



Presented to the Water Quality Goal Implementation Team

#### Chesapeake Bay Stakeholder Assessment Process Design

Call EPA staff involved in the project

Develop an approach for the assessment

Develop the protocol for discussions

Approach for Completing the Assessment

• To discuss in more detail what EPA perceives are the incentives, frustrations, obstacles or barriers to achieving the goal of the project, what processes are going well, the technical or substantive issues involved in the project from EPA's perspective, other parties potentially involved in the project and the public participation efforts or consultation efforts already underway.

- This includes reading suggested background material, consulting with EPA, submitting a process design, and revising the approach based upon feedback from EPA and/or the Water Quality Goal Implementation Team.
- Design protocol for the conversation with participants.
- Secure recommendations from Chesapeake Bay Program Water Quality Goal Implementation Team for stakeholders to contact.
- Develop database to track conversations.
- Test discussion protocol during initial stakeholder conversations with key parties.

#### Chesapeake Bay Stakeholder Assessment **Process Design**

Conversations with the stakeholders

Distribute draft report

Edit and prepare final report

Approach for Completing the Assessment

- What aspects of the Phase I and II WIP process facilitated implementation
- What topics does the Phase III WIP process need to address more directly
- How Phase III WIPs and the oversight of implementation could better engage local partners and accelerate the implementation of pollution reduction practices
- Other topics as appropriate and/or as suggested by stakeholders.

- Prepare a draft written report (Stakeholder Assessment) summarizing the process of the assessment, the parties who were contacted, the issues that were discussed and the range of input and opinions presented.
- Provide stakeholders with the opportunity to review and confirm that the draft assessment has accurately captured views expressed during the conversations through review of a preliminary draft of the stakeholder assessment.

- Upon receipt of comments, prepare and submit a final written report and distribute it as needed to relevant parties.
- Discuss with the WQGIT.

## Three Stories

#### • Story One

- Implementing the Chesapeake Bay TMDL and meeting applicable water quality standards in the Bay and its tidal rivers is our highest priority

#### Story Two

- The Bay TMDL is one priority among many, largely because of regulatory or institutional mandates

#### • Story Three

- The Bay TMDL is an unfair burden that impinges on other priorities



#### Story One

Implementing the Chesapeake Bay TMDL and meeting applicable water quality standards in the Bay and its tidal rivers is our highest priority

- Complete the Chesapeake Bay TMDL on schedule
- There are substantial benefits to the Bay and local waters
- EPA needs to provide backstop measures to stay on schedule
- Advocates for the Bay have worked hard to secure funding
- Monitoring shows less improvement than modeling



#### Story Two

The Bay TMDL is one priority among many, largely because of regulatory or institutional mandates

- Recognize political and financial realities at state and local levels
- The Bay TMDL schedule can't be met
- Too much uncertainty and confusion about what is and what will be required
- Demands keep growing while support has not kept up



Prepared by Frank Dukes, Ph.D.

#### **Story Three**

The Bay TMDL is an unfair burden that impinges on other priorities

- The Bay is not important for my jurisdiction or sector
- We need more support and a realistic schedule
- Participation should be voluntary no unfunded mandates
- No backstops and contingencies



#### Lots of Good Work to Date!

- Early outreach and continued communication
- Stakeholders can work out differences when involved early

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- Money & technical support are vital
- Show local benefits
- Listen adapting model & mandates



#### Many Shared Concerns and Ideas

- 1) Equity
- 2) Communication
- 3) Collaborative Leadership
- 4) Accountability for Results
- 5) Funding and other resources
- 6) Cost-effectiveness
- 7) Adaptability
- 8) Schedule
- 9) Bay Model



#### Key Concerns and Ideas: Equity

- Treat sectors and jurisdictions fairly
- Target funding and support to where needed most, e.g., rural areas
- Be transparent and equitable in burdens and benefits



#### Key Concerns and Ideas: Communication

- Need more opportunities for shared learning
- States communication strategy about what, why, resources, and the implications of success and failure
- EPA clear communication strategy for each state and each sector
- Marketing plan Bay-wide to show the value to local waters and local economies

Prepared by Frank Dukes, Ph.D.



# Key Concerns and Ideas: Collaborative Leadership

- Can the Bay Program be an authentic partnership?
- At the state level, engagement is limited to sharing information
- Bring localities and sectors within states to work with each other, to learn together, and to build consensus for actions that reflect experience

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# Key Concerns and Ideas: Accountability for results

 Need more testing and/or verification for BMPs, which will drive up costs

University of Virginia

- Too little credit has been given for some jurisdictions or sectors
- More flexibility on the "how"



# Key Concerns and Ideas: Funding and other resources

- Localities and sectors feeling the pain!
- Worry about changes in Phase III
- Funding and regulatory structures need to keep up with demands



#### Key Concerns and Ideas: Cost-effectiveness

- Need more consideration about the cost-effectiveness of practices
- Trading is problematic inconsistent in watershed
- Most cost-effective practices generally involve agriculture



### Key Concerns and Ideas: Adaptability

- Focus on results, not checking off boxes
- Create more innovative and cost-effective BMPs



## Key Concerns and Ideas: Schedule

- States had too little time to learn from and gain support from localities & sectors
- Localities too for elected officials and local stakeholders
- 2025 deadline is not practical will harm planning and implementation
- But concerns that easing schedule means abandoning TMDL and provoking lawsuits

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#### Key Concerns and Ideas: The Bay Model

- Confusion over Model has been harmful
- Model is being asked to guide decisions at scales that are not suitable.
- Too many assumptions don't match realities
- But Model may be better than monitoring due to lag time

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#### Participant Questions

- Will loads change? will the TMDL have to be reopened?
- How to make reductions real to the people who have to make them?
- Will there be a new model for funding for Phase III?
- What does the 60% represent? Jurisdictions have different views of what this means ...

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#### Completing the Assessment

- Invest the time to read the collective input of over 100 colleagues from across the watershed
- Asking the WQGIT, via a small team, to take responsibility for converting findings and observations into a follow through action plan
- Need to ensure that the assessment findings are used to guide decision making by the Partnership on Phase III WIP expectations
- Bring forward that follow through action plan to the Management Board and the Principals' Staff Committee at their January 2016 meetings for review, feedback and adoption



# Questions & Discussion

