



Chesapeake Bay TMDL Offsets and Trading Program Review Methodology and Status

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Presentation Outline

- ▶ Rationale for program review
- ▶ Methodology
- ▶ Status

Rationale

- ▶ As part of the Chesapeake Bay TMDL, EPA expects
 - Bay jurisdictions to account for new or increased loadings of nitrogen, phosphorus, and sediment that are not specifically accounted for in a jurisdiction's allocations
 - New/increased loads to be offset by reductions and credits generated by other sources under programs consistent with the Clean Water Act (CWA) and Section 10 and Appendix S of the TMDL.
- ▶ EPA supports implementation of the TMDL through trading and offset programs
- ▶ Under the Accountability Framework to ensure implementation of the TMDL, EPA has committed to conducting regular and periodic reviews of the jurisdictions' trading and offset programs

Review Basics

- ▶ Designed to be minimally burdensome to jurisdictions
- ▶ Survey based. Prepared by EPA Workgroup
- ▶ Follows format of relevant TMDL sections
 - Section 10: Implementation and Adaptive Management
 - Appendix S: Offsetting New or Increased Loadings of Nitrogen, Phosphorus, and Sediment to the Chesapeake Bay Watershed
- ▶ Circulated survey to jurisdictions late April 2011
- ▶ Face-to-face meetings with jurisdictions began in May 2011 and ending mid-September 2011.
 - Various EPA and jurisdiction staff attended
 - Reviewed survey and recorded jurisdiction responses
 - Phone, email and face-to-face follow-up as necessary

Survey Details

- ▶ Based on principles described in Appendix S
- ▶ Questions related to common elements of trading and offset programs
 - Authority
 - Trading Baselines
 - Minimum Controls
 - Eligibility
 - Credit Calculation and Verification
 - Safeguards
 - Certification and Enforceability
 - Accountability and Tracking
 - Credit Banking
 - Growth
 - Additional Requested Programmatic Information and Needs

Status

- ▶ May - September 2011 – Program Review interviews conducted for all jurisdictions.
- ▶ Program Review interview responses drafted and undergoing EPA Workgroup review.
- ▶ Week of September 12, 2011 - Draft Program Review interview responses circulated to each jurisdictions for factual review
- ▶ September 14, 2011 – EPA workgroup meeting to begin development of draft Program Review Findings
- ▶ October 2011 - finalize Program Review, include interviews and incorporate findings, circulate to jurisdictions
- ▶ October 2011 – April 2012 – Jurisdictions on-going follow-up to EPA Review findings as part of Phase II WIP process.

STAC's Role in Process

- ▶ Get involved in WIP Phase II stakeholder meetings in each jurisdiction.
- ▶ Get involved in jurisdictions' advisory groups (PA, VA, DE, etc.) for trading and offset program development.
- ▶ Get involved in new Chesapeake Bay Trading and Offset Workgroup under the Water Quality Goal Implementation Team (WQGIT). There may be opportunities to provide support to this workgroup on trading and offset issues. PADEP chairs this group and EPA provides staff support.