

Lake Champlain Phosphorus TMDL Implementation Deadlines

On June 17, the Environmental Protection Agency (EPA) issued the long-awaited phosphorous Total Maximum Daily Loads (TMDLs) for the 12 Vermont segments of Lake Champlain. Long-term trends since 1990 indicate that phosphorus pollution entering the lake has continued to increase in some lake segments. EPA's document sets targets for meeting water quality standards in each of the 12 lake segments and subdivides the targets among the major source sectors that contribute phosphorus to the lake. Those sectors include runoff from developed lands and roadways, agricultural lands, forest lands, erosion from unstable river and stream corridors, and discharges from wastewater treatment facilities.

The Lake Champlain TMDL establishes an accountability framework to help ensure the successful implementation of the water quality restoration plan. This guidance consists of four elements:

- the Phase 1 Implementation Plan;
- the five-year Tactical Basin Plans (also referred to as Phase 2 Implementation Plans) that the Vermont Department of Environmental Conservation (DEC) develops for each of the major watersheds in the state;
- EPA's report card process; and
- EPA's warning that it will take appropriate federal action if Vermont fails to meet the key targets in the Phase 1 report card or the implementation schedules outlined in the Tactical Basin Plans.

EPA is scheduled to issue the first interim report card assessing Vermont's success in meeting the 2016 accountability framework milestones during the first quarter of 2017; release of the final report card assessing the 2017 milestones is scheduled for the first quarter of 2018. EPA will also issue an interim report card on the progress for each Tactical Basin Plan every two-and-a-half years, with a final report card on the progress and degree of implementation of the priority actions set forth in each Tactical Basin Plan every five years.

Between now and EPA's first interim report card, the state will submit to EPA an interim report on the accountability framework to ensure commitments are on target. The state will also submit an updated spending plan for TMDL implementation based on available federal and state funds.

If EPA finds Vermont has not made satisfactory progress, it could require additional phosphorus reductions from sources with National Pollution Discharge Elimination System (NPDES) permits, such as from municipal wastewater treatment plants. EPA could also increase the number of sources regulated under the NPDES permit program, for example, by expanding the number of municipalities required to obtain municipal separate storm sewer system (MS4) permits.

The Vermont Department of Environmental Conservation (DEC) will post a draft of the updated Lake Champlain TMDL Phase 1 Implementation Plan on its website in early August; a 30-day public comment period will follow. DEC expects to issue the final Phase 1 Implementation Plan in September.

Public information meetings on the updated plan will be held on August 29 in Burlington and St. Albans and on August 30 in Rutland. Details for the Rutland meeting have yet to be determined, but the venues for the August 29 meetings are as follows:

- 1-3 p.m., DoubleTree Hotel, 1117 Williston Road, South Burlington
- 6-8 p.m., St. Albans Historical Society, Bliss Room, 9 Church Street, St Albans City

For more information, please contact Milly Archer, Water Resources Coordinator, at marcher@vlct.org.