expectations: The overarching purpose is for the Phase III WIPs to describe how the seven Bay jurisdictions, in collaboration with local and federal partners, will have in place or are committed to put in place the funding, financing, cost-share, technical assistance, voluntary, incentive, policy, programmatic, legislative and regulatory infrastructures necessary to achieve their 2025 targets goals. For those jurisdictions and pollutant source sectors that are significantly off track, EPA may develop state-specific expectations which will go above and beyond the following base-level WIP expectations applicable to all seven jurisdictions.

The Phase III WIPs will also provide the jurisdictions with the opportunity to:

- Adapt to the new forthcoming data and information from the Bay TMDL's midpoint assessment, as well as draw on lessons learned from the Phase I and Phase II WIP processes to inform future implementation efforts;
- Further optimize their choices of pollutant load reducing practices, including the potential to adjust their source sector allocations based on progress to date and/or any identified changes to levels of effort as a result of the Phase III WIP planning targets;
- Account for growth to ensure new and increased pollutant loadings are offset;
- Develop comprehensive local and federal engagement strategies to facilitate participation from these partners in the Phase III WIP development and implementation processes; and
- Make clear commitments to build and sustain the necessary programmatic and funding capacity needed to reach their 2025 nutrient and sediment loading goals.

Elements EPA Expects in the Phase III WIPs

- **Identification of programmatic and numeric implementation commitments to be implemented from 2018 to 2025** that would result in the seven jurisdictions meeting their final 2025 loading targets. Commitments should:
 - Reduce the level of EPA oversight for those sectors under "enhanced oversight" or "backstop actions;"
 - Address any identified gaps between current capacity and estimated capacity needed to achieve the 2025 loading targets, such as increasing financial and technical assistance to implement agricultural conservation practices and stormwater controls;
 - Target pollution reducing practices in higher loading watersheds based on monitoring and modeling data; and
 - Identify plans for the implementation of more innovative practices, treatments and technologies.
- **Develop comprehensive local engagement strategies and commitments** that will facilitate participation from local and federal partners in the development and implementation of the Phase III WIP. Strategies should include:
 - Identification of specific audiences targeted for engagement, as well as the geographical and/or source sector areas where local and federal engagement is most needed to accelerate WIP implementation;
 - Clear description of the role local and federal partners will play in implementing programmatic and numeric commitments in each of the source sectors;
 - Schedule for engaging local and federal partners, including key technical and policy decisions that will impact WIP development and implementation; and
 - Identification of capacity and technical assistance needs of local and federal partners to advance WIP implementation.

- A greater emphasis on **accounting for growth**¹ to ensure that new or increased pollutant loads are being appropriately addressed and offset up to and beyond 2025.
 - Jurisdictions will be expected to describe the specific procedures, programmatic commitments and tracking and accountability mechanisms for (1) routinely accounting for population growth and changes in land uses and (2) ensuring new and increased pollutant loads are offset.
 - Jurisdictions are encouraged to utilize Partnership-approved forecasting methodologies to project growth.
- **Adjustments to state-basin, Bay segment watershed and source sector Phase III WIP planning targets** to provide EPA and the jurisdictions with the flexibility to account for impacts due to:
 - Partnership decisions on key midpoint assessment priorities (e.g. Phase 6 modeling tools and Conowingo);
 - Programmatic and policy implications of explanations of observed trends in monitoring data; and
 - Programmatic and load reduction gaps identified through EPA’s assessment of progress.
- There are **several “placeholder” elements** in the preliminary version of the Phase III WIP expectations that will be fully developed once Partnership and EPA decisions are reached on:
 - **Local area targets** – the Partnership’s Task Force is expected to deliver its recommendations as to whether local area targets should be developed and, if so, options for development by March 2017.
 - **Addressing Conowingo Dam and climate change** – the Partnership is expected to make decisions on how to reduce the level of impairment in the Chesapeake Bay due to the Conowingo Dam and whether (and how) to incorporate climate change considerations and impacts into the Phase III WIPs by the end of 2016.
 - **Jurisdiction-specific expectations** – to be developed for those jurisdictions that are significantly off track and could be informed by achievement of the “60% by 2017” target; key findings from EPA’s agriculture and stormwater assessments; and identification of programmatic capacity gaps and needs.

Finalizing Phase III WIP Expectations and Soliciting Partnership Feedback

BRIEFING: EPA presents the preliminary draft of the Phase III WIP expectations for Management Board feedback.	WQGIT	July 11, 2016
BRIEFING: EPA presents the preliminary draft of the Phase III WIP expectations for Management Board feedback.	Management Board	July 14, 2016
BRIEFING: EPA presents preliminary draft of the Phase III WIP expectations, as well as collective Partnership comments received to date, for Principals’ Staff Committee feedback.	Principals’ Staff Committee	August 10, 2016
BRIEFING by EPA of the draft Phase III WIP expectations for continued Partnership feedback.	WQGIT	September 12, 2016
WEBINAR by EPA presenting the draft Phase III WIP expectations.	All Partnership Groups	January TBD 2017
BRIEFING: EPA presents revised draft Phase III WIP expectations for continued Partnership feedback.	WQGIT	January 9, 2017

¹ The CBP partnership is currently exploring the potential use of 2025 forecasted conditions to account for projected growth in the Phase III WIP development process. This would entail running the Phase III WIP input decks on these 2025 forecasted conditions.

BRIEFING: EPA presents revised draft Phase III WIP expectations for continued Partnership feedback.	Management Board	January 12, 2017
DISCUSSION: WQGIT discussion of revised draft Phase III WIP expectations.	WQGIT	February 13, 2017
BRIEFING: EPA presents revised draft Phase III WIP expectations for continued Partnership feedback.	Principals' Staff Committee	February TBD 2017
DECISION on final WQGIT feedback to EPA on draft Phase III WIP expectations for consideration by the Management Board.	WQGIT	March 27, 2017
DECISION on final Management Board feedback to EPA on draft Phase III WIP expectations for consideration by the Principals' Staff Committee.	Management Board	April 13, 2017
PRESENTATION of the Management Board's recommended final feedback to EPA on the draft final Phase III WIP expectations and EPA's proposed final Phase III WIP expectations.	Principals' Staff Committee	May TBD 2017 Retreat