

PROPOSAL TO CONDUCT A STAKEHOLDER ASSESSMENT TO INFORM EXPECTATIONS FOR PHASE III WATERSHED IMPLEMENTATION PLANS

December 1, 2014

Purpose: As part of the Chesapeake Bay Program Water Quality Goal Implementation Team's (WQGIT's) Midpoint Assessment of the Chesapeake Bay TMDL, EPA will be developing expectations for jurisdictions' development of Phase III Watershed Implementation Plans (WIPs). Jurisdictions will develop Phase III WIPs in 2017-2018 in which they will outline a strategy for implementing practices necessary to meet Bay TMDL allocations by 2025.

EPA's expectations for Phase I and II WIPs were guided by the Chesapeake Bay Program partnership's intent for the Bay TMDL to accelerate implementation and engage the public.¹ Many Chesapeake Bay Program partners recognize that most jurisdictions' Phase II WIPs did not meaningfully engage local partners, with the possible exceptions of Maryland and DC. This proposal is to secure a "designated neutral" contractor through EPA's Conflict Prevention and Resolution Center to hold a series of conversations with stakeholders from federal, state, local, non-governmental and industry organizations to identify lessons learned from the Phase I and II WIP process that should be applied to the Phase III WIPs in order to facilitate local engagement and implementation.

The stakeholder assessment should recommend improvements to the WIP development, evaluation, implementation and oversight processes so that the Phase III WIPs create effective blueprints for implementation through 2025. One question of particular importance is how Phase III WIPs could express "local area targets" so that they make Bay TMDL reduction goals more understandable and actionable at the local level and thus accelerate implementation. For example, should targets be expressed as load reductions by county, BMP implementation rates by county, and/or programmatic targets such as model ordinances that would be adopted by localities? Some partners felt that the Chesapeake Bay Program Phase 5.3.2 Watershed Model could not support local area targets. Significant enhancements to the modeling tools are underway to enhance their credibility at the local level. However, partners should still consider whether local targets based on model inputs and outputs would enhance understanding and implementation of the Bay TMDL or if there are other, useful types of targets.

Scope: The stakeholder assessment would involve a series of one-on-one conversations to discuss:

- 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;

¹ In March 2008, the CBP Principal's Staff Committee (PSC) adopted [eight guiding principles for the Chesapeake Bay TMDL](#). Three principles particularly relevant to this effort are:

1. The Bay TMDL should accelerate and focus implementation of load reductions;
2. The Bay TMDL should engage the public about the implementation challenge; and
3. The Bay TMDL should allow jurisdictions the flexibility to divide allocations within major basins to meet local needs.

- How Phase III WIPs and the oversight of implementation could better engage local partners and accelerate the implementation of pollution reduction practices; and
- Other topics as appropriate and/or as suggested by stakeholders.

Stakeholders would include representatives from:

- **7 Bay jurisdiction** agency representatives that led the Phase I and II WIP and milestone efforts and/or serve on the WQGIT
- **EPA** Region 2, Region 3 Water Protection Division and Chesapeake Bay Program Office
- **Major federal landholders** within the Chesapeake Bay watershed (DoD, USFS, NPS)
- **Conservation districts** –at least 1 from each of the 6 Bay states
- **Local governments** – elected officials and staff from each Bay jurisdiction (at least 14)
- **Non-governmental organizations** such as Chesapeake Bay Foundation, James River Association, Rivanna River Basin Commission, Riverkeepers, Chesapeake Stormwater Network and Center for Watershed Protection that have worked with state and local partners to develop and implement WIP strategies
- **Industry groups** such as Homebuilders Association, Delmarva Poultry Industry, wastewater utilities, agribusiness

Conversations would likely also occur with representatives from:

- **Citizens Advisory Committee**
- **Local Government Advisory Committee**
- **Science and Technical Advisory Committee**
- **Chesapeake Bay Commission**
- **Federal agencies** that have committed to strategies to help meet Chesapeake water quality goals (USDA)
- **Cooperating institutions** such as the Region 3 Environmental Finance Center, Maryland SeaGrant, University of Maryland, Virginia Tech, The Nature Conservancy

The service provider would ask the above groups to recommend additional stakeholders.

Deliverables and Deadlines: The proposed schedule is based upon the goal of having the stakeholder assessment complete in early 2016 to inform the development of Phase III WIPs starting in mid-2016. As noted in [Phase III WIP expectations work plan](#), EPA will share draft expectations with Chesapeake Bay Program partnership in 2016 and finalize expectations in 2017. Phase III WIPs are due in 2018.

- **Task 1:** Develop work plan.
- **Task 2:** Conduct any necessary background research so that contractor has appropriate context and design assessment. EPA will provide contractor with 2009 WIP expectations letter, Phase I and II WIP guides, Phase I and II WIPs, evaluations and other relevant background materials. 4 weeks after work plan approval.
- **Task 3:** Conduct one-on-one conversations. 6 months after work plan approval. (Target June 2015)
- **Task 4:** Provide stakeholders with opportunity to confirm input through review of notes or preliminary assessment. 1 month after completion of conversations (Target July 2015)

- **Task 5:** Draft written Stakeholder Assessment and present to WQGIT, possibly Management Board. Provide 45 days for review, comment. 2 months after stakeholder review of input. (Target September 2015)
- **Task 6:** Respond to comments and submit final Stakeholder Assessment. 2 months after receipt of comments. (Target December 2015)
- **Task 7:** Final presentation of findings to WQGIT and possibly Management Board or other members of CBP partnership. 1 month after distribution of final assessment. (Target January 2016)

For additional information or input: Please contact Katherine Antos (antos.katherine@epa.gov).

Requested Feedback from WQGIT:

1. Do you have other suggested topics to discuss with stakeholders?
2. Do you have suggestions for stakeholders to include in this assessment?
3. Do you have other comments or suggestions for this assessment?

Requested Decision from WQGIT:

1. Do you approve of this process for gathering feedback to inform the Phase III WIP expectations?