EPA Evaluation of

Maryland's

2014-2015 Milestone Progress and 2016-2017 Milestone Commitments to Reduce Nitrogen, Phosphorus and Sediment

Overview

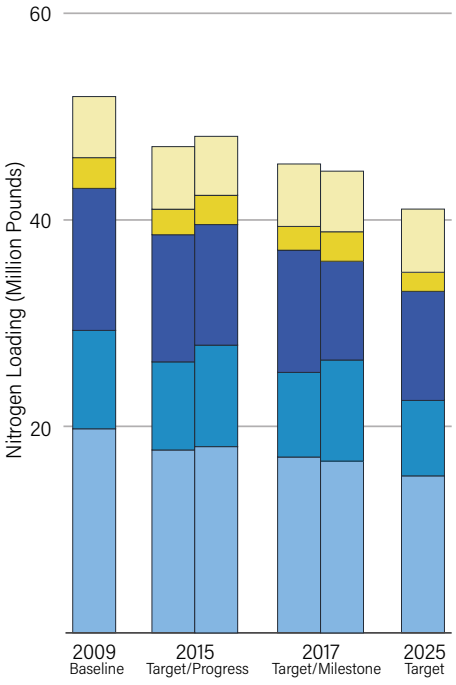
Two-year milestones are short-term objectives under the Chesapeake Bay Total Maximum Daily Load (Bay TMDL) accountability framework used to assess progress toward restoration goals while allowing jurisdictions to flexibly adapt their Watershed Implementation Plans (WIPs) to meet those goals. The Chesapeake Bay Program partnership set restoration goals of having all practices necessary to meet applicable Chesapeake Bay water quality standards in place by 2025 and practices in place by 2017 that would achieve 60 percent of the necessary pollutant reductions compared to 2009.

Pollutant Reduction Progress and Future Targets by Source Sector

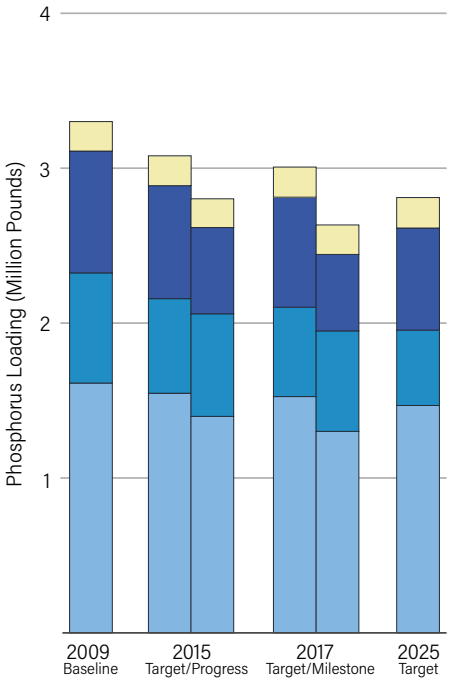
According to the data provided by Maryland, the state achieved its state-wide 2015 targets for phosphorus and sediment but did not meet its state-wide nitrogen target. For nitrogen, Maryland is off target in all source sectors except for Wastewater.

Based on Maryland's anticipated reductions for nitrogen, phosphorus and sediment during the 2016-2017 milestone period, Maryland is on track to meet all of its state-wide 2017 targets. However, Maryland is not on track to meet its 2017 targets for the Urban/Suburban Stormwater sector for any of the three pollutants. Maryland is anticipated to be on track to meet its state-wide 2025 targets for phosphorus and sediment but not nitrogen.

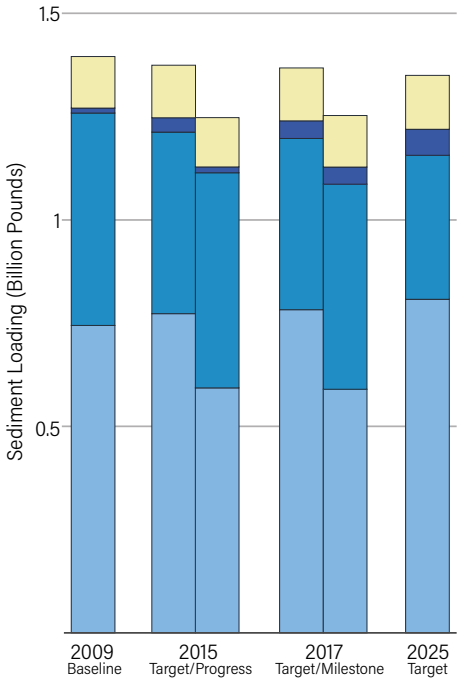
Nitrogen Loads and Goals



Phosphorus Loads and Goals



Sediment Loads and Goals



*Forest includes other sources

For additional information on pollution reduction progress, commitments, and BMP see http://www.chesapeakeprogress.com/clean-water/water-quality/watershed-implementation-plans



2016 Oversight Status

Ongoing
Enhanced
Backstop

Agriculture	*Urban/Suburban*	*Wastewater*	*Trading/Offsets*
Ongoing Oversight	Ongoing Oversight	Ongoing Oversight	Ongoing Oversight

2014-2015 Milestone Progress and 2016-2017 Milestone Review

The EPA review of progress toward meeting 2014-2015 milestones shows Maryland has made enough progress in the Agriculture and Wastewater sectors to ensure implementation is occurring even though all of the milestone commitments were not achieved. Maryland's anticipated reductions for the 2016-2017 milestone period should keep it on track to meet the 2017 restoration target. However, projected reductions for nitrogen in the Urban/Suburban Stormwater sector are not on track.

Strengths

- Implemented Phosphorus Management Tool regulations, effective June 8, 2015
- Issued Phase I MS4 permits
- Issued the final Construction General Permit and final General Permit for Industrial Stormwater Discharge
- Continued moving forward with upgrades at both minor and major wastewater treatment plants
- Completed development of tracking system for agriculture and moving forward with developing similar tracking system for the Urban/Suburban Stormwater sector

Shortfalls

- Did not issue tentative determinations (i.e. draft permits) for the Phase II MS4 permits by the end of 2015
- Did not provide schedule or next steps for finalizing the Accounting for Growth regulations

Issues to Address

- Ensure all new, non-registered CAFOs are identified and required to submit applications for permit coverage, and assess all previously registered CAFOs to determine if they need to apply under the new CAFO General Permit
- Issue tentative determinations for Phase II MS4 permits by September 30, 2016, and final determinations by March 31, 2017
- Review, approve, and/or take appropriate enforcement actions according to established Standard Operating Procedures (SOPs) on Phase I MS4 Restoration Plans submitted during or prior to the 2016-2017 period
- Develop an MS4 permit template for EPA review that articulates the requirements of the Phase I permits set to expire in 2018

Potential Federal Actions and Assistance

EPA will maintain ongoing oversight for the Urban/Suburban Stormwater sector, however EPA may downgrade this sector to "Enhanced Oversight" in subsequent evaluations if Maryland does not make substantial improvements. EPA will maintain "Ongoing Oversight" of the Maryland sectors for Agriculture, Wastewater and Offsets and Trading.

For the full details of EPA's evaluation of Maryland's 2014-2015 milestone progress and 2016-2017 milestone commitments, please see Maryland's Full Evaluation Report.