

Updating background conditions and BMP efficiencies

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Decision Questions from the MSWG to the WQGIT

- Understanding the impact updates to background conditions and BMP efficiencies have on loads the MSWG is asking the WQGIT to consider the following options when to incorporate updates:
 - 1) As soon as available,
 - 2) At the end of the milestone period, or
 - 3) Hold updates until Phase 6.
 - All 3 Options support GP 2, 3 and 5, these options determine the timeframe that updates will occur.
1. Incorporating updates as soon as available
 - a. PROS
 - i. Incorporates the latest science and data as soon as it is available.
 - ii. Supports GP 2, 3 and 5. Updates will occur as soon as they are approved by the Partnership and able to be incorporated into the tools.
 - iii. Allows for immediate adaptive management.
 - b. CONS
 - i. Milestones are not being evaluated with the same conditions and efficiencies as when they were developed. Potentially results in multiple model runs. Difficult to communicate internally and publically.
 - ii. Could result in a jurisdiction meeting/not meeting their milestone based on data changes vs. needed implementation with little time for adaptive management.
 - iii. Does not support GP 1 to track and report progress with stable tools through 2017.
 2. End of the Milestone Period
 - a. PROS
 - i. Maintains stability in data for evaluations. Milestones are developed and evaluated based on the implementation completed.
 - ii. One model run to evaluate progress and milestones.

- iii. Milestones are met/not met based on the implementation completed vs changes to model credit.
 - iv. Supports GP 1 to track and report progress with stable tools through 2017.
 - v. Supports GP 2 to incorporate improved data. Updates will occur at planned intervals. No surprises.
 - b. CONS
 - i. A jurisdiction may appear to have met/not met a milestone based on older data.
 - ii. May need to ramp up implementation to make up for loss of credit in a particular BMP or background condition.
 - iii. More difficult to plan programmatic milestones in advance if jurisdictions unaware of impacts from a data change.
- 3. Hold updates until Phase 6
 - a. PROS
 - i. Maintains stability in data for evaluations. Milestones are developed and evaluated based on the implementation completed.
 - ii. One model run to evaluate progress and milestones.
 - iii. Milestones are met/not met based on the implementation completed vs changes to model credit.
 - iv. Supports GP 1 to track and report progress with stable tools through 2017.
 - v. Supports GP 2 to incorporate improved data. Updates will occur at a specific time.
 - b. CONS
 - i. Delay in data updates may result in jurisdictions needing to do a lot more implementation with less time to meet TMDL targets.
 - ii. More difficult to plan programmatic needs in milestones and the Phase 3 WIPs in advance if jurisdictions unaware of impacts from a data change.

Guiding Principles (GP): The 2017 Chesapeake Bay TMDL Midpoint Assessment

- Guiding Principle 1 – Continue implementation, tracking progress and reporting results with stable tools through at least 2017.
- Guiding Principle 2 – Enhance decision support and assessment tools to enable successful engagement of local partners.
- Guiding Principle 3 – Incorporate new or refined BMPs and verification of practices into existing accountability tools and reporting protocols.
- Guiding Principle 4 – Address emerging issues that may impact current strategies and future plans.
- Guiding Principle 5 – Prioritize midpoint assessment actions and use adaptive management to ensure water quality goals are met.

Background – Suzanne’s recommendation from the 3/18/14 MS Call

Recommendation – Suzanne’s recommendation to help address this concern is to make any changes to background conditions/BMP efficiencies a vote for the WQGIT. The WQGIT as a whole should weigh the pros and cons of their decision. The group should consider how we balance using the latest data with maintaining stability in evaluating data. It should be up to the WQGIT to decide if updates should only occur at the end of a milestone cycle, in 2017 or as soon as they are available. Regardless of the decision for when to update the tools, there should be one model for progress which covers annual progress and milestones. EPA has stated that the known targets for 2017 and 2025 are what jurisdictions are aiming to achieve. If changes in land use or BMP efficiencies make it easier or harder for a state to meet, it doesn’t change the targets we are aiming for.

Decisions of the Milestone Workgroup February 2013 Regarding Background Conditions

2015 and 2017 Milestones Planning

- What background conditions should jurisdictions use to set milestones at the beginning of these milestone periods (in 2013 and 2015 respectively)? - WV abstained
 - Use 2013 projected background conditions to set 2015 Milestone goals. (Similarly, use 2015 conditions to set 2017 goals.)
 - PA supported this option for 2015 and 2017
 - DC supported this option for 2017
 - Use 2015 projected background conditions to set 2015 Milestone goals. (Similarly, use 2017 conditions to set 2017 goals.)
 - This option was supported by MD, VA, DE, NY
 - DC supported this option for 2015
 - Majority rule supported this option for the development and assessment of milestones.
 - Use 2010 projected background conditions to set 2015 Milestone goals. (Similarly, use 2010 conditions to set 2017 goals.)

2015 and 2017 Milestones Assessment

- What background conditions should that CBP use to measure progress towards the 2015 Milestones and 2017 Milestones? – WV abstained
 - Place 2015 BMPs on 2013 background conditions. (Similarly, place 2017 BMPs on 2015 background conditions.)
 - PA supported this option for 2015 and 2017
 - DC supported this option for 2017

- Place 2015 BMPs on 2015 background conditions. (Similarly, place 2017 BMPs on 2017 background conditions.)
 - This option was supported by MD, VA, DE, NY
 - DC supported this option for 2015
 - Majority rule supported this option for the development and assessment of milestones.
- Place 2015 BMPs on 2010 background conditions. (Similarly, place 2017 BMPs on 2010 background conditions.)

Additional Discussion on milestone development and evaluation

- Agreement across all jurisdictions that milestones should be developed and evaluated on the same background conditions
- WV abstained from voting due to continued concerns with the land use projections.
- Jurisdictions suggested that we keep the issues related to land use projection process separate from the decision on evaluating milestones. The land use projection process can be discussed in sector specific workgroups or with the overall WQGIT.

Background – Adaptive Management/Revising Milestones

Guide for Chesapeake Bay Water Quality Two-year Milestones July 6, 2011

- EPA recognizes that the Bay watershed jurisdictions' actions may differ from their milestone commitments based on changing conditions and the availability of new information. EPA does not expect the Bay watershed jurisdictions to revise their commitments on an ongoing basis throughout the milestone period if they can account for their actions in the annual progress reporting due to EPA at the end of December each year. EPA supports adaptive management of two-year milestones so long as the overall pace of pollutant reductions remains consistent with a Bay watershed jurisdiction's WIP commitments and remain on pace to implement 60% of the practices needed to achieve the pollutant reductions allocated to the jurisdiction in the Bay TMDL by 2017, and 100% of the practices by 2025.