



EPA Evaluation of Maryland's

2012-2013 Milestone Progress and 2014-2015 Milestone Commitments to Reduce Nitrogen, Phosphorus and Sediment



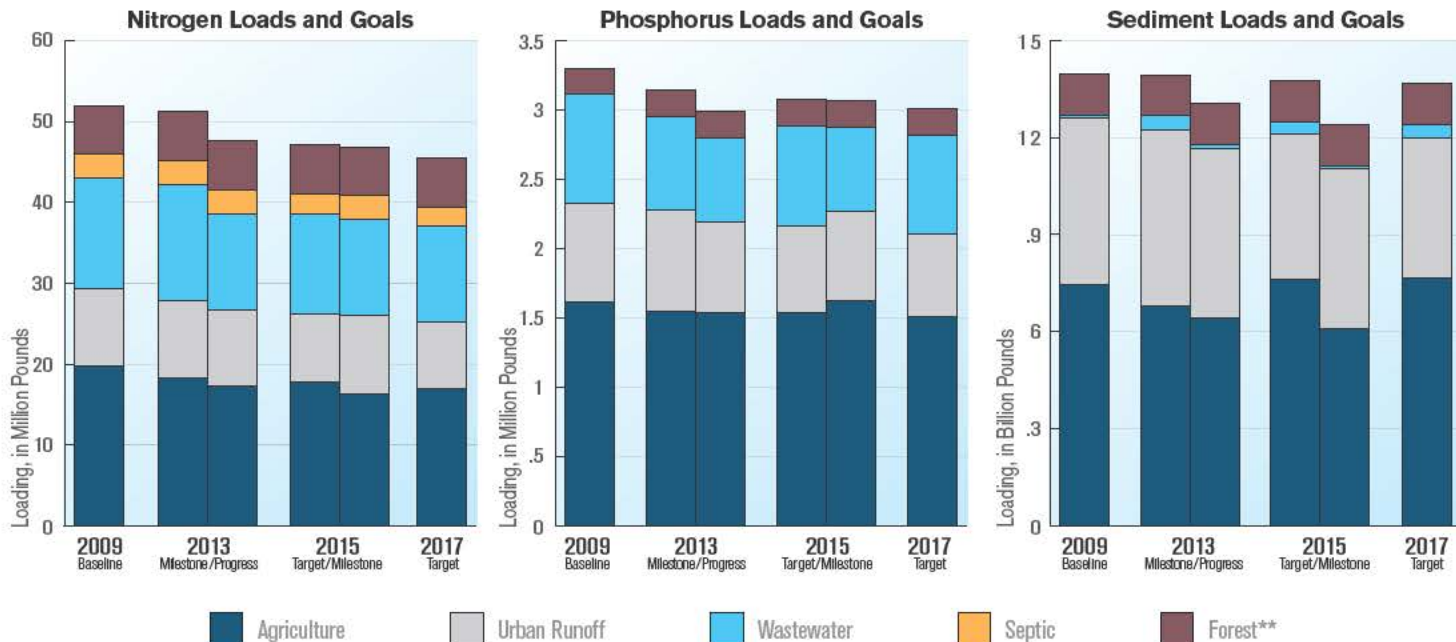
Overview

Two-year milestones are short-term objectives under the Chesapeake Bay Total Maximum Daily Load (Bay TMDL) accountability framework used to assess progress toward restoration goals while allowing jurisdictions to flexibly adapt their Watershed Implementation Plans (WIPs) to meet those goals. When fully implemented, the seven WIPs will ensure all practices necessary to meet water quality standards in the Chesapeake Bay will be in place by 2025. By 2017, jurisdictions should have practices in place that would achieve 60 percent of necessary pollutant reductions compared to 2009.

Pollutant Reduction Progress and Future Targets by Source Sector

According to the data provided by Maryland, the state achieved its 2013 milestone targets for nitrogen, phosphorus and sediment. Maryland finished the 2012-2013 milestone period more than 3.5 million pounds ahead of schedule for nitrogen reductions, nearly 147,000 pounds ahead of schedule for phosphorus reductions, and nearly 90 million pounds ahead of schedule for sediment.

Maryland's 2014-2015 milestone wastewater strategy and best management practice (BMP) commitments for other source sectors would reduce nitrogen by more than 5.1 million pounds, phosphorus by nearly 240,000 pounds and decrease sediment by more than 154 million pounds by the end of 2015, compared to the 2009 baseline.



** Forest includes other sources

Note: 2013 milestones and 2013 progress are based on 2010 conditions. For additional information on pollution reduction progress, commitments, and BMP see <http://stat.chesapeakebay.net/milestones>

2014 Oversight Status

Ongoing (Green), Enhanced (Yellow), Backstop (Red)

Agriculture:

Ongoing Oversight

Urban/Suburban:

Ongoing Oversight

Wastewater:

Ongoing Oversight

Trading/Offsets:

Ongoing Oversight

2012-2013 Milestone Progress and 2014-2015 Milestone Review

The EPA review of progress toward meeting 2012-2013 milestones shows Maryland has made enough progress in the Agriculture and Wastewater sectors to ensure implementation is occurring even though all of the milestone goals were not achieved. Anticipated reductions for the 2014-2015 milestone period should keep Maryland on track to meet the 2017 target of having practices in place to achieve 60 percent of reductions necessary to obtain water quality standards in the Chesapeake Bay.

Strengths

- Leading review of historical data for reported best management practices, critical to the TMDL mid-point assessment
- Implemented revised agricultural nutrient management regulations and homeowner fertilizer act
- Issued final General Permit for Stormwater Discharges Associated with Industrial Activity
- Doubled the Bay Restoration Fund fee allowing sufficient grant funds to complete Enhanced Nutrient Removal upgrades at the 67 major wastewater treatment plants and 5 to 10 minor plants by 2017
- Will renew the general discharge permit for animal feeding operations within the 2014-2015 milestone period
- Will develop an online BMP reporting tool for non-MS4 local governments
- Will develop a tracking system for accounting for new growth by 2015

Shortfalls

- Phosphorus Management Tool regulations not completed in specified timeframe; committed to implementing in 2014
- Did not submit all draft Phase II MS4 permits and did not issue final determinations for all Phase I MS4 permits to EPA as specified in 2012-2013 milestone period
- Did not complete development of a detailed strategy to upgrade 60 percent of septic systems in the Critical Area by 2017

Issues to Address

- Finalize revised stormwater retrofit guidance under the MS4 permit by September 30, 2014
- Issue remaining, expired MS4 permits and construction general permit by agreed upon schedule
- Develop and submit a detailed schedule for adopting the Accounting for Growth regulations

Potential Federal Actions and Assistance

EPA will maintain "Ongoing Oversight" of the Maryland programs for all sectors. EPA may downgrade the Urban/Suburban Stormwater sector to "Enhanced Oversight" if the following actions are not completed by the agreed-upon deadlines:

- Issue tentative determinations on remaining, expired Phase I MS4 permits by June 30, 2014 and the State Highway Access permit by December 2014; final determinations for remaining Phase I county permits by December 31, 2014
- Issue tentative determinations for Phase II MS4 permits by December 31, 2014 and final determinations by June 15, 2015
- Issue final determination for Construction General Permit by December 31, 2014
- Sign Letter of Agreement with EPA by June 30, 2014, responding to EPA's assessment of Maryland's stormwater program

EPA is working with U. S. Army Corps of Engineers Baltimore District and other consulting federal agencies, as well as state and local government representatives, non-governmental organizations and stream restoration practitioners to improve the efficiency of the permitting process and addressing technical issues and concerns, such as developing siting criteria and defining monitoring, assessment and performance parameters.

EPA is supporting trading and offset tracking systems and the jurisdictions' development/enhancement of their BMP verification programs.

For the full details of EPA's evaluation of Maryland's 2012-2013 milestone progress and 2014-2015 milestone commitments, please see [Maryland's Full Evaluation Report](#).