

# Local Area Targets Chesapeake Bay Program

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Regional Environmental Committee

Whitney S. Katchmark  
Hampton Roads Planning District Commission



# Local Area Target Task Force

## Official Charge:

- To make recommendations to Water Quality Goal Implementation Team (GIT) regarding whether the Phase III WIPs should include local area targets (LATs) and, if so, options for how these targets could be expressed in different jurisdictions.
- Task Force recommendations will inform the Phase III WIP expectations.

# Do we need targets?

## Strawman says.....

### What is meant by target?

A target is a local goal that helps the states achieve their WIPs and helps local partners to better understand their expected contributions.

## Everyone assumes.....

### What is meant by target?

Assign number of pounds N, P, TSS that county has to reduce from existing modeled loads

# Task Force Approach

- Question #1: How should “local” be defined?
- Question #2: Should the Phase III WIPs include local area planning targets (LAPTs)?
- Question #3: How should LAPTs be expressed?
- Question #4: What are the recommended options for targets, including scale?

## Question #2: Should the Phase III WIPs include local area planning targets (LAPTs)?

As indicated in the Task Force Charge, the first recommendation to address is whether or not LAPTs should be included in the Phase III WIP. Factors to be considered in making this determination include:

- Can the Chesapeake Bay Program Phase 6 modeling suite support local targets? **Modelers won't give specifics**
- Would the establishment of local planning targets facilitate the development of local strategies to achieve the Bay TMDL and result in additional implementation actions? **Maybe**
- Should local targets be established within all states or should they be at the discretion of each state so long as TMDL goals are met? **Flexibility**

# Summary August 30<sup>th</sup> call

- Shawn Garvin, EPA Region III – says EPA not looking to assign reductions at county level. But it would be beneficial to have implementation plans at smaller scale than states
- Gary Shenk, CBP modeler – Can the Chesapeake Bay Program Phase 6 modeling suite support local targets?
  - ❑ He can't estimate the accuracy of the Bay model at different scales.
  - ❑ Confident that tools like CAST can be used to compare different BMPs / implementation strategies
  - ❑ Bill Keeling (VA) questioned use of model at county scale

# Summary August 30<sup>th</sup> call

Focus on question: **Would the establishment of local planning targets facilitate the development of local strategies to achieve the Bay TMDL and result in additional implementation actions?**

## Issues raised:

- Easier for elected official to understand target
- Don't want targets for all states and all sectors – make it optional
- Federal facilities have targets – unfair
- HRPDC, NVRC, VAMSA said don't want LATs and concerned about lack of legal authority
- NY wants plan for Ag at watershed scale

# Input?

Task Force chairs asked for written input if possible.

## HRPDC ideas:

1. Abandon the term Local Area Target
2. Improve WIPs by describing implementation strategies with enough detail to know:
  - How many pounds of nutrients will be removed by strategy
  - Who has authority to require implementation
  - Who is funding implementation
  - If strategy is not required by regulation, what incentive is driving implementation.
  - Estimate the cost of incentives and who will provide incentive.
  - Who is tracking the implementation of each strategy

# BACKUP SLIDES

# Question #1: How should “local” be defined?

1. Locality jurisdictional boundaries (city, town, county, borough, township) or collections of such sub-state jurisdictions political subdivisions; federal and state facilities
2. Soil & Water Conservation District (Conservation District) areas
3. Regional entity boundaries (i.e. planning district commissions; regional river basin commissions)
4. Watershed or sub-watersheds of Chesapeake Bay Tributaries
5. Targeted areas with high nitrogen, phosphorus or sediment yields (loadings)
6. “Segment-sheds” as depicted in the 2010 TMDL
7. Any of the above or any other given jurisdiction area, entity or political subdivision based on an identified need for pollutant reductions for a given source sector or sectors

# Question #3: How should LAPTs be expressed?

There are many options for how to express local goals in a way that helps states achieve their WIPs, and helps local partners to better understand their expected contributions. All options are supported by the Chesapeake Bay Program partnership's decision support tools (i.e. CAST).

- Percentage of Best Management Practice (BMP) Implementation on land uses defined in the Phase 6 model
- Acreage Implementation Goals for particular BMPs
- Programmatic Goals (i.e. ordinances with provisions for Erosion and Sediment Control, Urban Nutrient Management, post-construction performance standards) that include specific implementation, oversight and enforcement requirements
- Numeric nitrogen, phosphorus and sediment as expressed as reductions or maximum load goals

# Question #4: What are the recommended options for targets, including scale?

## Examples of Target Options:

- State A may set local area targets for conservation districts in terms of acreages of BMP implementation that need to be achieved, such as forest buffers on 1,000 acres and cover crops on 15,000 acres. If a conservation district wants to shift BMPs, then it must use CAST to show it is still achieving equivalent nitrogen, phosphorus and sediment reductions.
- State B might develop a model ordinance for a particular township or county with provisions for erosion and sediment control, urban nutrient management, post-construction performance standards, and retrofit requirements that, if fully implemented, would achieve State B's urban WIP goals in each locality.
- State C might give each county a numeric nitrogen, phosphorus and sediment cap and ask the county to develop a strategy for how each sector will work together reduce pollution to meet the cap, using CAST to assess the impact of management actions.
- State D might not set county-level local area targets since it is collaborating with a coalition of conservation districts to develop its Phase III WIP strategy, and the coalition

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