



## Virginia Environmental Law

### EPA review of Virginia Final Phase II WIP finds progress, but still work to be done.

By: Ann Neil Cosby. Monday, June 4th, 2012

On May 30, 2012, the **EPA** forwarded its Evaluation of Virginia's Final Phase II Watershed Implementation Plan and 2012-2013 Milestone to **Douglas Domenech**, Secretary of Natural Resources for the **Commonwealth of Virginia**. In its evaluation, the EPA recognized the state's efforts in reducing pollution and moving forward with Phase I WIP commitments, but found that key areas still need to be addressed. In particular, the EPA found that the Final Phase II WIP does not include specific local plans or provide clear local area targets to help localities understand their role within the statewide WIP strategies. The "menu" of local strategies submitted by the state in its final form was not enough.

In addition, while the EPA found adequate progress in a number of target areas (agriculture, wastewater, and offset and trading programs), it determined that more work still needs to be done in the area of urban **stormwater**. For that reason, the EPA advised that it will maintain enhanced oversight over this sector. Additionally, in its evaluation, the EPA listed potential actions that it might take if more work is not done to address **stormwater runoff**.



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Those actions, which would potentially begin this year, could include negotiating Chesapeake Bay Implementation Grant and Regulatory and Accountability Program (CBIG and CBRAP) grant work plans and/or adding conditions to CBRAP grants; objecting to or taking over permits that do not implement specific actions identified in Virginia's WIP; continuing targeted enforcement; extending assistance for permit writing and conducting inspections; and providing technical training and guidance for staff and communities that are responsible for implementation, including localities outside of MS4 areas.

The full EPA letter is available [here](#).

Once again, the EPA has recognized that Virginia has done quite a lot to clean up the Chesapeake Bay, but believes it can do more. What do you think about the EPA's evaluation?

\* Runoff flowing into a stormwater drain (Photo credit: Wikipedia)

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