



COMMONWEALTH of VIRGINIA

Office of the Governor

Matthew J. Strickler
Secretary of Natural Resources

August 23, 2019

VIA ELECTRONIC MAIL

Mr. Cosmo Servidio
Regional Administrator
Environmental Protection Agency, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Mr. Dana Aunkst
Director
EPA, Chesapeake Bay Program
410 Severn Avenue, Suite 112
Annapolis, MD 21403

Re: Virginia's Final Phase III Watershed Implementation Plan for Meeting the Chesapeake Bay Total Maximum Daily Load

Dear Administrator Servidio and Director Aunkst:

On behalf of Governor Ralph S. Northam, I submit the Commonwealth's Final Phase III Watershed Implementation Plan (WIP) for meeting the Chesapeake Bay Total Maximum Daily Load (TMDL). I have directed the Virginia Department of Environmental Quality (DEQ) to post the Final Phase III WIP to its website.

The Commonwealth held a robust and comprehensive public review of the Draft Phase III WIP from April 5 through June 7, 2019 as evidenced by the more than 4,800 comments received. The announcement of the public comment period was posted on the Virginia Regulatory Town Hall on April 5, 2019. Comments were submitted via electronic mail and hand-delivered letters and postcards. The full text of all comments received has been made available through requests to DEQ. Two webinars were held on May 13, 2019 at 9 a.m. and 6 p.m. for a total of 130 participants. The webinars included an opportunity for the public to ask questions. The Office of the Secretary of Natural Resources and its agencies also provided detailed presentations on the Draft Phase III WIP at more than 20 gatherings of interested stakeholders.

Public and stakeholder comments, as well as detailed comments provided by the Environmental Protection Agency (EPA) on June 21, 2019, made clear that multiple, significant revisions to the Draft Phase III WIP were necessary to improve clarity, to provide updated information, and to offer additional explanation and detail for specific initiatives. I have directed DEQ to make a track-changes version of the Final Phase III WIP available upon request to ensure these revisions are transparent.

The Final Phase III WIP retains those initiatives that EPA identified as “key strengths,” including establishing clear deadlines for meeting priority best management practice (BMP) implementation goals for the agriculture sector, initiating review of post-development design criteria, and seeking additional reductions from wastewater facilities. Combined with the over 50 other initiatives outlined in the WIP, the Commonwealth’s plan establishes a clear and strong path forward for having the practices and programs in place by 2025 to achieve the Chesapeake Bay’s dissolved oxygen goals. The resulting nutrient reductions are also expected to satisfy the water clarity/submerged aquatic vegetation and James River chlorophyll-a goals. Virginia’s plan also provides certainty to the regulated community by accounting for the additional pollution loads from climate change now rather than waiting until 2022.

The Office of the Secretary of Natural Resources has moved swiftly to put many of the initiatives outlined in the Phase III WIP into action. Fiscal year 2020 offers the largest ever investment in the Virginia Agricultural BMP Cost Share Program and the Program now supports additional BMPs and much greater flexibility. DEQ reinitiated the Agricultural BMP Loan Program on July 1, 2019. DEQ has also contracted with the 15 Planning District Commissions in Virginia’s Bay watershed to maintain the strong momentum and collaboration established during development of the Draft Phase III WIP. The Chesapeake Bay Preservation Act Work Group, tasked with evaluating whether or not to extend the Act into the Bay headwaters, has formed and held its first two meetings. My Joint Letter of Agreement with Secretaries Ball and Carey is complete, and the Virginia Department of Health is launching this multi-agency collaborative effort to resolve wastewater islands. The next two-year Chesapeake Bay TMDL 2020-2021 milestone will outline additional, short term actions necessary to advance the goals of the Phase III WIP.

Governor Northam and I express our deep appreciation for all of the efforts that went into the development of the Phase III WIP and thank the many organizations and individual citizens who provided their input during the public comment period. We also remain grateful for the engagement of local Planning District/Regional Commissions and local Soil and Water Conservation Districts in development of Virginia’s Phase III WIP. Completing the job of restoring the Chesapeake Bay and its tributaries and meeting our commitments to our Chesapeake Bay Program partners will remain a priority for Governor Northam and his administration as we look forward to setting the next administration up for success in 2025.

We anticipate receiving EPA’s final assessment of the Phase III WIP in the coming months and encourage your staff to communicate any remaining concerns or uncertainties to my staff during this final review.

Sincerely,



Matthew J. Strickler

Attachment: Virginia’s Final Phase III Watershed Implementation Plan for Meeting the Chesapeake Bay Total Maximum Daily Load

cc: **Members of the Chesapeake Bay Stakeholders Advisory Group**
The Honorable David Bulova, Chair, Chesapeake Bay Commission Virginia Delegation
The Honorable Danny Marshall, III, Chair, Virginia House of Delegates Agriculture, Chesapeake and Natural Resources Committee
The Honorable Richard H. Stuart, Chair, Virginia Senate Agriculture, Conservation and Natural Resources Committee
The Honorable Kenneth R. Plum, Virginia House of Delegates Agriculture, Chesapeake and Natural Resources Committee
The Honorable Chap Petersen, Virginia Senate Agriculture, Conservation and Natural Resources Committee
Virginia Association of Soil and Water Conservation Districts, President
Chesapeake Bay Watershed Planning District/Regional Commissions, Executive Directors
Virginia Chesapeake Bay Interagency Team