

EPA's Interim Expectations for Phase III Watershed Implementation Plans



What is a WIP?

In 2010, the Chesapeake Bay Total Maximum Daily Load (TMDL) was established by the U.S. Environmental Protection Agency (EPA). This historic clean-up plan provides a guide for reducing pollution and restoring clean water to the Chesapeake Bay and its local rivers and streams. To guide these efforts, Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia (collectively referred to as the “Bay jurisdictions”) created a series of roadmaps—known as Watershed Implementation Plans, or WIPs—describing how each will achieve the pollution reductions called for in the TMDL.

There are three phases of WIPs. Phase I and II WIPs were developed in 2010 and 2012, respectively, and describe actions to be implemented by 2017 and 2025 to achieve the goals of the TMDL. Phase III WIPs, under development in the 2017 to 2018 timeframe, will describe actions the seven Bay jurisdictions intend to implement through 2025 to meet Bay restoration goals, based on a 2017 midpoint assessment of progress.

What should the Phase III WIPs include?

In January 2017, the EPA released its interim expectations for the Phase III WIPs, detailing what these documents should entail. Within these expectations are requirements for engaging with partners: federal agencies, regional and local governments, non-governmental organizations and others. The full Interim Expectations for Phase III WIPs can be found at: <http://bit.ly/InterimExpectationsPhase3>

Based on the EPA's interim expectations document, each Phase III WIP should describe how the Bay jurisdiction—in collaboration with its partners—will:

1. Specify the commitments needed to achieve Phase III WIP planning targets

This includes:

- Identifying programmatic actions and pollution-reducing practices to be implemented to achieve 2025 targets
- Building capacity to oversee and implement agricultural and stormwater programs, particularly where programmatic gaps have been identified
- Targeting of more effective pollution-reducing practices in higher loading watersheds, based on modeling and monitoring data
- Providing more detailed documentation of planned changes for sectors under “enhanced oversight” (EPA identified specific concerns with strategy to meet TMDL goals) or “backstop oversight” (EPA identified substantial concerns with strategy to meet TMDL goals), or for sectors not on track to achieve 2017 targets
- (*Encouraged*) Considering the co-benefits of pollution-reducing practices targeted for implementation, such as benefits that address *Chesapeake Bay Watershed Agreement* outcomes

2. Commit to engaging local, regional and federal partners in WIP development and implementation

This includes:

- Articulation of how the Bay jurisdiction engaged local, regional and federal partners in development of the Phase III WIPs, and how partners will be engaged in implementation
- An implementation strategy, which addresses:
 - Specific roles local, regional and federal partners will play in implementation
 - Required funding and technical support needed
 - Implementation of a best management practice (BMP) verification program
 - Partner involvement in strategy to account for growth
 - Examples of successful working relationships or models that partners can adopt

- (*Strongly Encouraged*) Using web-based decision support tools like CAST and BayFAST in engaging partners as part of WIP development and implementation

3. By 2025, account for changed conditions due to climate change, Conowingo Dam infill and population and source sector growth, and address any related additional level of effort

For climate change:

- Address the additional level of effort climate change scenarios may identify, based on a decision by the Chesapeake Bay Program partnership on how Bay jurisdictions will incorporate climate change

For Conowingo Dam:

- Document additional practices and actions needed as a result of the loss of sediment trapping capacity of Conowingo Dam and its reservoir, as allocated amongst the Bay jurisdictions

For projected growth:

- It is EPA's preference that Bay jurisdictions use 2025 forecasted conditions to account for projected growth (land use changes and population growth) early on in the Phase III WIP development process, in which case EPA would run the Bay jurisdictions' respective Phase III WIP input decks on these forecasted conditions, and WIP documents should describe how Bay jurisdictions will offset any increases as a result of growth
- If the Chesapeake Bay Program partnership decides not to use 2025 forecasted conditions in the Phase III WIPs, WIPs should describe the specific procedures, underlying data sources and programmatic commitments for regular accounting of growth and the mechanisms for ensuring all new or increased loads are fully offset
- (*Strongly encouraged*) In either approach, approaches, data and decision support tools approved by the Chesapeake Bay Program partnership may be used to fully account for projected growth

4. Adjust state-basin targets and Bay segment-shed and source sector goals

Pollution reductions under the TMDL are allocated to each Bay jurisdiction through "state-basin" targets that represent the 19 major river basins in the watershed. The Bay jurisdictions can use these state-basin targets to establish goals for the 92 individual Chesapeake Bay tidal segments ("Bay segment-sheds") and for the wastewater, stormwater and agricultural sectors ("source sectors"). Bay segment-shed and source sectors goals should cumulatively result in the achievement of their respective state-basin targets. Each Bay jurisdiction may modify these targets and goals in their Phase III WIPs.

This includes:

- Modifying state-basin targets and Bay segment-shed and source sector goals to reflect new information from the midpoint assessment, EPA's assessments of progress, long-term water quality monitoring trends and lessons learned
- Considering changes to existing Bay segment-shed and source sector goals to reflect new information and insights based on evaluation of the past 30 years of implementation
- Ensuring any changes to existing targets and goals cumulatively result in model-simulated achievement of applicable water quality standards
- Tidal Bay jurisdictions (Delaware, D.C., Maryland and Virginia) should ensure there are plans in place to achieve, at minimum, the nutrient and sediment load reductions needed in each Bay segment-shed to achieve water quality standards in its own individual segment

5. Develop and implement local planning goals below the major basin scales, in the form best suited for engaging local, regional and federal partners

Engaging local government leaders in the WIP development process ensures that the plans are realistic, reflect local priorities, benefit local communities and identify the resources needed to meet the goals. Each Bay jurisdiction is expected to establish and articulate local planning goals—and the strategies to achieve them—in the Phase III WIPs.

This includes:

- Working with partners, stakeholders and federal and state facilities to establish and implement measurable local planning goals
 - Providing flexibility in how "local" is defined and how local goals are expressed, per the recommendations of the Local Planning Goals Task Force and as approved by the Chesapeake Bay Program partnership
 - Documenting approaches in establishing these local planning goals
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