

Local Area Planning Goals Task Force Update

1

Background

- December 2015 WQGIT Face to Face Meeting:
 - ACTION: "... convene an ad-hoc Task Force with cross-sector representation that will frame out the options for a WQGIT recommendation regarding the development of local area targets for the Phase III WIPs."
- 32 Members
 - All Six States and the District of Columbia
 - 2 Federal
 - 8 State
 - 2 Conservation Districts
 - 6 NGOs
 - 2 Local Government Elected Officials
 - 7 Local Government Staff
 - 5 Local Associations

Water Quality GIT Charge

“To make recommendations to the Water Quality Goal Implementation Team (WQGIT) regarding whether the Phase III WIPs should include local area planning targets (LAPTs) and, if so, options for how these targets could be expressed in different jurisdictions.....”

October 2016 WQGIT Decisions on Preliminary Recommendations

- The WQGIT agreed to recommend to the Management Board that:
 - Local planning goals should be established at a local scale below the major river basin by jurisdiction scale within all jurisdictions as defined by the Task Force;
 - Local planning goals be expressed in one or more of the ways as defined by the Task Force; and
 - Local and state jurisdictions retain full flexibility in how they delineate local scale and define local planning goals.
- The WQGIT agreed to use the term “Local Planning Goals instead of “Local Area Targets.”
- EPA agreed to include language in its January 2017 draft Phase III WIP expectations document that it does not intend to regulate or enforce local planning goals.

October Modifications to Preliminary Recommendations

- Recommendation that EPA address concerns regarding potential delegation of responsibility to localities with specific language in its January 2017 draft Phase III WIP expectations document.
- Examples of how local planning goals might be established and benefits of doing so, including enhanced planning, communication and expectations.
- Change in original recommendation allowing jurisdictions to choose whether to establish local area goals.
- Intention to issue final recommendation for defining “local” after Phase 6 decision support tools are finalized and approved by the Chesapeake Bay Program Partnership in June 2017.

Recommendations – Question #1

6

Should Local Area Planning Goals Be Established?

- **Original recommendation:** The determination as to whether or not there should be local area planning goals is best made by the seven Chesapeake Bay jurisdictions, in partnership with their local and regional partners, stakeholders and federal and state facilities
- **Modified recommendation per WQGIT:** The Task Force recommends that the determination of the scale of local area goals is best made by each of the seven Chesapeake Bay jurisdictions in partnership with their local and regional partners, stakeholders and federal and state facilities.
 - Local planning goals should be established using the options provided for “local” under Question #2.
 - Local planning goals may be expressed in any one or more of the ways defined by the Task Force in Question #3.
- **Recommended Factors for Consideration, including but not limited to:**
 - How would the state work with their local partners to established local planning goals that are realistic and achievable?
 - What programs are already in place and what programs would be developed that could improve facilitation of local partner implementation in meeting the Bay TMDL and WIP commitments?
 - What tools are already available to states to focus limited resources to achieve the greatest reductions?
 - How will progress be tracked, reported and evaluated?

Recommendations – Question #2

How Should “Local” Be Defined?

- ▶ Locality jurisdictional boundaries or collections of such sub-state political subdivisions
- ▶ Federal facilities
- ▶ State facilities
- ▶ Soil & Water Conservation District (Conservation District) boundaries
- ▶ Regional entity boundaries (i.e. planning district commissions; regional river basin commissions, utility districts)
- ▶ Watershed or sub-watersheds of Chesapeake Bay Tributaries
- ▶ Targeted areas with high nitrogen, phosphorus or sediment yields (loadings)
- ▶ “Segment-sheds” as depicted in the 2010 TMDL
- ▶ Any area (e.g. MS4), entity or political subdivision based on an identified need for pollutant reductions for a given source sector or sectors
- ▶ Some combination of the above

Recommendations – Question #3

8

How Should Local Area Planning Goals Be Expressed?

1. Percentage of Best Management Practice (BMP) Implementation
2. Quantifying implementation goals for particular BMPs
3. Programmatic Goals (i.e. ordinances with provisions for Erosion and Sediment Control, Urban Nutrient Management, post-construction performance standards) that include specific implementation, oversight and enforcement requirements
4. Numeric nitrogen, phosphorus and sediment as expressed as reductions or maximum load goals
 - a) Numeric load goals for one or more pollutants (Delivered load of 300 lbs P)
 - b) Numeric reduction goals for one or more pollutants (reduce loads by 4000 lbs N)
 - c) Yield based goals for one or more pollutants (0.41 lbs P/acre/year from developed lands)
5. Pace of implementation over a certain time frame
6. Percent reduction of existing loads over a certain time frame
7. Percent of flow in certain tributaries/runoff captured – flow-based targets

Key Themes

- Flexibility – Avoid a “cookie-cutter” approach
- Goals are a tool for focusing limited resources and targeting programs on defined local areas
- Goals should be supported by CBP Partnership decision-support tools

Summary of Questions Requiring Further Task Force Discussion

- Do the Partnership's decision support tools adequately support the development of local area planning goals?
- In what ways can local area planning goals help to focus limited resources?