



OFFICE OF THE GOVERNOR OF THE COMMONWEALTH OF VIRGINIA

# CHESAPEAKE BAY STAKEHOLDERS ADVISORY GROUP

April 29, 2021

# VIRGINIA'S PHASE III WIP – REFRESHER AND UPDATE

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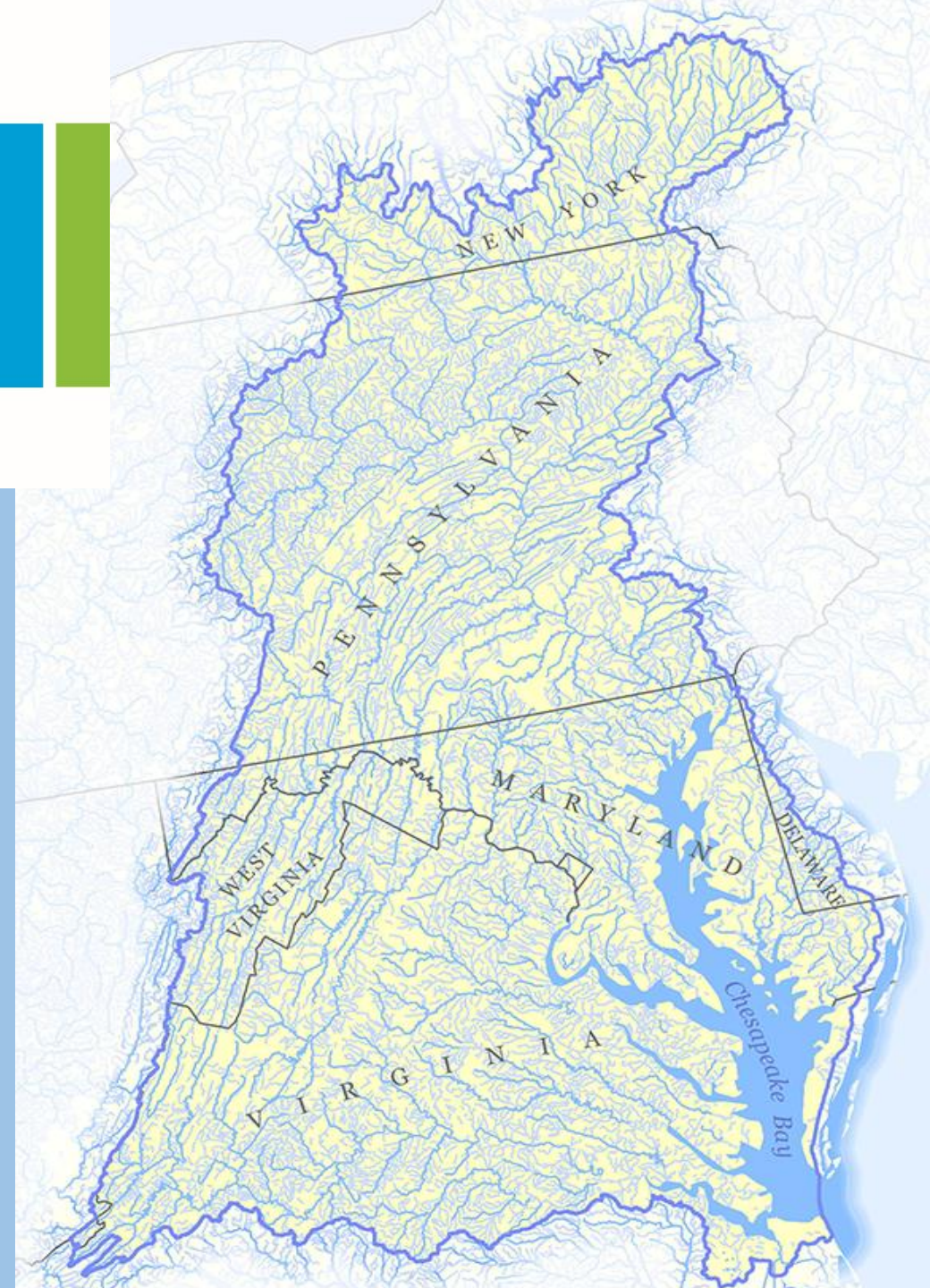
# Our Rivers, Our Bay:

Virginia's Path to Clean Water

**Governor Ralph S. Northam**

**Environment Virginia, April 4, 2018**

“Our DEQ experts tell us that at our current Bay restoration pace, we will fall millions of pounds short of our goals to reduce nitrogen and phosphorus. So my Administration is committed to preparing a new cleanup plan that incorporates input from local decision makers, prioritizes nature-based solutions, and tackles the impact of climate change on our clean water goals.”



# VIRGINIA'S WIP III GOALS & EPA'S EXPECTATIONS

- Restore the Chesapeake Bay.
- Achieve state basin planning targets for the Potomac, Rappahannock, York, and James Rivers and the Eastern Shore.
- Achieve our goals no later than December 31, 2025.
- Tackle additional pollution expected from growth.
- Tackle the impacts of climate change.
- Continue to engage partners, including local governments, planning district/regional commissions, and soil and water conservation districts.
- Develop a plan that is practical and cost effective.
- Maximize the potential for co-benefits.
- Meet the Environmental Protection Agency's expectations.

## EPA Expectations:

- By 2025, implement best management practices to reach planning targets for nitrogen and phosphorus reductions
- Develop programmatic and numeric implementation commitments
- Engage local, regional and federal partners
- Incorporate co-benefits
- Establish local area planning goals





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# WIP III BY THE NUMBERS

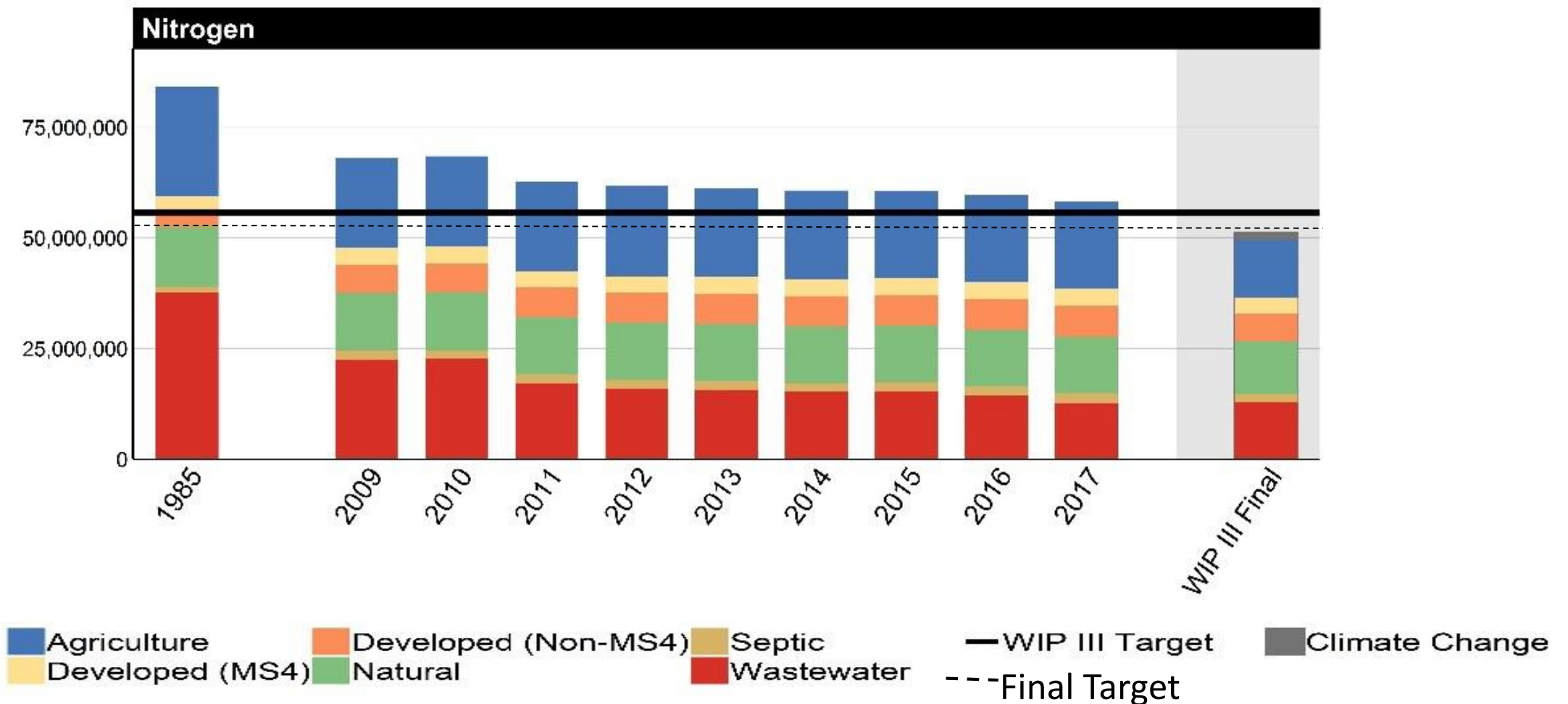
James Martin

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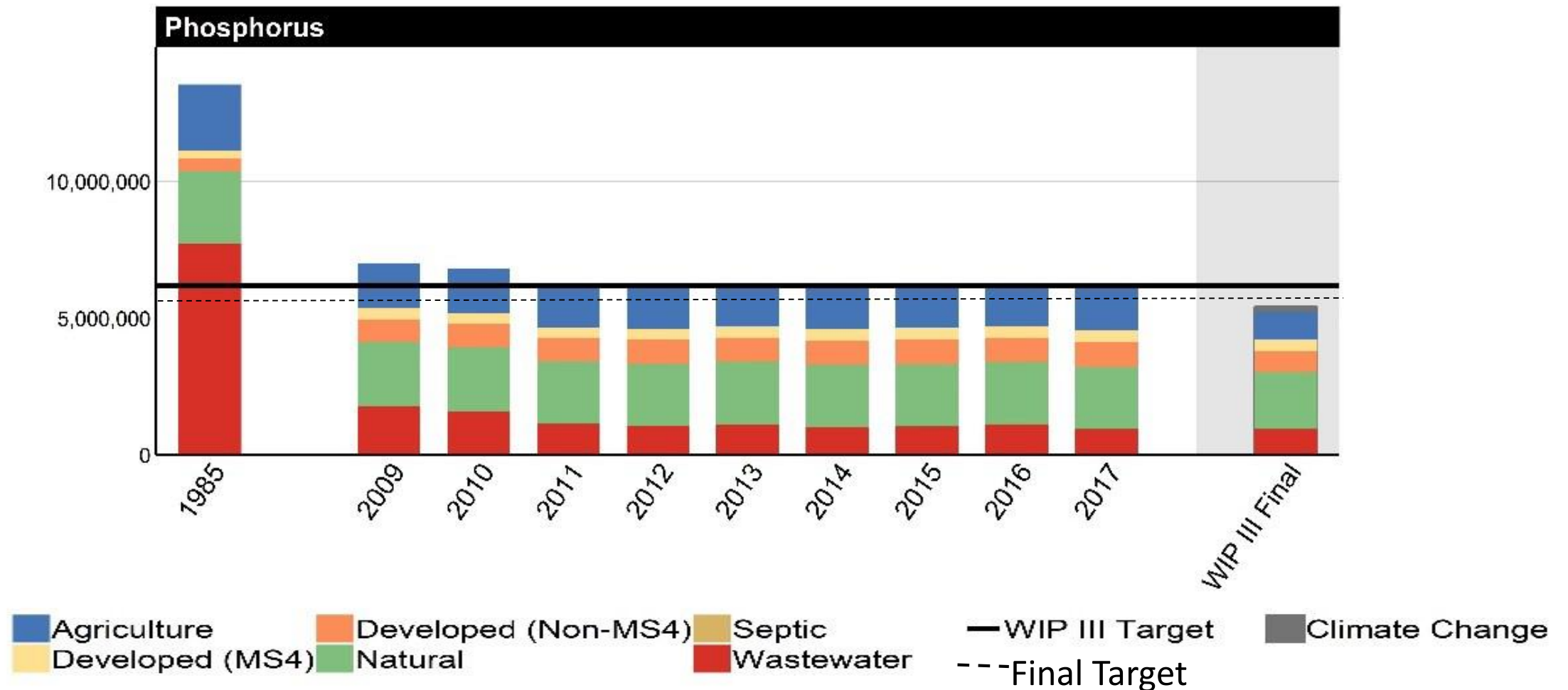
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# NITROGEN PROGRESS AND TARGETS



# PHOSPHORUS PROGRESS AND TARGETS





# FINAL WIP III TARGETS BY BASIN

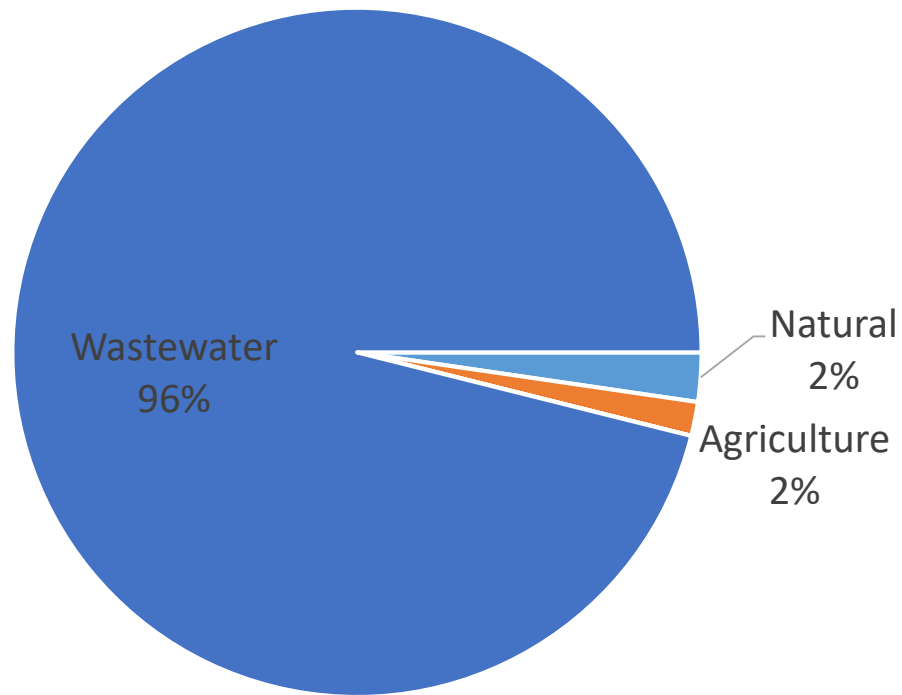
<b>State-Basin</b>	<b>Nitrogen (million pounds per year)</b>	<b>Phosphorus (million pounds per year)</b>	<b>Sediment (million pounds per year)</b>
Eastern Shore	1.83	0.152	473.3
Potomac River Basin	16.51	1.823	1929.7
Rappahannock River Basin	7.09	0.819	1505.1
York River Basin	5.71	0.548	949.1
James River Basin	21.81	2.241	2015.2
<b>Total for Virginia</b>	<b>52.95</b>	<b>5.583</b>	<b>6872.4</b>

# FINAL PHASE III WIP

- Meets Planning Targets
- Accounts for forecasted growth through 2025
- Accounts for climate change through 2025
- Additional 8,775,020 pound reduction in nitrogen (from 2019)
- Additional 890,934 pound reduction in phosphorus (from 2019)

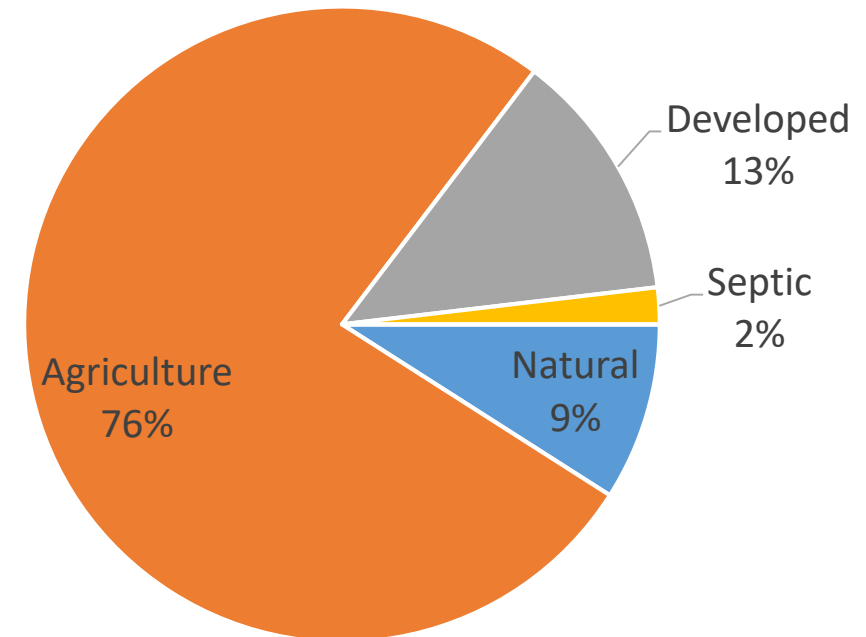
# NITROGEN LOAD REDUCTIONS

2009 - 2019



9,561,781

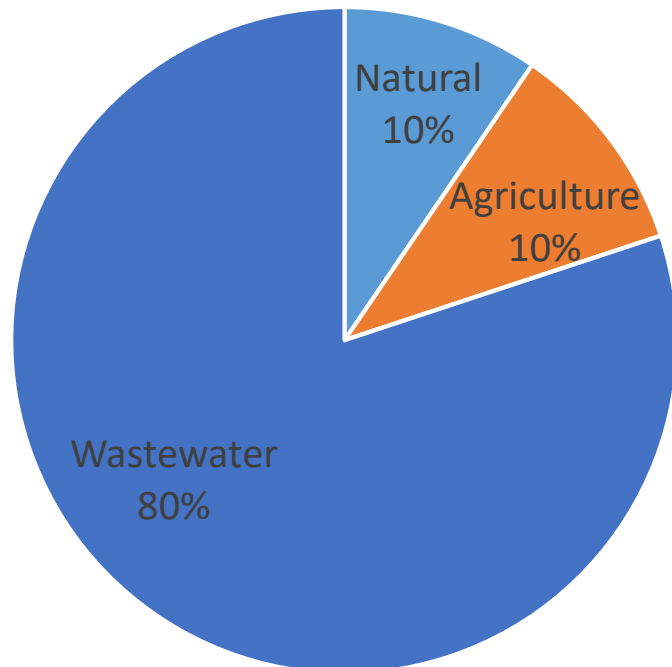
2019 – WIP III



8,775,020

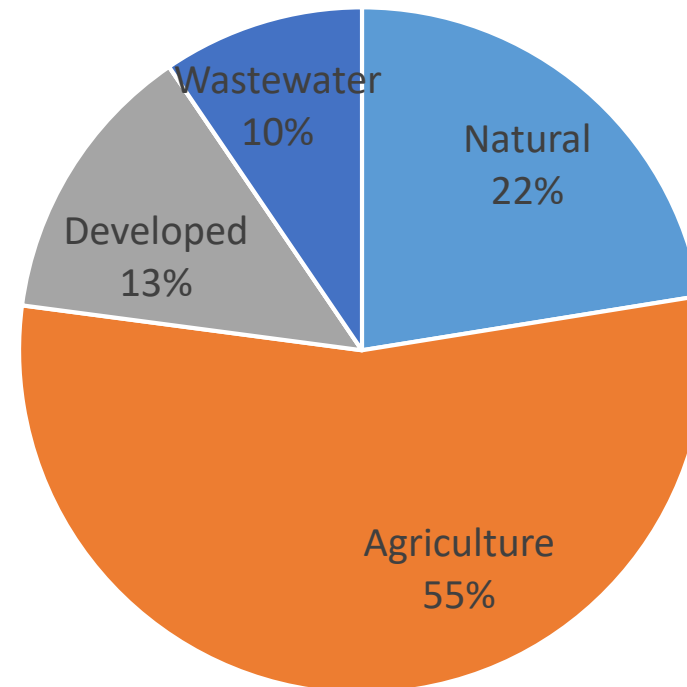
# PHOSPHORUS LOAD REDUCTIONS

2009 - 2019



863,949

2019 - WIP III



890,934



# **Virginia's Phase III WIP Unregulated Developed Lands Update**

## **Chesapeake Bay Stakeholders Advisory Group**

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Jutta Schneider

Director, Water Planning Division

Virginia Department of Environmental Quality

April 29, 2021



# Virginia's Phase III WIP — Unregulated Developed Lands Initiatives

- 40. Expand the Healthy Virginia Lawns Program – VCE
- 41. Pilot and expand an Urban Nutrient Management (NM) Program for Virginia Youth - VCE
- 42. Audit and verify contractor-applicator reports of fertilizer applied to urban lands – VDACS
- 43. Establish state cost share for residential homeowners, small businesses and churches, etc. – VCAP/VASWCD
- 44. Enhance marketing of funding opportunities for Non-MS4 localities – DEQ
- 45. Prepare annual estimate of the amount of stormwater local assistance needs and pursue adequate funding – DEQ
- 46. Establish long-term partnership with local Planning District Commissions – DEQ

# Virginia's Phase III WIP — Unregulated Developed Lands Working with Planning District and Regional Commissions

- 14 of the 15 PDCs in Virginia's Bay watershed assisted with development of the Phase III WIP.
- PDCs were asked to provide recommendations on revised best management practice (BMP) input decks for the unregulated, urban sector as well as programmatic actions, capacity, and funding.
- The PDCs held meetings to engage their local communities in addition to four concluding meetings held in collaboration with their local Soil and Water Conservation Districts.
- All 15 PDCs in Virginia's Bay watershed are under contract with DEQ and develop annual work plans to advance Bay water quality efforts.
- Regionally specific work plans help meet partners where they are.
- Training on grant programs, BMP tracking and reporting, and implementation targeting.
- Regular communications with DEQ, and peer-to-peer among PDCs and with local governments.

# Virginia's Phase III WIP — Unregulated Developed Lands Identified BMPs

- Urban nutrient management
- Stream Restoration
- Forest and grass buffers
- Shoreline Management
- Wet ponds and wetlands
- Dry extended detention ponds
- Septic systems: pumping, connections to sewer, improved treatment, new systems



# Virginia's Phase III WIP — Unregulated Developed Lands

## Highlights from Recent PDC Grants

- Commonwealth of Virginia Chesapeake Bay Regulatory and Accountability Program (CBRAP) Funding
  - Purpose: Virginia Planning District Commission (PDC) covering Chesapeake Bay watershed localities to provide interim technical and administrative assistance to local governments of the Chesapeake Bay Watershed Area
- Activity Areas
  - Facilitation of Chesapeake Bay Phase III WIP implementation with localities and regional partners
  - BMP implementation reporting and liaison with DEQ
  - Regionally Specific Initiatives/Programmatic Actions
  - Development and Distribution of Implementation Tools and Resources
- 2021 Contracts
  - 15 PDCs with award of \$58,000 each and \$14,500 match

# Virginia's Phase III WIP — Unregulated Developed Lands Highlights from Recent PDC Grants, cont.

- 2021 CBRAP Funding Focus:
- Implementation Tools and Resources Activities:
  - Develop cost-estimates, project proposals and potential budgets for BMP implementation
  - Continue compiling GIS shapefiles to support the biennial Chesapeake Conservancy's Bay High-Resolution Land Cover Update project
  - Improve education, implementation and development of a process to capture, track and report septic tank pump outs
  - Review local plans and ordinances and identify whether WIP III BMPs and prioritized programmatic actions are included in goals/objectives or opportunities for future inclusion



# Virginia's Phase III WIP — Unregulated Developed Lands Highlights from Recent PDC Grants, cont.

- 2021 CBRAP Funding Focus:
- Implementation Tools and Resources Activities:
  - Support forest conservation and other land policies that reduce the impact of future development
  - Provide grant writing assistance and contract administration and project management services for awarded grants, based on local needs
  - Assist localities in identifying BMP implementation projects such as creating wetlands systems to serve as retention areas for water flowing from Towns to the Chesapeake Bay; installing rain gardens to reduce impervious surface area; and establishing a forest buffer/tree planting/stormwater management pilot program on publicly owned lands

# Virginia's Phase III WIP — Unregulated Developed Lands Highlights from Recent PDC Grants, cont.

- 2021 CBRAP Funding Focus:
- Regionally Specific Tasks
  - Continue evaluation of an existing water quality program (i.e. Chesapeake Bay Preservation Act), focusing on improving and quantifying water quality assessments of different buffers in the region and providing outreach to localities
  - Continue to document extent of septic systems currently installed in area within a geographical information system
  - Support SWCDs and other partners in their efforts to implement riparian buffers

# Virginia's Phase III WIP — Unregulated Developed Lands Highlights from Recent PDC Grants, cont.

- 2021 CBRAP Funding Focus:
- Regionally Specific Tasks, cont.
  - Facilitate construction of educational BMPs on library or school property with stakeholder partners
  - Administer regional assistance/cost-share/revolving loan program for septic pump-outs and living shorelines
  - Conduct stream clean-up project
  - Continue working with Virginia Department of Forestry (VDOP) and localities to implement tree planting projects through VDOP's Trees for Clean Water grant program

# Working with PDCs- Future Outlook

- Build on current and past work and projects
- Increasing focus on implementation, incl. targeting and co-benefits
- Continue to identify funding opportunities for implementation on unregulated lands
  - upcoming in May: Request for Applications in Chesapeake Bay Preservation Act localities for septic pump-outs, assessments of agricultural lands and program development; \$100k July 1 start date
- Continue grant training to PDCs/unregulated localities and provide assistance in application process
- Facilitate additional engagement with partners and agencies
- Continue to work with PDCs, localities and partners on BMP reporting

# **WIP III – Implementation of Agricultural Best Management Practices**



Russ Baxter, Department of  
Conservation and Recreation  
April 29, 2021



# Virginia's Phase III WIP – Agriculture

## Current Initiatives

- DCR direct paying private contractors to prepare certified NMPs in localities with less than 10% of all agricultural acres under NMP to facilitate implementation.
- HB 1422 and SB 704 (2020) set 2025 deadline to achieve stream exclusion and NMP goals: DCR has developed stream identification methodology and temporary fences as called for in the bills.
- DEQ updated the Poultry General Permit to require reporting and DCR expanded the Poultry Litter Transport program geographically and increased tonnage goals.
- DCR established data sharing agreement with NRCS to potentially allow farmers to extend the lifespan of a practice and retain “credit” towards the TMDL; gather data on practice lifespans.

# Virginia's Phase III WIP – Agriculture

## Current Initiatives

- Virginia Agriculture BMP Cost Share (VACS) Program provides multiple options for riparian forest buffers and stream fencing and includes a flexible fencing option.
- DCR to implement EPA most effective basin (MEB) funding for “whole farm approach” on Eastern Shore after successful pilot by Three Rivers SWCD.
- DCR piloting small herd initiative (20-35 head) and initiating a small and disadvantaged farmer outreach program.
- DCR initiating mobilization payments providing 20% or \$20,000 up front.
- 2021 legislation increased tax credits for BMPs and conservation equipment.
- Finalized WIP Initiative #14 – joint letter of agreement with Secretaries of Natural Resources, Agriculture and Forestry, Education and the President of the Virginia Association of Soil and Water Conservation Districts

# Verification

- Increasingly big issue for resources to ensure BMPs are in place and functioning.
- Without verification practices are removed from Virginia's submissions to EPA

# **The Virginia Agricultural BMP Cost Share Program (VACS)**

- Incentive payments and/or cost-share available, up to 100%, for agricultural BMPs such as:
  - Animal Waste Management Systems
  - Cover Crops
  - Nutrient Management Planning and Precision Ag
  - Riparian Buffers: Herbaceous or Forested
  - Stream Exclusion and Alternative Watering Systems
- Increase cost-share per year per participant from \$100K to \$150K in FY22

## **Key Agricultural BMPs for WIP III**

- Animal Waste Storage Facilities
- Buffers (grass and forested)
- Cover Crops (on 70% of cropland)
- Livestock Stream Exclusion
- Nutrient Management Poultry Litter Transport (89,000/yr. tons by 2025)
- Conservation Plans (on 70% of all farms)
- Sustain 2017 level of conservation tillage (~80%)



# Other Conservation Programs

- Conservation Planning
- Conservation Planning Certification Training
- Resource Management Plans (RMP)

# **Conservation Reserve Enhancement Program (CREP)**

- Partnership between DCR, USDA, and state agencies
- Offers joint financial assistance for establishing riparian forest buffers
- Provides 85% total cost-share, plus federal incentive payments and annual rental payments for a 10 or 15 year contract

# VACS Funding

	Cost-Share						Technical
		Chesapeake Bay	OCB	Total			Assistance
2016		\$13,068,081	\$8,731,256	\$ 21,799,337	\$	2,782,551	
2017		\$29,582,223	\$23,014,616	\$ 52,596,839	\$	7,414,751	
2018		\$8,313,487	\$5,568,050	\$ 13,881,537	\$	2,192,937	
2019		\$14,384,534	\$9,613,603	\$ 23,998,137	\$	3,572,473	
2020		\$41,272,279	\$17,688,120	\$ 58,960,399	\$	9,572,473	
2021		\$29,652,591	\$12,708,254	\$ 42,360,845	\$	6,397,023	

<b>Funding provided for agricultural BMPs</b>	<b>\$26,000,000</b>
Within the Chesapeake Bay watershed	\$18,200,000
Outside the Chesapeake Bay watershed	\$7,800,000

<b>Additional deposit for agricultural BMPs (Item Q)</b>	<b>\$35,100,000</b>
Within the Chesapeake Bay watershed	\$24,570,000
Outside the Chesapeake Bay watershed	\$10,530,000

<b>Technical assistance funds (Items A.1 and Q)</b>	<b>\$8,450,000</b>
Base technical assistance	\$4,550,000
Additional technical assistance	\$3,900,000

An additional appropriation of up to \$10 million, with \$1.3 million for technical assistance, from the recordation revenue is also provided.

## Deposit to the Water Quality Improvement Fund (FY22)

<b>Total Deposit (Item P): \$30,850,000</b>	
Conservation Reserve Enhancement Program (CREP)	\$500,000
Virginia Conservation Assistance Program (VCAP)	\$1,000,000
Special nonpoint source reduction projects (RMPs, poultry litter transport, nutrient management plans)	\$1,000,000
Small Farm Outreach Program (DCR and VSU)	\$250,000
Department of Forestry (Virginia Trees for Clean Water)	\$500,000
Department of Forestry (Water quality grants)	\$250,000
Clean Water Financing and Assistance Program (DEQ)	\$1,000,000
Department of Health	\$100,000
Funding for development and maintenance of Conservation Suite Application (DCR)	\$250,000
<b>Total for carve-outs</b>	<b>\$4,850,000</b>

# VIRGINIA ASSOCIATION OF SOIL & WATER CONSERVATION DISTRICTS



We work with the people who work the land.

# Contact

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