



Commonwealth of Virginia Chesapeake Bay Watershed Implementation Plan

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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 funding as well as reductions from federal facilities.
- Plan is developed to meet EPA deadlines and requirements.
- Reserve the right to modify the plan and adapt as necessary.
- The plan includes regulatory programs that are currently in place.



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
- Public comment period and public meetings
- 29 November: Virginia submitted final WIP
- EPA accepts Virginia WIP and incorporates into TMDL



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

- Conduct scientific study to determine the most appropriate chlorophyll criteria for the tidal James River.
- Concurrently, begin pollution reduction actions during Phase II of TMDL Implementation to achieve the 60% reduction target by 2017.
- Initiate rulemaking under the Virginia Administrative Process Act to amend water quality standards, as needed.
- Amend TMDL allocations for the James River Basin, as needed, in response to revised water quality standards.
- Implements necessary management actions during Phase III to achieve TMDL allocations prior to 2025.



Wastewater Proposals

- Using the current nutrient allocations for significant wastewater facilities under the State Water Control Board issued Watershed General Permit that establishes nutrient caps for all significant discharges and ability to trade.
- Propose new facilities under 1000 g/day must offset entire nutrient load.
- Propose offsets for nutrient loads from small dischargers expanding to less than 40,000 g/day
- Additional reduction of 2.6 million lbs of N on James River



Onsite/Septic Proposals

- New or replacement systems in the Chesapeake Bay watershed utilize nitrogen reducing technology and implementation of new regulations for alternative systems that are currently under development.
- Establishing a tax credit or other financial incentive for the upgrade or replacement of existing conventional systems with systems that have nitrogen removal technologies.
- The plan proposes requiring septic pumpouts in areas outside those governed by the Chesapeake Bay Preservation Act which currently requires pumpouts every 5 years.



Agriculture/Forestry Proposals

- Extensive implementation of resource management plans on agricultural acres which could result in implementation of these practices:

Nutrient management plans, livestock exclusion from streams, 35' stream buffers, soil conservation

- Vastly improved accounting of voluntary practices.
- Improved implementation of forestry water quality BMP requirements.
- Increase Agriculture Stewardship Program.
- WQIF funding



Urban/Suburban Stormwater Proposals

- The plan proposes urban nutrient management plans on golf courses, municipally owned lands.
- The plan proposes restrictions on do-it-yourself non-agricultural lawn and turf fertilizers including “P ban”
- The plan proposes a 20% phosphorus reduction standard for areas being redeveloped.
- The plan proposes stormwater retrofits on existing developed lands to reduce nitrogen, phosphorus and sediment.
- For new development, post development loads cannot exceed allowed loads of previous land uses.



Future Dates and Expected Actions

Expected in 2011:

- Revisions to the Chesapeake Bay Model to correct currently known deficiencies.
- EPA will investigate model improvements on agriculture and stormwater bmp calculating.
- States develop Phase II WIPS.
- Modifications of TMDL allocations by EPA by 15 Dec 2011

Expected in 2017:

- States develop and submit Phase III WIPS.
- Adjust allocations according to progress on state plans.
- Modifications of the TMDL allocations by Dec 2017.



Water Quality Improvement Fund

- \$ 36.4 million in WQIF
- Split 90/10 non point source/point source
- \$ 32.8 to nonpoint source \$ 14 million Virginia Natural Resource Commitment Fund
- \$3.6 million from the WQIF will be used for point source pollution reductions.