

Stormwater Headlines

EPA to put the Chesapeake Bay on a 'pollution diet'

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The EPA is putting the Chesapeake Bay and its waterways on a strict "pollution diet," says the agency, which plans to work with state partners to set restrictions and monitor progress.

The EPA will use a regulatory tool of the federal Clean Water Act called total maximum daily load (TMDL) to help ensure the timely removal of excess nitrogen, phosphorus and sediment choking the bay.

Hopefully, the new plan will prove more aggressive than the yo-yo diet the bay has been on for more than 20 years.

Despite government cleanup efforts over this long period, monitoring data shows that the Chesapeake Bay and its rivers still have "poor water quality, degraded habitats, and low populations of many species of fish and shellfish," according to the EPA's Chesapeake Bay Program. Murky water and algae blooms block sunlight and create low levels of underwater oxygen or "dead zones" for aquatic life such as fish, crabs and oyster.

In fact, a full 90 percent of the Chesapeake Bay water and tributaries are officially designated as "impaired" under the Clean Air Act, says Chesapeake Bay Foundation president William C. Baker. Sewage has been a major problem, including farm manure and fertilizer, according to reports.

The pollution diet will be divided among states in the watershed, which include Maryland, Virginia, Pennsylvania, Delaware, New York, West Virginia and DC. The states the District will prepare plans showing how they will carry out their shares of the diet.

The EPA is working toward an earlier completion date of December 2010, although court-ordered consent decrees with Virginia and DC require the TMDL to be final by May 1, 2011.

President Obama aided efforts in May by ordering new cleanup plans for the bay. The EPA and other federal agencies must submit draft reports on Sept. 9, detailing how they plan to accomplish the cleanup. Several days ago, environmental group presented officials at the EPA with more than 19,000 letters and postcards calling for stricter pollution rules for the Chesapeake Bay.

Federal Agencies Release Draft Reports Required By Chesapeake Bay Executive Order

[Pollution On-line](#)

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Federal agencies recently released the seven draft reports required by President Obama's executive order on the Chesapeake Bay, which contain a range of proposed strategies for accelerating cleanup of the nation's largest estuary and its vast watershed.

The draft reports collectively call for increased accountability and performance from pollution control, habitat protection and land conservation programs at all levels of government, including an expanded use of regulatory authorities to address pollution control and additional voluntary and market-based solutions – particularly when it comes to habitat protection and land conservation programs. Federal agencies are also proposing new ways to harness the latest innovations in science and technology. The

proposed actions are in response to overwhelming scientific evidence that the health of the Chesapeake Bay remains exceptionally poor, despite the concerted restoration efforts of the past 25 years.

"Communities in the Chesapeake Bay watershed expect and deserve rivers and streams that are healthy and thriving," said U.S. Environmental Protection Agency Administrator Lisa P. Jackson, chairperson of the Federal Leadership Committee and the federal representative to the Chesapeake Executive Council. "We need bold new leadership, collective accountability by all contributors to the bay's problems, and dramatic changes in policies using all the tools at hand if we are to fulfill President Obama's goal for clean water throughout the region. These reports bring us a step closer to achieving the vision we all share for the future of the Chesapeake Bay."

The draft reports are the first step in the creation of a new strategy for restoring and protecting the Chesapeake Bay and waterways in the region, as defined by the executive order. The reports include a variety of strategies and options for addressing issues such as water quality, public access, landscape conservation, climate change, scientific monitoring and the protection of living resources. Along with today's public release, the draft reports were also submitted to the Federal Leadership Committee that is coordinating work on the executive order. The draft reports are available at <http://executiveorder.chesapeakebay.net>.

On May 12, President Obama issued Executive Order 13508 on Chesapeake Bay Restoration and Protection, the first-ever presidential directive on the bay and the first environmental executive order by President Obama. The order established a Federal Leadership Committee, chaired by EPA, and with senior representatives from the departments of Agriculture, Commerce, Defense, Homeland Security, Interior and Transportation.

During the past 120 days, 10 federal agencies collaborated to develop the draft reports. The recommendations in the reports were shaped by consultations with the six states in the Chesapeake Bay watershed and the District of Columbia, as well as suggestions from stakeholders and the public. Successful restoration of the Chesapeake Bay depends on the involvement of federal, state and local governments; the private sector; nonprofit organizations; and the watershed's 17 million residents. The draft reports were released to engage the public in the process outlined in the executive order.

The draft report on water quality includes some of the more significant potential changes to existing programs. In this report, EPA proposes to develop new regulations for the Chesapeake Bay to significantly reduce runoff pollution from urban, suburban and agricultural sources. The report also relays EPA's intention to hold the states in the watershed more accountable for controlling pollution, through increased oversight, enforcement activities and new policies. Urban and suburban runoff pollution is the fastest growing source of pollution to the Chesapeake Bay, while agricultural runoff is the largest.

During the next 60 days, the Federal Leadership Committee will evaluate the proposals in the draft reports and consult with bay jurisdictions to refine the recommendations for meeting key challenges to the Chesapeake Bay's health. On November 9, the Federal Leadership Committee will release a draft strategy that integrates the seven reports. Release of a draft strategy and revised reports will initiate a 60-day public comment period that concludes in early 2010. A final strategy will be completed by May 12, 2010. However, the agencies will be moving forward in a number of areas before the strategy becomes final.

"We have an urgent obligation to citizens of today and generations of tomorrow to restore the Chesapeake Bay and its watershed, and this executive order puts new weight behind our work,"

Jackson said. "We're moving quickly and transparently on a comprehensive strategy that will get real results for the bay."

For more information on the executive order, visit: <http://executiveorder.chesapeakebay.net>.

The federal departments and agencies working on the Chesapeake Bay executive order include the National Oceanic and Atmospheric Administration, National Park Service, U.S. Army Corps of Engineers, U.S. Department of Agriculture, U.S. Department of the Defense, U.S. Department of Transportation, U.S. Department of Homeland Security, U.S. Environmental Protection Agency, U.S. Fish & Wildlife Service and U.S. Geological Survey.

The Chesapeake Bay is one of the most extraordinary places in America. The unique estuary is the largest in the nation and third largest in the world. Its 64,000-square-mile watershed spans parts of six states – Delaware, Maryland, New York, Pennsylvania, Virginia and West Virginia – and the entire District of Columbia. The bay and its watershed have remarkable ecological, economic, recreational, historic and cultural value to the region. Economists have estimated the bay's value at more than \$1T, and its bounty includes over 500 million pounds of seafood per year. Supporting more than 3,600 species of plants, fish and other animals, the Chesapeake is home to 29 species of waterfowl and is a major resting ground along the Atlantic Flyway. The most recent scientific analysis of water quality concluded that the Chesapeake Bay is only attaining 21 percent of its goals.

SOURCE: Federal agencies

