

Chesapeake Bay Total Maximum Daily Load: Local Government Policy and Program Options

Presented to
Hampton Roads Planning District Commission
November 17, 2010



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Chesapeake Bay TMDL Impacts

- Cost Hampton Roads up to \$9.8 billion in stormwater controls on existing development.
- Reductions will be enforced through MS4 stormwater permits.
- Only 15 years to plan, negotiate, finance, and construct stormwater treatment facilities.
- Consequences
 - Fines
 - Enforcement actions

Local Government Response

- Policy Actions
 - Comment to EPA and Virginia
 - Support Federal Legislation and Funding
 - Encourage State Legislation through HRPDC principles
 - Litigation
- Program Actions
 - Catalogue
 - Quantify
 - Budget

Schedule for TMDL Implementation

2010

- Final WIPs due to EPA
- Final TMDL developed by EPA

2011

- EPA to issue potentially revised TMDLs -Based on refined Watershed Model
- Phase II WIPs to be Submitted -Loads to be sub-allocated to local (county) levels

2017

- Phase III WIPs to be Submitted
- 60% of WIP Implementation to be Achieved
- EPA to formally assess implementation progress

2025

- 100% of WIP Implementation to be Achieved Bay-wide

Policy Options: Federal Legislation

Highlights	Cardin Bill (S 1816)	Holden (HR 5509)
Implementation Deadlines	Codifies 2025 Schedule and WIP Requirement.	Endorses Adaptive management approach
Trading	Requires Basin-wide trading program by 2012 (nutrients) and 2014 (sediment).	Commission to set up nutrient and sediment trading program by 2015.
Agriculture	Expands permitting authority	Watershed Assurance Standards
Stormwater	Codifies EPA Rulemaking and mandates State action by 2013	
Other	Feds pay Stormwater fees	Environmental Services Market
	Fertilizer Study	Accountability Reports
		Independent Technical Advisory Committee
Authorization	\$2.3 Billion	\$5.0 Billion
Grants to States	\$1.5 Billion	\$2.4 Billion

Policy Options: State Legislation

- Included in Watershed Implementation Plan
 - Chlorophyll-*a* Study
 - Urban Fertilizer Restrictions
 - Expansion of Nutrient Exchange Program
- Agency sponsored
 - Nutrient Management Plans for Locality Owned Lands
- Additional HRPDC Principles
 - Adequate Funding for Water Quality Programs
 - Strengthen Agriculture Programs

Program Options for Local Governments

- Catalogue existing controls
- Quantify Existing nutrient removal
- Quantify potential for nutrient removal on public properties
- Increase Stormwater Budgets to
 - Conduct Retrofit Inventory
 - Plan future capital projects



Action

Endorse HRPDC Principles on State Legislation related to the Chesapeake Bay TMDL for distribution to Hampton Roads General Assembly and the Hampton Roads Congressional Delegation.