

# EPA'S EXPECTATIONS FOR FEDERAL LANDS AND FACILITIES IN SUPPORTING CHESAPEAKE BAY JURISDICTIONS' PHASE III WATERSHED IMPLEMENTATION PLANS

Principals Staff Committee Meeting  
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# Expectations Overview

- ▶ EPA is providing expectations regarding federal agency participation in the Phase III WIPs that will be developed by the Bay jurisdictions.
- ▶ Provides additional detail on expectations to ensure that the Bay jurisdictions have the information needed from federal agencies to prepare their WIPs and to demonstrate that needed pollutant reductions will occur.

# Expectations Overview (cont'd)

- ▶ The basis for these Federal Agency expectations derives from the Clean Water Act, the 2010 Chesapeake Bay TMDL, the 2014 Chesapeake Bay Watershed Agreement, the EOs 13508 and 13834, as well as multiple EPA and CBP partnership decisions and documents.
- ▶ Build upon and complement the Bay jurisdictions' Phase III WIP expectations EPA issued on June 20, 2018.
- ▶ EPA set a specific expectation that jurisdictions engage with federal agencies in the development and implementation of the Phase III WIPs and partner with them in the development of local planning goals.

# Phase III WIP Expectations for Federal Agencies

- ▶ EPA expects federal agencies to work with the Bay watershed jurisdictions to ensure that they have the information necessary to prepare their Phase III WIPs.
- ▶ These expectations apply not only to federal agencies that own or operate facilities, but also to those that lease or occupy land or facilities in the Bay watershed.

# Phase III Federal Facility Targets

- ▶ EPA expects federal facilities to achieve the federal facility targets established in 2015, or however modified to align with Phase III WIP local area planning goals, by 2025.
- ▶ New targets for new or upgraded facilities will be established in 2018–2019 as part of the jurisdictions' local planning goals development for their Phase III WIPs.
- ▶ Using an updated protocol, the jurisdictions, EPA and the CBP partnership's Federal Facility Workgroup will work together to develop federal agency or facility-specific targets. Final load reductions for federal agencies or facilities should be expressed at a scale that fits with each jurisdiction's approach to setting local area planning goals established in their Phase III WIPs.

# Annual Progress Reporting

- ▶ Federal agencies are expected to report annual BMP progress to the jurisdictions and EPA using tools provided by the jurisdictions that are compatible with requirements for NEIEN.
- ▶ The Partnership Phase 6 Watershed Model now enables EPA to track Federal agency BMP implementation progress by Federal agency instead of just “federal lands.”
- ▶ With this new capability in place, EPA now plans to track and report on Federal agency progress for each agency for each of the jurisdictions on an annual basis.

# Water Quality Two-Year Milestones

- ▶ Federal agencies are expected to develop two-year programmatic and two-year BMP implementation milestones.
- ▶ Federal agencies are responsible for coordinating and submitting BMP implementation milestones to the jurisdictions and EPA.
- ▶ EPA will continue to evaluate Federal agency implementation progress annually along with the Bay jurisdictions' evaluations.

# Federal Agency Information to Support Jurisdictions' Phase III WIPs

- ▶ EPA expects Federal agencies to compile and provide, or make available to each jurisdiction through other appropriate means, such as the [Chesapeake Assessment Scenario Tool \(CAST\)](#), the following types of information to support the development of the Bay jurisdictions' Phase III WIPs:
  - Location and description of the federal land or facility;
  - Description and estimation of current releases of nitrogen, phosphorus, and sediment from those federal lands or facilities and an estimate of anticipated growth through 2025;
  - Verified records of the existing BMPs that have been implemented and maintained through 2017;
  - Description of existing programs, policies and strategies (with examples) used to drive BMP implementation;
  - Inventory of National Pollution Discharge Elimination System (NPDES) permits;



# Federal Agency Information to Support Jurisdictions' Phase III WIPs (cont'd)

- Description of facility's stormwater management program;
- Planned pollutant reductions from point and nonpoint sources associated with federal lands and facilities to meet their share of a local area planning goal;
- BMP implementation scenarios to reduce nitrogen, phosphorus and sediment to reach the new facility-specific targets, consistent with the CWA;
- Planned actions, programs, policies, and resources necessary through 2025 to reduce pollutant loads associated with federal lands and facilities with specific target dates;
- Description of plans to address any gaps in achieving the pollutant reduction goals;

# EPA's Role and Support to Federal Agencies

- ▶ EPA will help coordinate with federal agencies to provide input to the jurisdictions' Phase III WIPs, including commitments to federal actions on federal lands and facilities, and two-year milestones.
- ▶ EPA will continue to coordinate the effort for developing federal water quality milestones.
- ▶ EPA will assist with the resolution of any disagreement between a federal agency and jurisdiction at the request of the jurisdiction or the federal agency as required by [EO 12088](#).
- ▶ EO 12088 also requires EPA to provide technical advice and assistance to federal agencies to ensure that federal pollution control actions are cost-effective, timely, and in compliance with applicable pollution control standards

Questions???