

**EPA INTERIM ASSESSMENT OF FEDERAL AGENCIES' 2012-2013 WATER QUALITY
MILESTONES PROGRESS AND WIP SUPPORT**

The U.S. Environmental Protection Agency (EPA) is providing this interim assessment of the progress made by federal agencies toward meeting 2012-2013 water quality milestones set forth under the [Chesapeake Bay Executive Order 13508 \(EO\) Strategy](#), as well as activities to help jurisdictions meet their milestones and Watershed Implementation Plan (WIP) commitments. This assessment also provides considerations for the development of 2014-2015 federal milestone commitments. A summary of the status of the 2012-2013 EO programmatic water quality milestones can be reviewed at: <http://executiveorder.chesapeakebay.net/>.

Under CWA Section 117(f), federal agencies that own or operate a facility within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs. In addition, the [Chesapeake Bay Total Maximum Daily Load](#) (Bay TMDL) and the EO Strategy direct federal agencies to participate in pollution reduction programs to achieve the goal of a restored Chesapeake Bay. In 2011, EPA issued the [Guide for Federal Lands and Facilities' Role in Chesapeake Bay Jurisdictions' Phase II Watershed Implementation Plans](#), which describes EPA's expectations for federal agency coordination with jurisdictions and participation in the WIPs and the [Guide for Chesapeake Bay Water Quality Two-year Milestones](#), which describes EPA's expectations for federal agencies to develop numeric and programmatic water quality milestones and coordinate with respective jurisdictions in the development of such milestones for individual federal facilities.

Progress was made during the Phase II WIP development process to engage the jurisdictions and federal agencies, including broader discussions of federal commitments. In 2013, EPA expects federal agencies to develop best management practice (BMP)-specific 2014-2015 federal milestones that can be analyzed to determine resultant pollutant load reductions. EPA also expects federal agencies to work with the jurisdictions to improve annual progress reporting to allow more thorough evaluations and coordination with jurisdictions.

Cross-Sector Activities and Support of State WIP and Milestone Commitments Achievements

- EPA continues to implement the Chesapeake Bay TMDL accountability framework, including working with jurisdictions to submit Phase II WIPs and 2012-2013 milestone commitments, conducting an evaluation of those commitments, working with jurisdictions to assess the load reductions resulting from BMPs that are annually reported by the seven Bay jurisdictions, and assessing milestone and WIP implementation progress.
- Through a cooperative agreement with the Chesapeake Bay Program Office (CBPO), the Environmental Finance Center conducted six WIP Environmental Financing Forums between October 2012 and March 2013 to assist local governments in identifying and understanding financing issues related to implementation. Additional forums are planned for 2013.
- EPA and the U.S. Geological Survey (USGS) led the Chesapeake Bay Program (CBP) partnership's Federal Facilities Team in preparing an improved inventory of federal land and facilities, and the group is now working to improve data on land use.

- The Department of Defense (DoD) provided contact and installation-specific information such as land use data, permits, acreages and BMP inventories to support the Bay jurisdictions' Phase II WIP development.
- DoD completed 21 projects at 14 installations to maintain National Pollutant Discharge Elimination System (NPDES) wastewater and stormwater permit compliance at a cost of \$1.1 million.
- Projects greater than 5,000 square feet on federal lands are included in the District of Columbia 2012 progress run.
- EPA and USGS expanded the non-tidal monitoring network to include 20 more stations and provided additional grants and funding to Bay jurisdictions for monitoring and analysis.
- USGS issued a report on a new technique for evaluating pollutant loading trends.

Improvements to Meet 2012-2013 Milestones and Suggestions for 2014-2015 Milestones

- EPA expects federal facilities to submit data in the appropriate format to jurisdictions and EPA for inclusion in the 2013 progress run in a timely manner so that it can be incorporated into the jurisdiction progress submission due to EPA on December 1, 2013.
- EPA will assist federal agencies in submitting data to the Chesapeake Bay Program (CBP) models, as well as understanding the assumptions underlying federal land use and pollutant load estimates.
- EPA and National Oceanic and Atmospheric Administration (NOAA) will continue in 2013 to develop a format for annual updates of trends in estuary monitoring data to assess water quality progress.
- For the 2014-2015 milestone commitments, EPA expects federal agencies to develop BMP-specific milestones in a format that can be analyzed through the CBP models in order to calculate the resulting load reductions for federal land and facilities.
- EPA will continue to work with federal agencies and jurisdictions to develop a single, coordinated and consistent mechanism to report milestone commitments and implementation progress.

Agriculture

Achievements

- The U.S. Department of Agriculture (USDA) implemented conservation practices on more than 342,000 acres in high priority watersheds. Agriculture conservation is on track to meet the 2012-2013 EO milestone.
- Under a data-sharing agreement, USDA's Natural Resource Conservation Service (NRCS) provided BMP implementation data to Bay jurisdictions for inclusion in their 2012 progress run submissions.
- EPA evaluated revisions to the national CAFO rule.
- The USFS completed and released the *Chesapeake Forest Restoration Strategy* in December 2012, a multi-agency collaborative assessment to help with forest and tree establishment in priority areas.

Improvements to Meet 2012-2013 Milestones and Suggestions for 2014-2015 Milestones

- USDA (NRCS/Farm Service Agency/U.S. Forest Service) and EPA should work together with Bay jurisdictions to develop strategic recommendations to accelerate implementation of forest buffers on agricultural land in order to support WIP commitments.
- EPA and USDA should consider developing 2014-2015 milestones for implementing commitments outlined in the June 28, 2011 *USDA and EPA Chesapeake Data Collaboration Workplan* pertaining to coordinating model input data, improving tracking and reporting of conservation practices, and updating/developing conservation practice effectiveness estimates based on the latest science.
- USDA should consider coordinating with the jurisdictions through the 2014-2015 milestone commitments to provide technical and financial assistance, with a focus on providing assistance for the highest priority conservation practices that will deliver the greatest nutrient and sediment reductions.
- Federal agencies should work with EPA to determine if there is a data source for agricultural BMPs on federal lands to assess leadership by example.

**Urban/Suburban Stormwater
Achievements**

- EPA and the Army Corps of Engineers are working with state and local agencies to provide clarity and expectations surrounding stream restoration projects and the Clean Water Act 404 permitting process. Education and outreach efforts have been undertaken to help understand the permit process, available permitting mechanisms and expectations for information needs.
- Stormwater Memorandum of Understanding (MOU) – In the District of Columbia (DC), federal agencies are developing an MOU that acknowledges that federal agencies will comply with the Energy Information and Security Act (EISA) Section 438 to lead by example, exchange information on stormwater projects through periodic collaboration meetings, and optimize the operation and management of stormwater practices.
- DoD initiated a Technology Transfer of BMP technologies and methods to assist installations in implementing BMPs to support the TMDL and WIPs.
- DoD also completed:
 - BMP Opportunities Assessments and Stormwater Improvement Plans at six installations throughout the Bay watershed
 - Fifty-one projects to implement sustainable land management practices
 - Six projects to repair and improve stormwater management systems
 - Ten stormwater inventory and assessment projects to identify and assess opportunities to strengthen stormwater management practices
 - Three stream restoration projects to repair and restore approximately 1,600 linear feet
 - Nine projects to update and implement installation stormwater pollution prevention plans
- EPA funded stormwater training for federal facilities in February 2013. Over 20 federal agencies attended.
- EPA evaluated revisions to the national stormwater rule.

Improvements to Meet 2012-2013 Milestones and Suggestions for 2014-2015 Milestones

- Sign MOU in DC in 2013 for federal agencies to lead by example in reducing pollution from urban and suburban stormwater and set 2014-2015 milestones to implement aspects of the MOU. EPA should ensure all federal facilities within the Chesapeake Bay watershed are identified, have appropriate NPDES stormwater permit coverage and comply with all regulatory requirements.
- Federal agencies should evaluate and pay appropriate stormwater fees in all jurisdictions. At this time, Naval District of Washington is working with D.C. Water and Sewer Authority to reconcile issues related to property boundaries at a few facilities. Once resolved, the Navy will pay all appropriate outstanding stormwater fees in DC in accordance with existing law and policy.
- Federal agencies should ensure BMPs are properly installed, maintained, tracked and reported.
- Federal facilities are expected to lead by example and comply with EISA. EPA should provide timely requests to identify information sources for tracking EISA implementation to evaluate extent of implementation.

Wastewater Treatment Plants and Onsite Systems

Achievements

- DoD completed seven projects to upgrade sanitary sewer systems and eleven projects to upgrade, repair, replace, maintain and monitor wastewater treatment facilities/systems.

Improvements to Meet 2012-2013 Milestones and Suggestions for 2014-2015 Milestones

- EPA expects full compliance with NPDES permit provisions at all permitted federal facilities. EPA is currently evaluating several NPDES compliance issues at federal facilities both independently and with jurisdictions.
- EPA will conduct an inventory of significant federal wastewater treatment plants (WWTPs), current load estimates, status of permits, and status of compliance in 2013.

Atmospheric Nitrogen Deposition

Achievements

- EPA estimates that efforts to comply with the Clean Air Act reduced atmospheric nitrogen deposition delivered to the Bay between 2009 and 2012 by 3.17 million pounds. Air deposition reduction is on track.
- EPA finalized nitrogen oxides and sulfur oxides Secondary National Ambient Air Quality Standards.
- EPA/Department of Transportation finalized 2017-2025 Model Year Light-Duty Vehicle Green House Gas Emissions (GHG) and Corporate Average Fuel Economy (CAFE) Standards rule.

Improvements to Meet 2012-2013 Milestones and Suggestions for 2014-2015 Milestones

- EPA will continue progress during 2013 on Tier 3 Light-Duty Vehicle Emission and Fuel Standards final rule. This rule was proposed on March 29, 2013.

- EPA should consider incorporation of any planned Clean Air Act rulemakings or other actions that reduce nitrogen oxide emissions into its 2014-2015 programmatic milestones.

Summary Points and Next Steps

- EPA will work to formalize data calls to ensure information needed to complete assessments of federal facility BMP progress is obtained as limited information is currently available on which to base a complete assessment of federal facility BMP progress for 2012.
- The CBP Federal Facilities Team, coordinated by EPA, will provide a forum for agency coordinators to clarify and communicate EPA and jurisdiction expectations.
- EPA will evaluate the current structure of the Chesapeake Bay Program Partnership, Federal Leadership Committee Designees, and Federal Office Directors to identify ways in which to improve coordination with federal agency senior management on federal facility and installation-level issues.
- The Chesapeake Bay Program partnership is developing verification protocols in order for nutrient and sediment controls to be more accurately credited by the Chesapeake Bay Program models. These protocols will address the source of BMP implementation data and under-reported and non-cost shared practices and will include guidelines for identifying and removing duplicate records and addressing expired, failed, or removed practices.