



Commonwealth of Virginia Draft Chesapeake Bay TMDL Watershed Implementation Plan

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October 2010



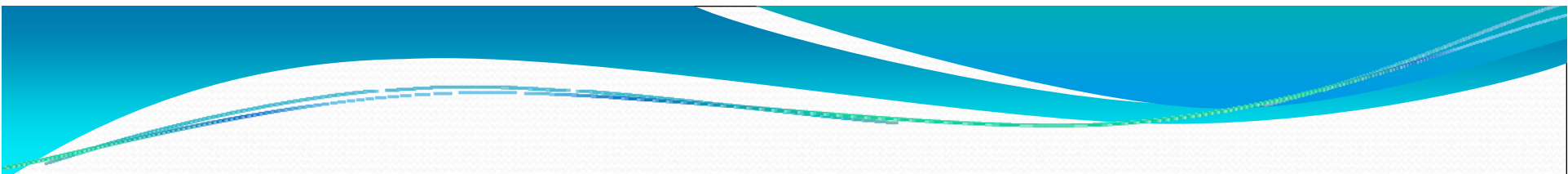
Chesapeake Bay Program History

- 1980 Chesapeake Bay Commission
- 1983 Chesapeake Bay Agreement
- 1987 Chesapeake Bay Agreement
- 1992 Amended to develop Tributary strategies
- 2000 Chesapeake 2000 (C2K)
- 2005 New Tributary strategies were released
- 2010 TMDL <<<<<<< WIP



Virginia's Priorities

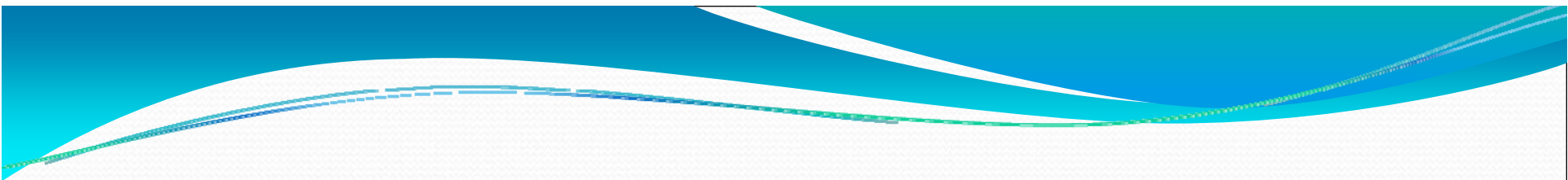
- Allow flexibility in implementation to ensure cost-effective practices are given priority.
- Recognize current economic conditions, the economic impacts of the TMDL and the need for federal support.
- Reserve the right to modify the plan and adapt as necessary.



Water Quality Improvements

- Ensure the plan works in the real world, not just in the “model world”.
- “The TMDL is developed using the Chesapeake Bay model which allows for evaluation of implemented and proposed actions. While meeting the requirements of the model are important in order to meet the technical elements of the TMDL, our focus is on implementing practices and programs that result in real environmental improvement. We will use the model as a management tool, but we will tailor our actions within real scientific, economic, social and political frameworks.”
- Known deficiencies in the model
- Working with EPA on Input deck

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- “This strategy has been constructed within the parameters set by the Chesapeake Bay Program model, and over the preceding months considerable time has been spent “crunching the numbers” so that our plans could be evaluated by the model. While these arithmetic calculations are important to define the suite of management actions we must take in the future, they are only a first step in the implementation process. The model is a tool to assist us in directing our actions. The implementation of our strategies will take place on the ground as we work treatment plant by treatment plant, farm by farm, parking lot by parking lot, and locality by locality. These strategies must have the flexibility to address real world issues, not just the issues raised by the Chesapeake Bay Program model.”



Development of the Plan

2009: Agency review of programs

2009 – 2010: Convened Stakeholder Advisory Group (SAG): 40 members from all affected interests.

2010: Convened “Expert Panels” to advise staff on feasible levels of treatment.

2010: July: Sector Workgroups – SAG members with additional participants

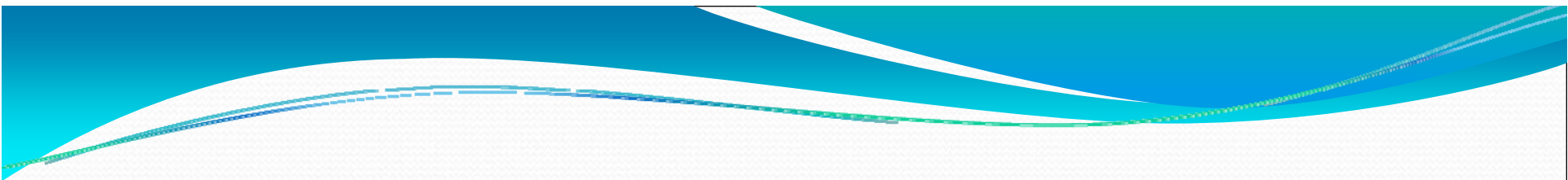
2010: August: SAG Steering Committee – Representatives from each sector workgroup and several at-large members.

2010: September: Reviewed by Governor and sent to EPA



Virginia's Watershed Implementation Plan: Overview

- 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.
- Proposed 2025 allocations for some sectors based on the so-called E3 level with the understanding that such levels of reduction by any sector could be accomplished with the ability to use an expanded credit and offset program.
- Expected Revisions to the 2025 allocations in 2017.



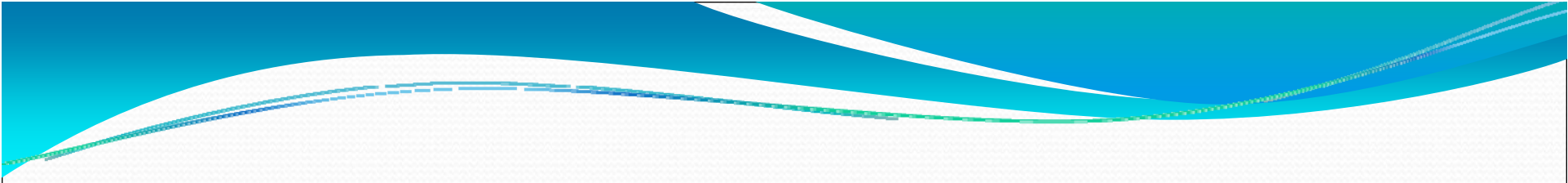
Expand Nutrient Credit Exchange

Legislative Findings and Purpose – [§62.1-44.19:12]

- Meeting cap allocations cost-effectively and as soon as possible
- Accommodating continued growth and economic development
- Providing foundation for establishing market-based incentives to help achieve non-point source reduction goals

Next Steps:

- Major programmatic undertaking for Commonwealth
- Will require General Assembly action
- Pursuing legislature-sanctioned study during 2011
- Proposal for consideration during 2012 session of General Assembly



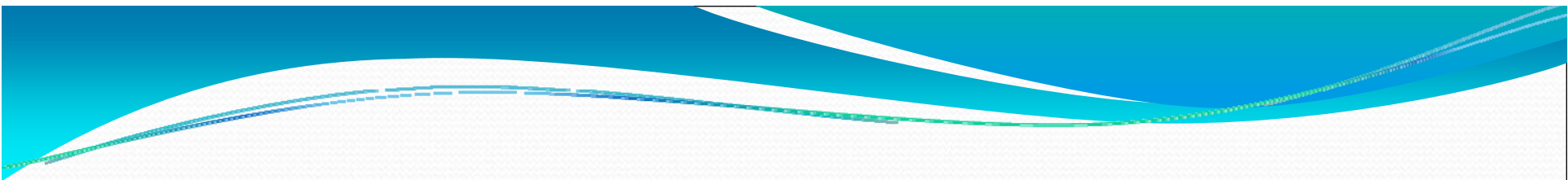
James River Strategy

Step 1: Begin Pollution Reduction Actions During Stage 1 of TMDL Implementation to achieve the 60% Reduction Target by 2017

Step 2: Conduct Scientific Study to Determine the Most Appropriate Chlorophyll Criteria for the Tidal James River; and Initiate Rulemaking under the Virginia Administrative Process Act to Amend Water Quality Standards, as Needed [concurrent with Step 1]

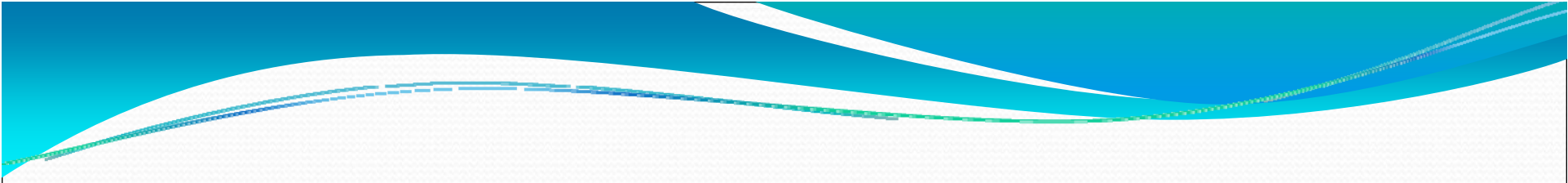
Step 3: Amend TMDL Allocations for the James River Basin, as needed, in response to revised Water Quality Standards

Step 4: Virginia Implements Necessary Management Actions during Stage 2 to Achieve TMDL Allocations Prior to 2025



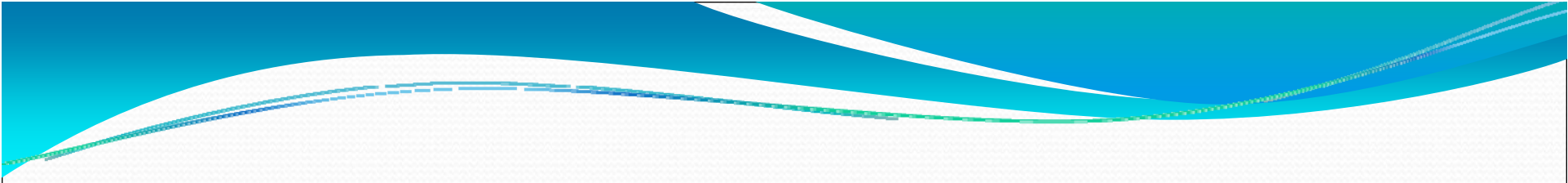
Aggregated Sector Allocations

- Draft WIP presents 2025 allocations for some sectors based on the so-called E₃ level based on understanding that such levels of reduction by any sector could be accomplished through use of an expanded credit and offset program
- Aggregated sectors include: wastewater, storm water and on-site systems
- Provides VA the greatest flexibility to work out the most cost-effective and equitable long term program to meet the 2025 allocations among all sectors



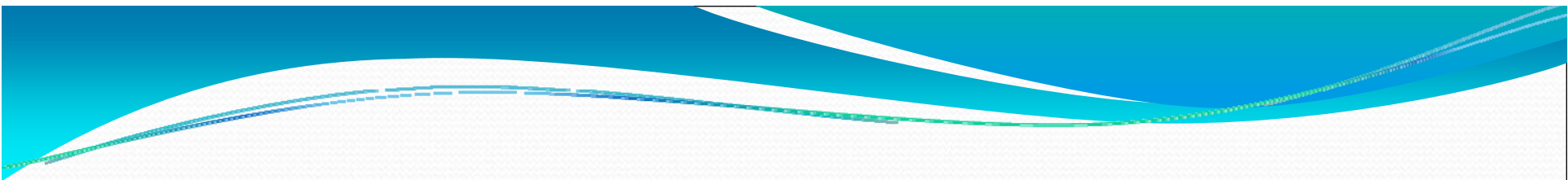
Adaptive Management

- Draft WIP expects revisions to the 2025 allocations will be made in 2017
- Based on:
 - James River Strategy
 - Results of process to expand Nutrient Credit Exchange Program
- WIP ≠ Programs



Future Dates and Expected Actions

- Comment Period ends 8 Nov
- Review and Modify WIP/TMDL
- Submit Revised WIP to EPA 29 Nov
- EPA submits final TMDL 31 Dec



Future Dates and Expected Actions

Expected in 2011:

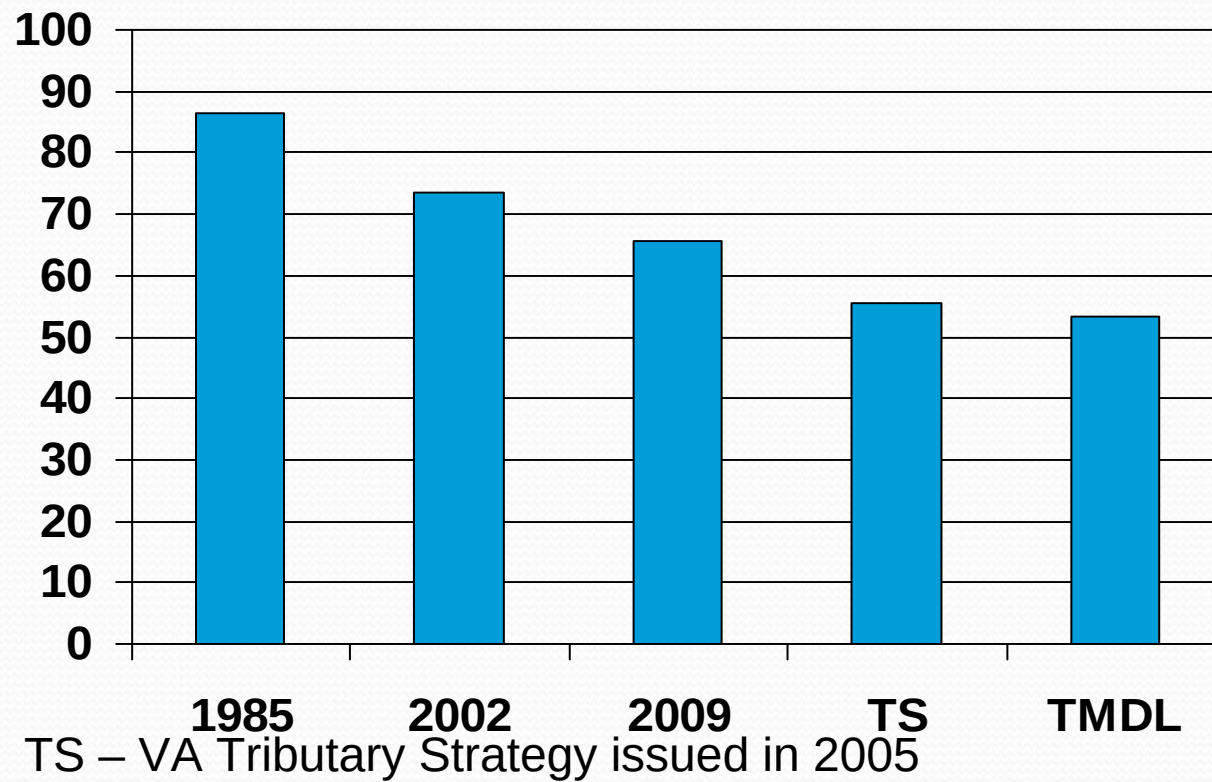
- Submittal of “Phase II” WIPS by the states. Phase II plans are expected to be developed with actions proposed at a smaller, local scale.
- Revisions to the Chesapeake Bay Model to correct currently known deficiencies.
- Modifications of the TMDL allocations by EPA by 15 Dec 2011

Expected in 2017:

- Submittal of Phase III WIPS by the states.
- Modifications of the TMDL allocations by Dec 2017

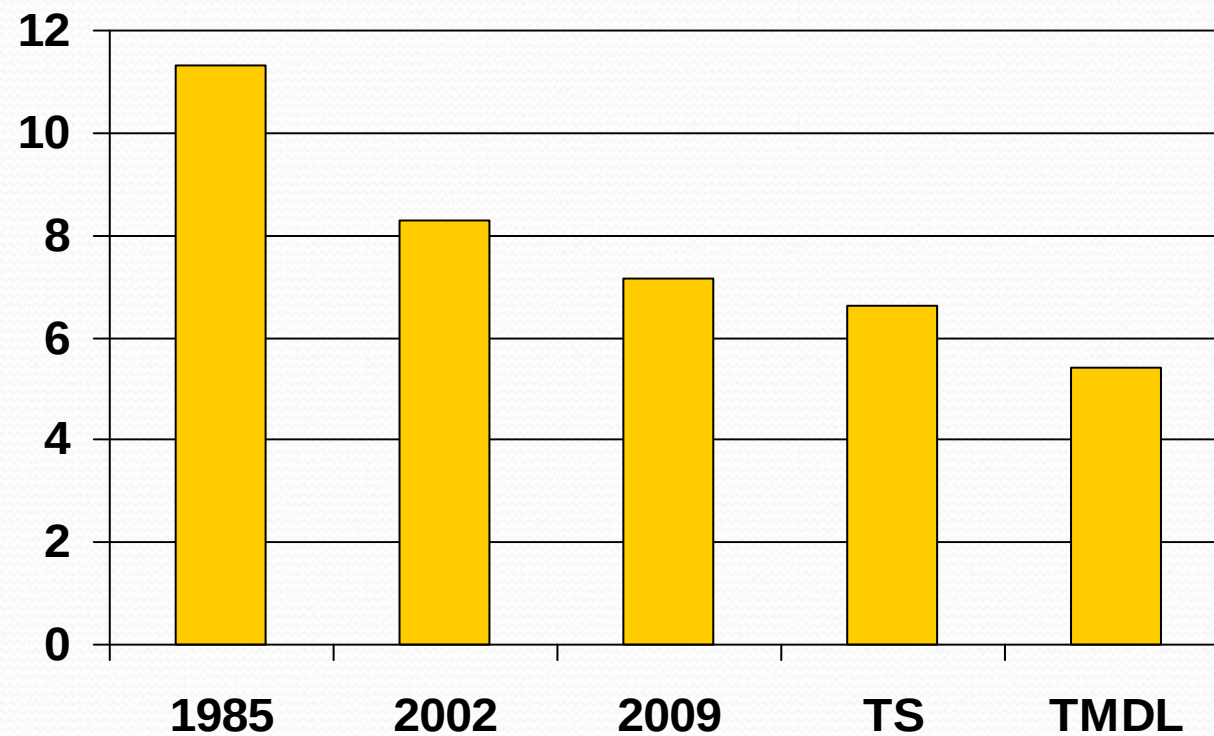
Virginia Nitrogen Loads

[million lbs/yr]

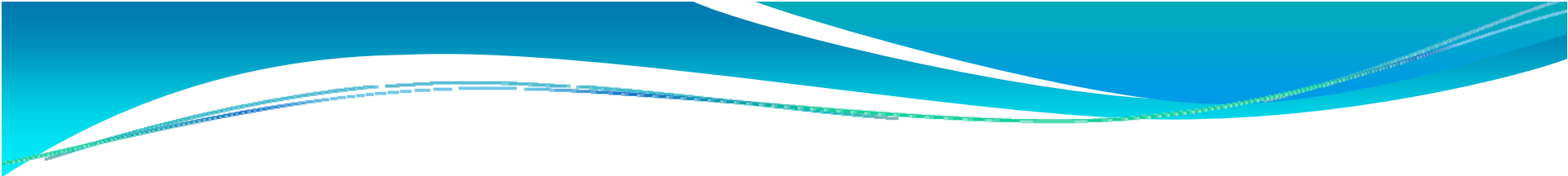


Virginia Phosphorus Loads

[million lbs/yr]



TS – VA Tributary Strategy issued in 2005



Commenting on the WIP

Comments or questions can be sent to

- VABAYTMDL@dcr.virginia.gov

Copies of the Virginia WIP and other TMDL related materials can be found at:

- www.deq.virginia.gov/tmdl/chesapeakebay.htm
- www.dcr.virginia.gov/sw/baytmdl.shtml



Department of Conservation & Recreation
CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

