



Chesapeake Bay TMDL Watershed Implementation Plan – Phase II

James Davis-Martin

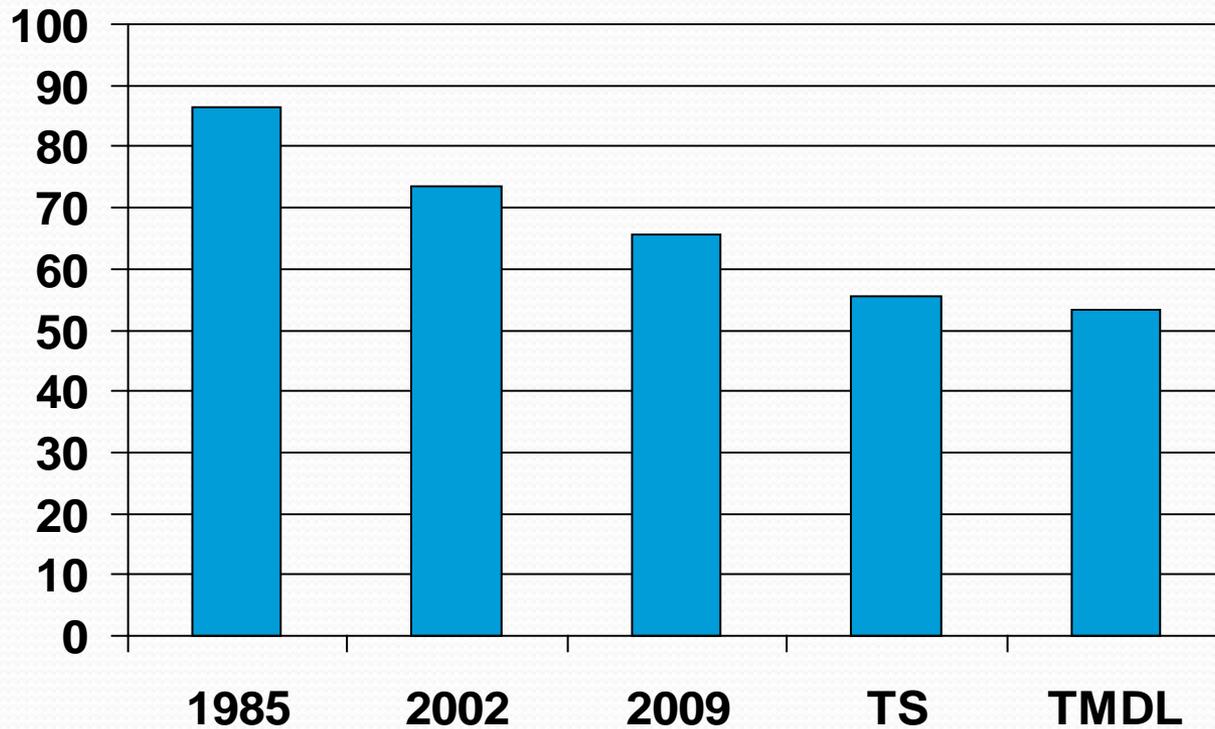
May 9, 2012

Chesapeake Bay Program History

- 1980 Chesapeake Bay Commission
- 1983 Chesapeake Bay Agreement
- 1987 Chesapeake Bay Agreement
 - 40% nutrient reduction
- 1992 Amended to develop Tributary strategies
- 2000 Chesapeake Bay 2000
 - meet water quality standards
- 2005 New Tributary strategies were released
- 2010 Chesapeake Bay TMDL and Virginia's Phase I WIP

Virginia Nitrogen Loads

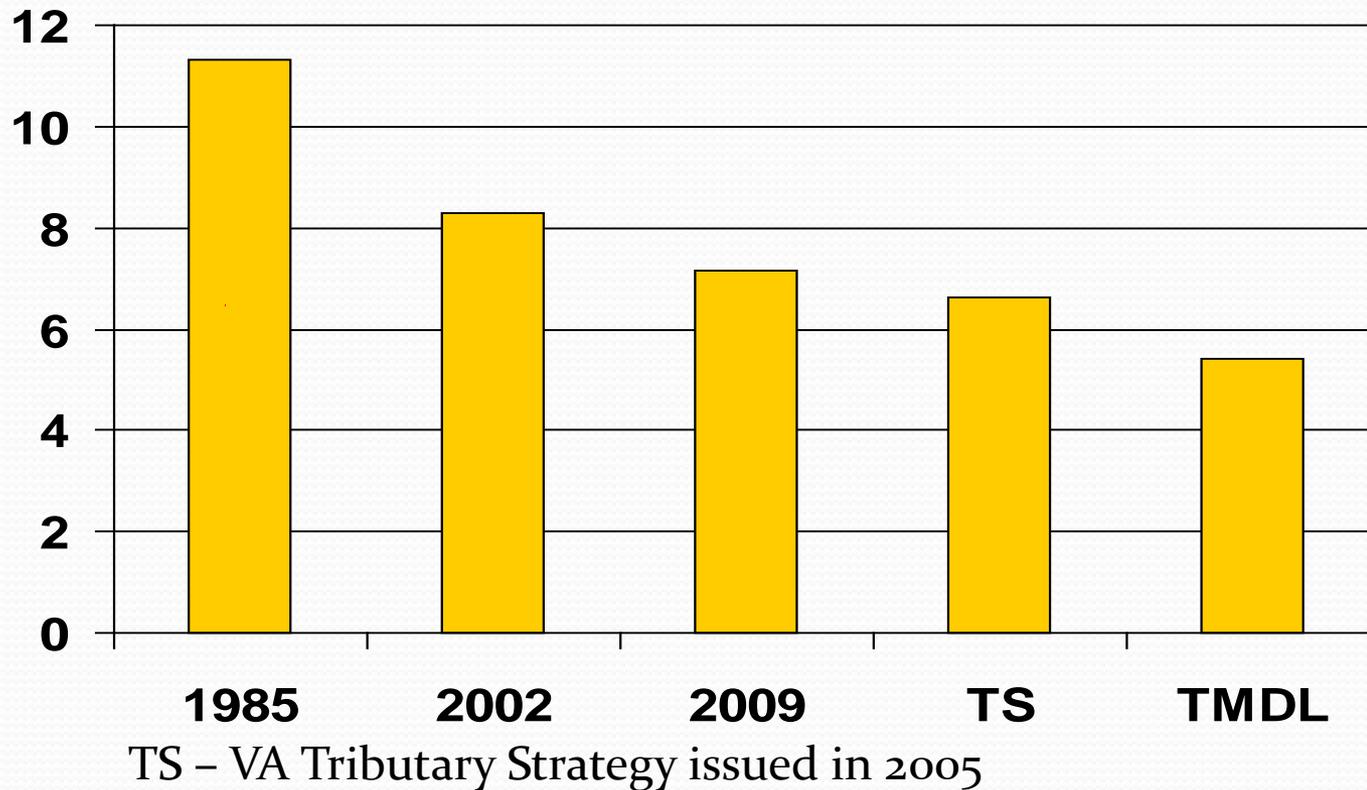
[million lbs/yr]



TS – VA Tributary Strategy issued in 2005

Virginia Phosphorus Loads

[million lbs/yr]



Phase I WIP Overview

- Submitted 27 Nov 2010
- Accepted By EPA 29 Dec 2010
- Meets 2017 target loads for all basins through management actions, plus use of existing nutrient credits achieve those target loads
- Proposes a broad expansion of the existing nutrient credit exchange
- Includes plan for the James River for additional study of the current chlorophyll standard
- Expected Revisions to the TMDL allocations in 2017

Expanded Use of Nutrient Credits

- Secretary of Natural Resources submitted report 1/9/12
www.deq.virginia.gov/vpdes/NutCrdExStudy.html
- Senate Bill 77 (Watkins) and House Bill 176 (Knight)
- Updates Stormwater Offsets provisions
- Clear Regulatory Authority established for DCR: certification, assess fee, establish baselines (based on WIP levels of implementation), establish financial assurance requirements
- Retires 5% of registered credits
- Establishes Virginia Credit Registry
- Expands uses: Ms4, CAFO, Industrial Stormwater
- Program remains the same until regulations are effective

James River Study

- Scientific Panel Established
- Workplan Drafted
- NOIRA published
- Modeling and Monitoring contracts to be awarded in 2012
 - Monitoring will focus on characterizing algal bloom occurrences
 - Modeling will focus on building a water quality/phytoplankton model of the James

www.deq.virginia.gov/wqs/rule.html

Resource Management Plans

- Regulatory Advisory Panel
 - Qualifying Practices
 - Resource Management Plan
 - Certificate Issuance
 - Inspection/Verification/Compliance
- March 29 - Draft proposed regulations approved by SWCB
- August - Public comment
- December – Final regulations to SWCB
- February 2013 – Target effective date for final regulation

Slowly Available Nitrogen Study

- HB 1831 prohibited phosphorous in lawn maintenance fertilizer and called for study of slowly available N in lawn and lawn maintenance fertilizer
- Recommended application rates for N in lawn fertilizer and lawn maintenance fertilizer:
 - No more than 0.7 lbs per 1,000 sq ft of readily available N in any 30 day period
 - No more than 0.9 lbs per 1,000 sq ft of total N on cool season grasses in any 30 day period
 - No more than 1.0 lb per 1,000 sq ft of total N on warm season grasses in any 30 day period
 - for “Slow or Controlled Release Fertilizer, no more than 2.5 lbs of N per 1,000 sq ft per application, with a release rate of no more than 0.7 lbs of N per 1,000 sq ft per 30 days
- DCR to adopt fast-track regulations to incorporate the application rates into Virginia Nutrient Management Standards and Criteria

MS4/Stormwater Programs

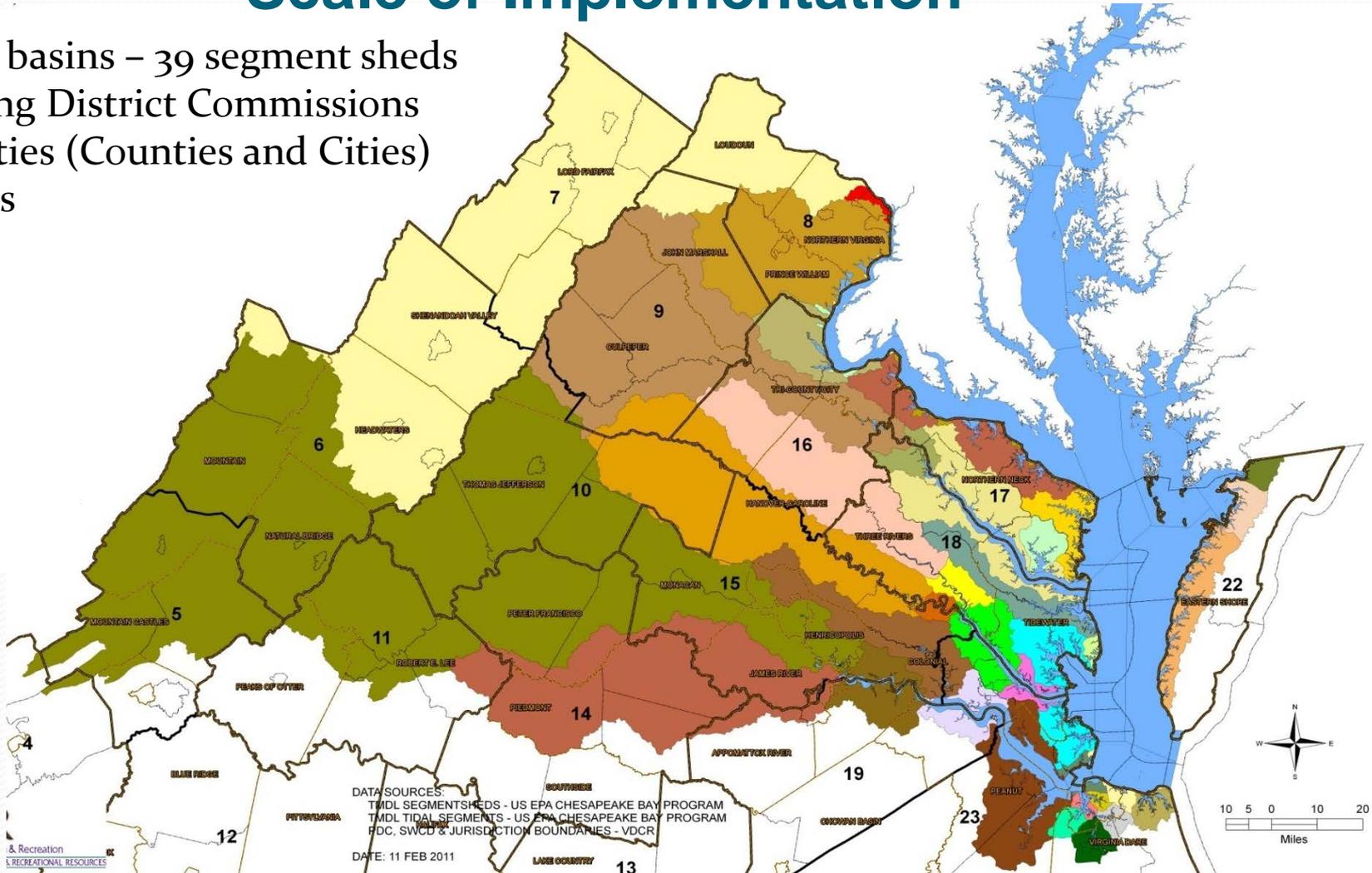
- EPA review of Virginia's urban stormwater programs - September 2011
 - Reorganization of Stormwater Division at DCR
 - Revised Virginia Stormwater Regulations effective September 13, 2011
- Expected MOU on the programs' current status and future expectations
 - Submitted draft template permit and fact sheet March 13 to EPA
 - Developing schedule for the issuance of Phase I MS4 permits
 - Developing Compliance Management Strategy for post-construction stormwater and MS4 programs
- Revised Virginia Stormwater Management Regulations
 - Effective on September 13, 2011
 - Local governments to implement programs July 1, 2014

Requirements for Phase II

- Further divide final Bay TMDL allocations for 39 segment sheds into local area targets
- Work with local elected officials, staff, conservation districts, watershed associations and citizens to identify strategies to be implemented to reduce delivered loads to the Bay
- Provide additional detail on programs, technologies, and practices to implement by 2017
- Include updates resulting from revisions to the Bay Watershed Model
- Include specific programs and practices in the first 2-year milestones (2012-2013)

Scale of Implementation

Five Major basins – 39 segment sheds
16 Planning District Commissions
96 Localities (Counties and Cities)
32 SWCDs



& Recreation
RECREATIONAL RESOURCES

Virginia's Phase II WIP

Local Deliverables

- Requested local deliverables
 - Current BMPs
 - Update 2012 progress (January 2013)
 - Land Use / Land Cover
 - Work with EPA for use in version 6 of the model (2012/2013)
 - 2017/2025 BMP Scenarios
 - WIP II Input Deck
 - Strategies to implement BMP scenarios
 - WIP II Document
 - Resource needs
 - WIP II Document

Virginia's Phase II WIP

Local Data Collection Results

- Received data submissions from 95 percent of Bay localities
- 99.5% of watershed land area

Summary of Locality Data Submissions by Deliverable

	LAND USE	CURRENT PROGRESS	2025 SCENARIO	STRATEGIES	RESOURCES
Responsive	94%	94%	93%	95%	95%
New Data Provided	54%	65%	40%	75%	75%
No New Data	40%	29%	53%	20%	20%
No Response	6%	6%	7%	5%	5%

Virginia's Phase II WIP

Federal Facilities Response

- 1.7 million acres of Federal Lands in Virginia's Bay Watershed (12.3% of land area)
- 12 Federal Departments
- 39% of Federal Departments responded
- Those responding hold approximately 90% of the land
 - Land use information
 - Cataloging existing BMPs
 - Few 2025 implementation scenarios or strategies
- Continuing to work with DoD to develop MOU
- Extend MOU concept to other federal agencies

Virginia's Phase II WIP

Next Steps

- April 1 - May 31 – Public comment period
- May 9 – May 31 – Regional public meetings
- July 1 – Revise WIP II based on public comment
- Continued work with EPA on model issues
- Continued engagement of local and federal partners
 - Strategy Refinement
 - Capacity Building
 - Implementation
 - Tracking and Reporting
 - Milestone Planning
- January 2013 – 2012 implementation progress to EPA
- January 2014 – 2013 implementation progress to EPA
- January 2014 – 2014-2015 Milestone Plan to EPA

Virginia's Phase II WIP

Next Steps

Activity	Even Year												Odd Year												Even Year					
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J
Annual Implemmentation Progress	[Greyed out]												[Greyed out]												[Greyed out]					
Local Report to State																														
State Report to EPA	Yellow																													
EPA Provides Model Results			Red																											
2-Year Milestone Implementation Forecast																														
Local Report to State																														
State Draft to EPA																														
State Commitments to EPA	Yellow																													

Questions/Comments

Submit formal comments to: VABayTMDL@DCR.Virginia.gov

Comment period closes May 31, 2012

More information available at:

<http://www.dcr.virginia.gov/vabaytmdl/index.shtml>

