

Technical Questions from Local Teams about the Phase II WIP Process

Stormwater and MS4 Issues

Q: What is the definition of retrofits?

A: A retrofit is the installation of stormwater management controls where there weren't any, such as in most development that occurred prior to 1985, or the upgrade of stormwater management facilities that did not manage for water quality. For example, ponds that only managed for water quantity could be upgraded to include water quality controls such as baffles, wetlands, extended detention, pretreatment swales or sand filters, etc.

Q: We are concerned about the 20% increase in retrofit implementation requirement (Phase I MS4). It discourages reporting previous implementation as it would mean we would have to do even more. Wouldn't it be better to have a pounds reduced goal?

A: The 20% additional retrofits by 2017 is on top of 10% that was supposed to be achieved in earlier permit cycles. The overall goal of retrofitting impervious acres under NPDES storm drain system permits is to address development where either no management was required (pre 1985) or where poor water quality was provided (1985 to 2002). Using 2002 as the baseline impervious coverage, any retrofitting to provide management for water quality is directly related to the % restoration permit condition. Permittees should report prior retrofits because this reduces the acreage needed to be managed in a particular jurisdiction. In regard to the reduction goal, the Phase I WIP expressed the strategy for Phase I MS4 jurisdictions as "Nutrient and Sediment Reductions Equivalent to treatment of 30% pre-1985 impervious surface acres" and will allow some flexibility on how those reductions are achieved, "including the funding of reductions from other source sectors" (p. 5-30, Phase I WIP).

Q: How will new MS4 permits be affected by the new Bay TMDL requirements?

A: NPDES Phase I permittees will be required to submit restoration plans for all EPA-approved TMDLs within their jurisdiction. These will be reviewed and approved by MDE and implementation to address applicable WLAs will occur subsequently.

Q: Do I understand correctly that State road reductions will only be sought in current MS4 areas?

A: The State Highway Administration (SHA) MS4 permits only apply in jurisdictions that have MS4 permits. The Phase I WIP 2017 strategy calls for reductions equivalent to retrofitting 20-30% of land developed before 1985 (pre-state-stormwater law) : 20% for Phase II MS4jurisdictions, 30% for Phase I MS4 jurisdictions. Thus, the Phase I WIP does not call for any reductions from SHA in non-MS4 jurisdictions. This, of course, can be re-visited in Phase II.

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Q: What constitutes regulated urban runoff and non-regulated runoff in the Chesapeake Bay portion of Garrett County, which contains just one town? Can it be tied to some specific land use category or categories?

A: In MS4 counties, much urban land use is assumed to be regulated by some means (MS4 or other NPDES permit). Since Garrett is not an MS4 jurisdiction, most of the urban land use is not regulated under the federal NPDES permit (State stormwater regulations on new development do apply). The regulated runoff comes from facilities that are part of the general industrial stormwater permit and from any urban nutrient management required on commercially managed lawns of 10 acres or more. Information about general industrial stormwater permits can be found at

<http://www.mde.state.md.us/programs/Permits/WaterManagementPermits/...>

Questions about WWTP Growth Allocation

Q: Can we remove some or all of remaining WWTP growth capacity to meet our near term (i.e., 2011, 2013, 2015, 2017) [stormwater] targets/milestones?

A: Yes, but not to meet MS4 retrofit requirements during the term of an MS4 permit and only if (1) the WWTP owner agrees to the change; (2) there is assurance that the WIP can be achieved statewide; and (3) some degree of progress on stormwater restoration continues. For example, a County cannot remove WWTP growth capacity owned by a municipality unless the municipality agrees. In addition, all proposals to remove WWTP growth capacity must be accompanied by a water and sewer plan amendment that is consistent with local comprehensive plans. After WWTP growth capacity is removed (by lowering the WWTP cap), that capacity cannot be recovered without State approval. In summary, keep in mind the following issues: 1) Some degree of traditional urban stormwater controls will likely be required; it will not be possible to achieve these reductions using only non-traditional actions. 2) Meeting the statewide reduction goals in 2017 will likely require nonpoint source (NPS) reductions from all jurisdictions. Thus, jurisdictions with near-term WWTP upgrades cannot solely rely on that to meet their 2017 goals. 3) Meeting the statewide 2020 target will necessitate an aggressive pace of NPS reductions in all counties; if NPS pace is slowed in some counties because of progress made by WWTP upgrades the statewide goal won't be achieved.

Questions about Septic System Allocations

Q: What is the baseline date? This is needed to determine how many new houses have been built since the baseline that will have to be offset. This is also needed to know which retrofits or connections to public facilities will count as a reduction.

A: New sources and reductions are tracked and reported to EPA each year, thereby maintaining a load balance sheet. This will ensure full accounting during the transition to an offset system. Any septic system installed after the accounting for growth policy goes into effect will need to be offset. However, localities should consider that any septic systems installed from now until the policy is effective will increase the loads that need

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to eventually be reduced. Thus, localities may wish to consider what they can do now to minimize new septic loads and require septic loads to be offset by developers in order to prevent the County and tax payers from having to bear the entire cost.

Q: For the model, what is the nitrogen contribution (lbs/yr) of a new house on a conventional septic system, a BAT system, and public sewer? This is needed to calculate the additional nitrogen produced by new houses built since the baseline, and to show the effect of different future strategies. I understand that eventually MAST will show the end result of all strategies, but to understand the effect of 100 houses on onsite septic versus 100 houses on an ENR plant, we need to know the individual contributions.

A: MDE uses the following estimates of loads from the septic field to nearby surface waters in lbs/yr (These are considered “edge-of-stream” loads and do not account for the additional loss during transport to the Bay):

- No Best Available Technology (BAT): 24.4 in critical area; 15.0 within 1,000 ft of non-tidal stream; 9.2 for other locations.
- With BAT (50% nitrogen reduction): 12.2 in critical area; 7.5 within 1,000 ft. of non-tidal stream; 4.6 for other locations.

See: p. 17, Section 5.4.4 of “Maryland Policy for Nutrient Cap Management and Trading in Maryland’s Chesapeake Bay Watershed” (April 2008) for more details.

http://www.mde.maryland.gov/programs/Water/Documents/www.mde.state.md.us/assets/document/NutrientCap_Trading_Policy.pdf

Q: For the model what is the credit for conversion from a conventional septic to a BAT, and from a conventional septic to an ENR plant? In addition, does the credit vary with the location of the septic system (Critical Area vs. within 1000' of a stream vs. neither)?

A: See previous answer. There is a 50 % reduction in nitrogen for BAT upgrades. For planning purposes the credit is about the same for connecting to an advanced WWTP with ENR. However, according to Maryland’s Trading Policy, “Credits for connecting non-residential systems will be established on a case-by-case basis.” See: page 17 and Appendix B.1 of the “Maryland Policy for Nutrient Cap Management and Trading in Maryland’s Chesapeake Bay Watershed” (April 2008) for more details.

http://www.mde.maryland.gov/programs/Water/Documents/www.mde.state.md.us/assets/document/NutrientCap_Trading_Policy.pdf

Keep in mind that the phosphorus load increases by about 0.23 lbs/yr/household when connecting a septic system to a WWTP, because it is assumed that septic systems do not contribute phosphorus, which binds to soils, to the groundwater or surface water.

Q: If septic systems are connected to WWTPs, will that be subtracted from the capacity reserved for growth?

A: If septic systems are connected to an advanced WWTP with ENR, Maryland’s trading policy allows nitrogen credits to be generated (the difference between the septic load and the lower load from the WWTP). However, the net phosphorus load increases by about 0.23 lbs/yr/household, because even ENR WWTPs do not remove all the phosphorus,

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whereas septic systems effectively generate zero phosphorus loads. See: p. 17, Section 5.4.4 of “Maryland Policy for Nutrient Cap Management and Trading in Maryland’s Chesapeake Bay Watershed” Section (April, 2008).

http://www.mde.maryland.gov/programs/Water/Documents/www.mde.state.md.us/assets/document/NutrientCap_Trading_Policy.pdf

Offsetting Loads from Future Growth

Q: What will be the offset requirements for future development? What kinds of offset opportunities will be available?

A: A working group made up of Bay Cabinet agency representatives is developing a draft statewide accounting for growth program based on the concepts laid out in Section 3 of Maryland’s Phase I WIP. As described in Section 3 of the Phase I WIP, all new development must offset its post-development stormwater and septic tank loads in excess of the standard forest loading rate established by MDE. The draft statewide accounting for growth program will address the question of opportunities available.

Q: Forest Conservation Requirement – for new development 20% must be forested. How do we get credit for this?

A: The impact of Forest Conservation Act (FCA) requirements will be recognized in the estimation of post-development stormwater loads as determined by expected land use/land cover types of the development, including forest. As described in Section 3 of the Phase I WIP, all new development must offset its post-development stormwater and septic tank loads in excess of the standard forest loading rate established by MDE.

Implementation Issues

Q: I’m concerned that the implementation schedule may not be realistic due to construction permit issues with MDE, DNR, COE and US Fish and Wildlife. First, there is the issue of time for review, comments and ultimate approval. Second is the inflexibility in permit review in meeting Federal, State, and MDE NPDES/WIP II mandates. Considerable permitting time is experienced to apply for and receive permits such as Waterway Construction Permits, Wetlands Permits, NEPA (National Environmental Policy Act), etc. from these agencies. Will MDE work with these agencies to give the local governments some special considerations for the WIP-II Implementation efforts?

A: MDE is aware that permitting, particularly for mitigation like stream restoration, can be time consuming. We will strive to work with other permitting agencies to streamline the process in a manner that is still protective of the environment and other concerns. The Phase I WIP identifies the need for additional resources for this purpose. We are more concerned at this time with getting things started, getting projects in the pipeline, than in completion. If sufficient projects are underway, you will be in good shape.

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Q: If a county, despite its best efforts to meet the implementation goals and scheduling requirements stated in the WIP II Plan, fails to meet the requirements for any reasons that may or may not be beyond its control, what kind of consequences will the county be facing?

A: EPA will evaluate WIP implementation progress at a statewide level and only probe deeper if the statewide targets are not achieved. Some of the potential consequences described in EPA's December 2009 letter on the subject include requiring permits for currently unregulated sources, denying permits, requiring additional reductions from point sources, and putting conditions on or redirecting federal grants. Although these consequences are between EPA and the State, the impacts could be felt at the local level and could include delays in issuing permits that would lead to increased loads. If a county falls behind its implementation, MDE will evaluate the county's situation specifically. If necessary and appropriate, MDE could take actions similar to those EPA can take against the State. If there is good intent, and demonstrable progress, consequences are unlikely. We understand the need for flexibility and that the schedules are very ambitious.

Tracking and Reporting BMPs

Q: How should county teams submit data about one-time projects completed between 2005 and 2009? Will there be another info request?

A: In April 2011, we provided information that MDE currently has in its files for implementation of various restoration activities conducted locally, especially stormwater BMP data. This information is up to date as of April 1, 2011. MDE suggests that when reviewing these data, localities not be concerned about missing BMPs prior to Jan. 1, 2006 as they will have already been captured in the model calibration. MDE is interested in receiving data on implementation that is missing and significant corrections to drainage area and location. However, our resources to assist you in checking these data are limited, and this is not an urgent need. The local teams should be assured that anything they've done that warrants credit can be credited at any time in the future, even after the Phase II WIP is completed, provided they have good records.

Q: Regarding tracking BMPs since 2006: Someone asked do we track since Jan 1, 2006 or Dec 31, 2006? I'd like to ask the WIP II team to provide lists of BMPs installed since 2006, so we have it ready when needed.

A: Jan. 1, 2006. The State is not asking the teams to inventory their BMPs at this time: however, if they want to do so on their own, that's fine (See the previous question). We don't want to ask the teams to do unnecessary work during the tight timeframe of developing the Phase II WIP. That said, we will likely be discussing BMPs in the July 2011 timeframe, so to the degree members of the team want to familiarize themselves with their BMP inventories, they can begin doing so.

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Q: In our County, we have urban stormwater BMP tracking, but we are not sure that we have a good tracking of other items like shoreline erosion control, tree planting, wetland restoration, etc., so it may take time to go through records and recollections.

A: In the longer term this kind of inventory should be developed; however, it isn't critical for developing the Phase II WIP. If between now and 2017 teams discover BMPs installed after Jan. 1, 2006 that have not been accounted for in the past, they can get credit for them.

Q: Is there a list of BMPs already in the model? Who (what sector) got credit?

A: MDE recently sent out the State's stormwater BMP database, which reflects the reporting from local governments. In June or July we plan to provide the Bay Program model data on BMPs to the local teams.

Two-Year Milestones

Q: Will the State's 2-Year Milestones for the next round (2012-2013) be an aggregate of each County's 2-year milestone's that they have to do by December 2011?

A: If the counties provide reasonable implementation milestones and strong commitments to secure additional resources to enable acceleration following 2013, then the answer is "yes." However, the State might need to set milestones for jurisdictions that do not set a reasonable pace themselves.

Allocation Questions

Q: For the County load allocations--are they by watershed and source sector, or only source sector?

A: The State will provide allocations to local teams in mid-August by the county geographic scale and the source sector (e.g., agriculture, urban, septic systems, etc.). We are currently working to refine the regulated stormwater categories so that we can provide separate allocations to municipalities, SHA, federal facilities, etc. However, if time and data limitations make it is necessary to aggregate some of the allocations, e.g., for general permits, then we will likely commit in the Phase II WIP to working jointly with regulated entities to disaggregate the loads as part of the implementation schedule.

Q: Are the County load allocations already reduced to exclude state highways, state land, etc. so they don't have to address them? I think they are confused about how this will all "add up."

A: In the Phase I Summary Charts, the loads are lumped together. In the final Phase II allocations the State will strive to provide separate allocations. However, if time and data limitations make it necessary to aggregate some of the allocations, e.g., for general

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permits, then we will likely commit in the Phase II WIP to working jointly with regulated entities to disaggregate the loads as part of the implementation schedule.

Q: For the "fair and equitable" statement that was made by the State [to describe the Phase I WIP allocation approach of an equal level of effort among nonpoint sources]--is that going to be expected? Because our team is already working on the most cost-efficient scenario thought process, which of course is smart.

A: The State devised the Phase I WIP on the principle that each sector should reduce its "reducible load" by the same percentage; the reducible load is the difference between doing nothing and doing everything technically feasible. If the State divvies up the loads, it will use a similar fair and equitable allocation process. However, a county or other entity could, without changing the allocations, use different strategies to reach the reductions for which they are responsible. For example, a county could say, "It's not as cost-effective for our County to fund septic system upgrades. Our plan will require homeowners with septic systems to either upgrade their own systems or pay a lesser fee to buy permanent credits from agriculture."

Q: Will the allocations be broken down by segment-shed? It seems that the allocations will be on a broader scale especially since the numbers will change. Is the WIP by watershed? How do we translate the County numbers to watershed?

A: The Phase II WIP is for the State of Maryland as a whole. During the WIP planning process we will focus at the County / Major Basin scale. The allocations will be provided for State, federal and local governments (county/municipality) for all the source sectors. The State has technical ability to provide at a fairly fine scale represented by 58 model segment-sheds (similar to MD 8-digit basins in areas that drain directly to tidal waters). The segment-sheds can be intersected with county boundaries to provide "Co-Segs" (refer to map - We can provide GIS coverages). We can also parse out municipal, state & federal areas. However, the accuracy of the Bay model data degrades at that scale and the complexity of strategy development mechanics increases. Our recommendation to teams will be to work at the County/Major-Basin scale when working with the Maryland Assessment and Scenario Tool (MAST) provided by the State, but there is some flexibility on that.

Q: The load allocations the State will issue in August will include federally owned properties. The county has no jurisdictions over these—how do we handle them?

A: In general, the State will work directly with federal agencies that have lands and other facilities that contribute pollutants to the Bay. The Maryland Assessment and Scenario Tool (MAST) will facilitate this, because it separates the federal sources from the other sources (with some minor exceptions) so that allocations can be assigned separately. The Department of Defense has requested that the State develop uniform statewide requirements for them rather than requirements that vary by county. We will subtract the federal allocations from the total assigned to the whole county, and the federal facilities

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will develop their own Federal Implementation Plans (FIPs). This approach has advantages, but the State encourages cooperation and innovative joint strategies among federal entities and local teams as part of the WIP development process.

Agriculture and Nutrient Trading Questions

Q: How much does Agriculture want to be included in the County's process? Will Ag keep the county updated on their plans?

A: The agriculture sector will have a representative at the Local Team meetings, most likely a Soil Conservation District (SCD) staff member. This person should keep the Local Team updated on the activities of the agricultural workgroup for the County. When MAST is available, joint meetings should be scheduled to enter the data and discuss any inconsistencies.

Q: How does Agriculture's Conservation Tracker relate to MAST and how will the State use the information as part of their input deck. Is the Ag Sector now using MAST as well or is there an easy way to combine the two systems data?

A: Conservation Tracker is a tool for tracking implementation of agricultural conservation practices. MAST is a planning tool for estimating what reduction can be anticipated if certain practices are implemented ("what if"). The BMPs tracked by Conservation Tracker are reported to EPA annually. These BMPs will be reflected in some of the standard scenarios provided with MAST, e.g., the 2010 Progress Scenario. The Ag workgroups will also need to use MAST during their planning process. Among other types of outputs, MAST can generate results formatted in the specific way needed for a Bay model input deck.

Q: Will all agricultural strategies, including nursery, be developed by the Agriculture Group?

A: Yes.

Q: Is there is a proposal to buy credits from the agricultural sector? Private land owners will want to sell the credits rather than just trade. Should the other sectors be concerned that they will have to buy nutrient credits from Agriculture if they can't meet their target and need to trade with Agriculture to meet the goals? Who gets credit? A buffer is installed at a farm, however it was paid for by County money, perhaps the buffer should be County credit, not Agriculture credit. Who has gotten the credit for easements, and stream buffers on Agriculture land? Is there a list of the credits that Agriculture has so the other sectors can determine if they should get credit or if AG should get credit.

A: Once a farm meets a baseline for minimum implementation it can generate credits for sale to other entities. The May Webinar included a recorded audio-visual presentation on trading, which can be viewed on the Maryland's WIP webpage <http://tinyurl.com/MD-WIP-Webinar> . You may also find information at www.mdnutrienttrading.org or contact

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John Rhoderick, MDA at 410-841-5865 for a more specific information on credit/offset program.

Q: With several restrictions MDE currently has on trading, how will counties have the flexibility they need to trade water quality benefits / achievements as they deem necessary between sectors and sub-watersheds to reach the most cost-effective Plan?

A: MDE and EPA are striving for maximum flexibility for nutrient trading, while ensuring that local water quality is not adversely affected. The geographic trading scale is the five major basins: Potomac, Patuxent, Susquehanna, Western Shore and Eastern Shore. Trading will be allowed within each of those basins. If there is a lack of progress for a smaller land-river segment, that will be addressed in 2017. There are also requirements for certain baselines or thresholds to be met; e.g., if there is an MS4 permit it must be demonstrated that the 20% retrofit will be achieved; reductions beyond that 20% to meet the allocations can be achieved through trading. Agriculture has similar minimum baseline requirements spelled out in the trading policy. Certain policy and operational details remain to be worked out. We encourage local partners to remain engaged in the process of working through these details to ensure the policies and procedures benefit from your local experience and insights.

Local Government Commitments and Responsibilities

Q: A WIP plan that is turned over to the state should include local strategies with reasonable assurance of implementation and should have approval of whoever needs to approve the strategies. The team says the elected officials/commissioners are the ones to sign off. However, we are concerned that elected officials may not sign off on the strategies without having financial commitments for implementation. How should we instruct our teams to proceed to get around this?

A: It is highly unlikely that all of the means of funding the implementation will be spelled out in the WIP. Teams should strive to develop WIP strategies that commit to a schedule of incremental steps toward implementation, which allow local officials the opportunity for assessing alternatives and making specific decisions in the future.

The Phase I WIP includes examples that are instructive. For example, it lays out strategies and schedules for proposing new legislation, for assessing options for funding, for selecting options from the alternatives, and then implementing the options. In this way, the WIP commits to a general process that advances the implementation, yet has a significant degree of flexibility. (See the response to the next question for a more specific example).

Teams should also be advised that the State is obligated to produce a WIP by a certain date, with or without approval by local partners. To the degree that local partners feel they can shape future policies by defining the strategies with associated schedules themselves, this is their initial opportunity to do so. The WIPs follow the principle of

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adaptive management; hence this is only the first opportunity of a series that local partners will have to shape the Bay restoration process.

Q: If we have one document by watershed how do we get the elected officials to buy into plans that cross watersheds or projects that cross Counties? Carroll County has nine watersheds. How are elected officials going to sign off when jurisdiction boundaries are crossed and there is uncertainty about how it will be funded?

A: The WIP is designed to assign general responsibility for load reductions. If multi-jurisdictional solutions are necessary to achieve those reductions, then the load reduction credit could be pro-rated among those who contributed funding to the solution. Elected officials can be told that the WIP will create transparent responsibilities, and just as your county is responsible for its part, other jurisdictions will be held responsible for theirs. In terms of "sign-off," the strategies are likely to be stated in terms that allow enough flexibility for officials to sign off on them. Take septic system reductions for example. The strategy could be described in a series of steps:

2012: We will conduct an options analysis that includes septic upgrades, septic connections to WWTPs, having septic owners pay for less expensive credits from other sources, and any other options that come to light. We will seek funding for any technical studies needed to support refinement of the options.

2013: We will conduct any studies needed to evaluate and resolve the options. We will secure funding for further study.

2014: We will conduct further study, choose the options and lay out an implementation plan. We will seek funding to begin implementing the plan.

2015: We will begin implementing the plan and collect information to evaluate it so that adjustments can be made in the future if necessary.

Technical Tools for Planning

Q: Is there a list of calculator tools currently available and that are in development? For example, we discussed MAST (Maryland Assessment Scenario Tool) during our last conference call. If so, could that list be posted along with access instructions?

A: Local teams may use any tools they like for local planning. However, their proposed strategies eventually need to be entered into MAST. In addition to summary results, MAST will generate output in the format of an "input deck." The State will compile the input decks from all teams into a single input deck for transmittal to EPA that will be used to verify the strategies through the EPA watershed model.

Miscellaneous

Q: What is the definition of "fulltime equivalent (FTE) staff"?

A: A staff person working full time - 8 hrs a day and a normal work week of 40 hrs per week. This could be 1 person working 8 hours, two people working 4 hours each, etc.

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Q: What would be the incentive for small municipalities and other non-permitted stake holders to participate in the WIP process?

A: The Phase I WIP does not call for significant reductions from small municipalities. However, if the Phase II process finds reduction opportunities in small municipalities, that could be changed. The question is best addressed with specific examples or cases.

Q: Is monitoring part of the WIP?

A: Monitoring that is required by permits will be an implicit part of the WIP. In addition, the State's monitoring is implicitly part of the WIP. There is an outside chance that we will seek to describe our monitoring in the WIP in order to address the 9-Elements of a 319 NPS Program watershed plan. In general, other than monitoring required by permit, monitoring is a State responsibility.

Q: Will the industrial wastewater nutrient reductions be achieved solely by MDE revisions to the facilities' discharge permits, or will the County need to do something / put something in its plan?

A: The State will address these.

Q: Does “Rural Residential” refer to a potential future DNR program?

A: "Rural Residential" is not a "program" but rather a term to describe certain low density zoning or development. DNR will be leading a group to look at options for including BMPs for rural residential landowners or expanding existing programs that address impacts from rural residential properties. Another way to look at it is to see the opportunities in rural residential properties from either a lawn management perspective or reforestation/tree planting opportunities. Baltimore County has a program to work with homeowners to plant trees on large lot subdivisions. We will look into this and provide some guidance on approaches for applying this and other practices elsewhere in the State. If you have any ideas in this arena, we would love to hear about them.

Q: The Bay Model was used for the county's WRE, but the numbers were higher than the current model. Why are they different now—have the assumptions changed? Are the changes based on improvements?

A: The water resources element (WRE) used model output data from version 4.3, because they were the most recent and reliable data available at the time. It included 2002 loads as an estimate of “current” loads, and “Tributary Strategy Loads” as an estimate of future loads by land use type. The newer data is from version 5.3.0 of the Bay Program's Watershed Model -- which is under revision and will be updated with model version 5.3.2 in July 2011. The newest version will be more accurate and probably different in terms of loads.

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Q: Are all the counties being asked to make the same reductions? Are they all the same more or less?

A: The allocations for all nonpoint sources are based on an equal percent reduction of the reducible load. The reducible load is defined as the difference between the load when no BMPs are in place (No Action scenario) and when the maximum technically feasible reductions are made (Everyone, doing Everything, Everywhere, also known as E3). However, this does not mean each County will have to do the same percent load reduction. Rural counties might have different reductions than highly urbanized counties due to the mix of land uses and sources. Also, credit is given for past implementation, so counties that have done more implementation in the past will have to do less in the future than a county that has not done as much in the past.