

# The State of the Bay Restoration The Moment In Time

Beth McGee  
Senior Scientist  
Chesapeake Bay Foundation



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**Founded: 1967**

**Staff: 170**

**Members: 200,000**

**Offices:** Annapolis, Richmond, Harrisburg, Easton,  
Washington DC, & Norfolk

*CBF works to “Save the Bay” through education,  
advocacy, restoration and litigation*

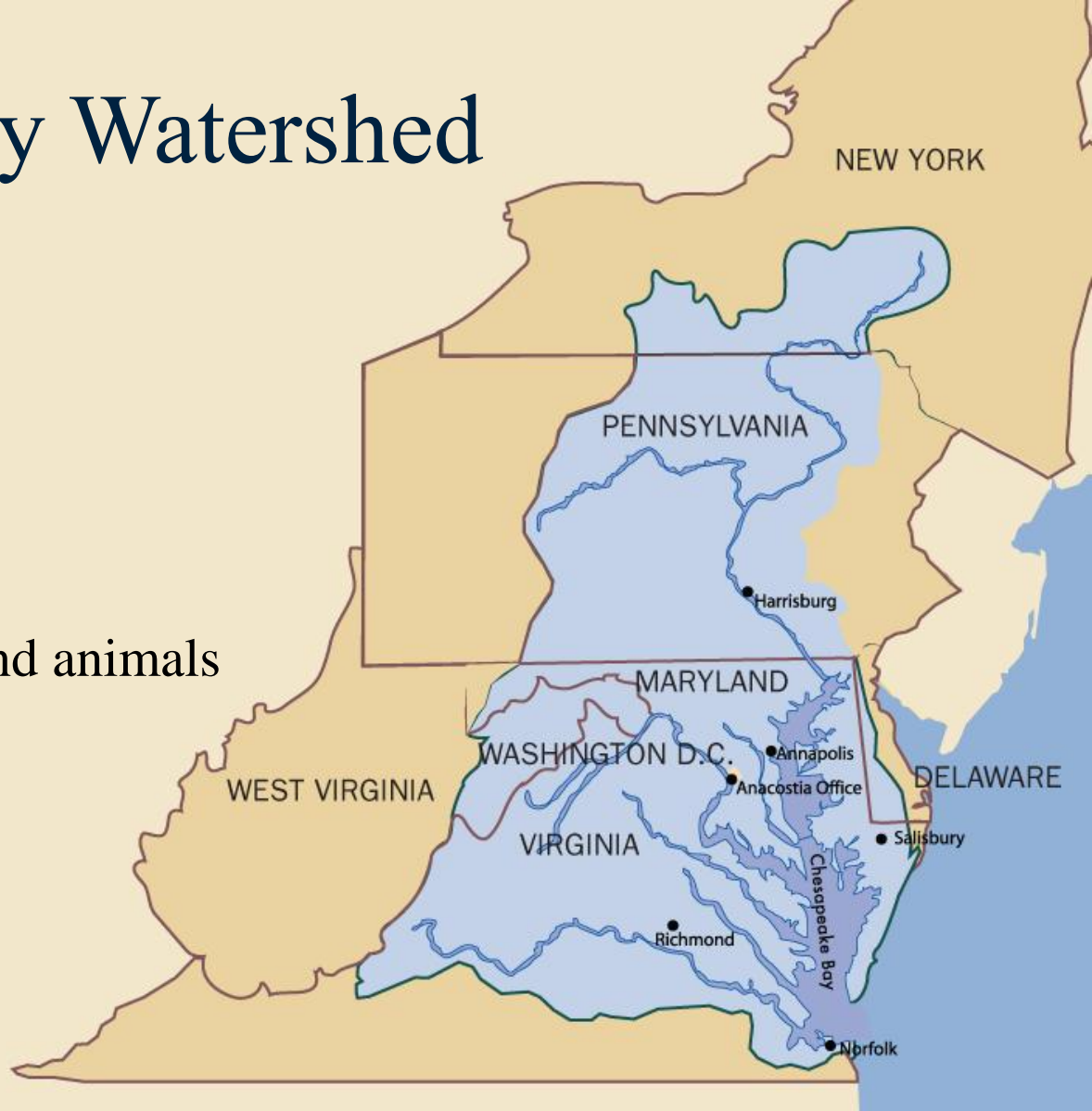


**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**Chesapeake Bay  
Foundation**

# Chesapeake Bay Watershed

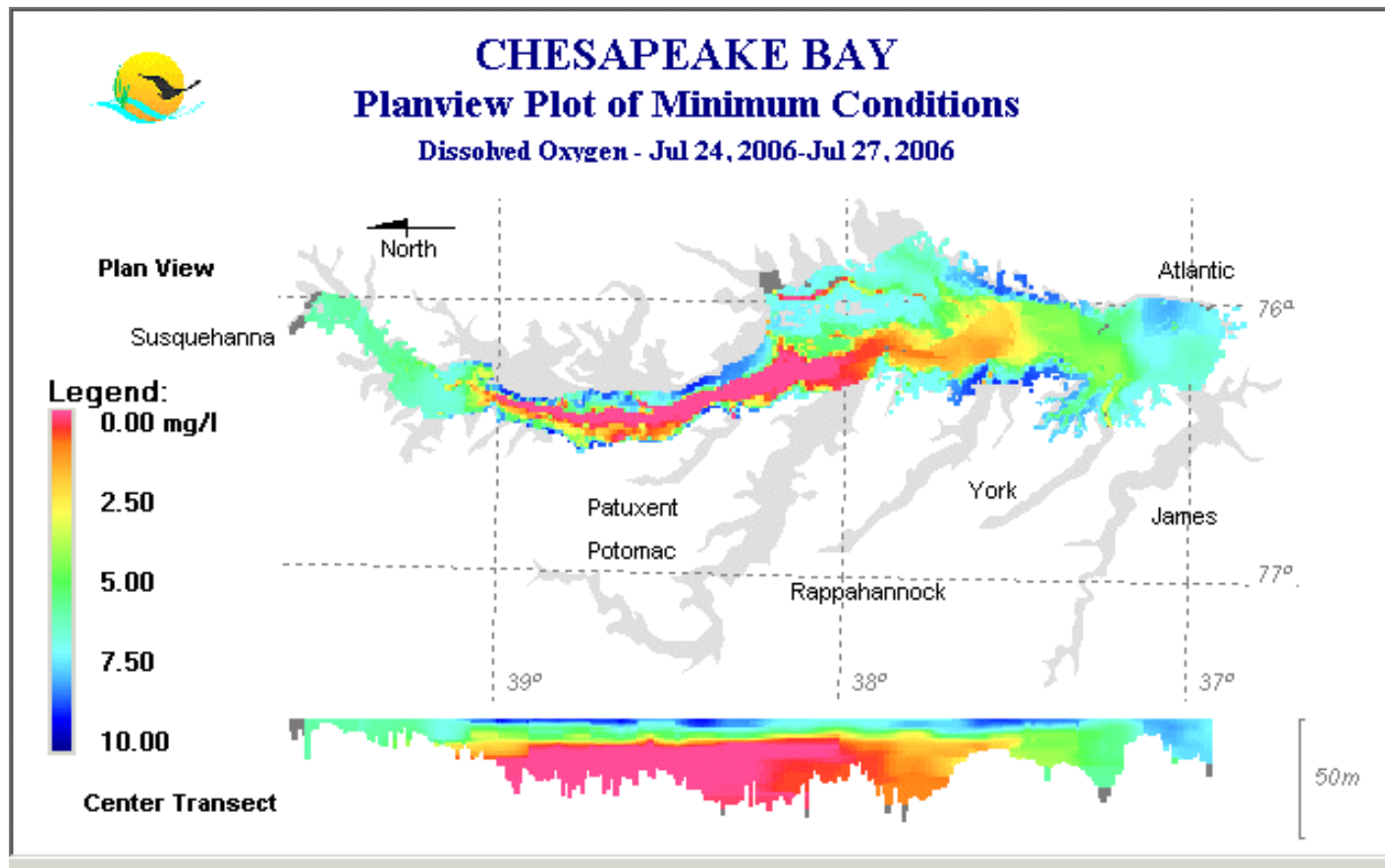
- 64,000 square miles
- 19 major rivers
- 400 smaller creeks
- 3,000 species of plants and animals
- 17 million people
- 6 states and the District of Columbia



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

## The Bay Watershed

# The Bay and its rivers are polluted by nutrients and sediment.



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

## Dead Zone



Source: U.S. EPA Chesapeake Bay Program

\*Clarity standards are set by U.S. EPA Chesapeake Bay Program based on the darkness of water, which reflects algae content and suspended solids.

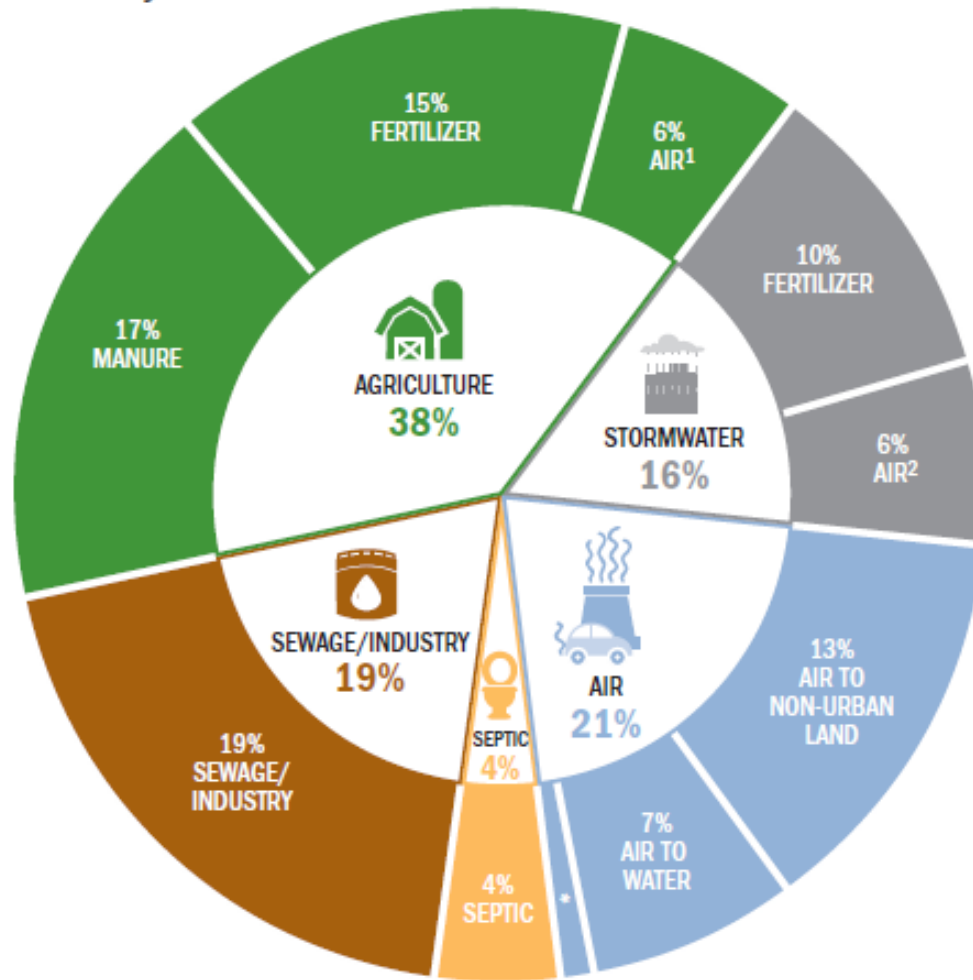


**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

# Decline in water clarity

# Nitrogen Pollution to the Chesapeake Bay

Sources by Sector



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

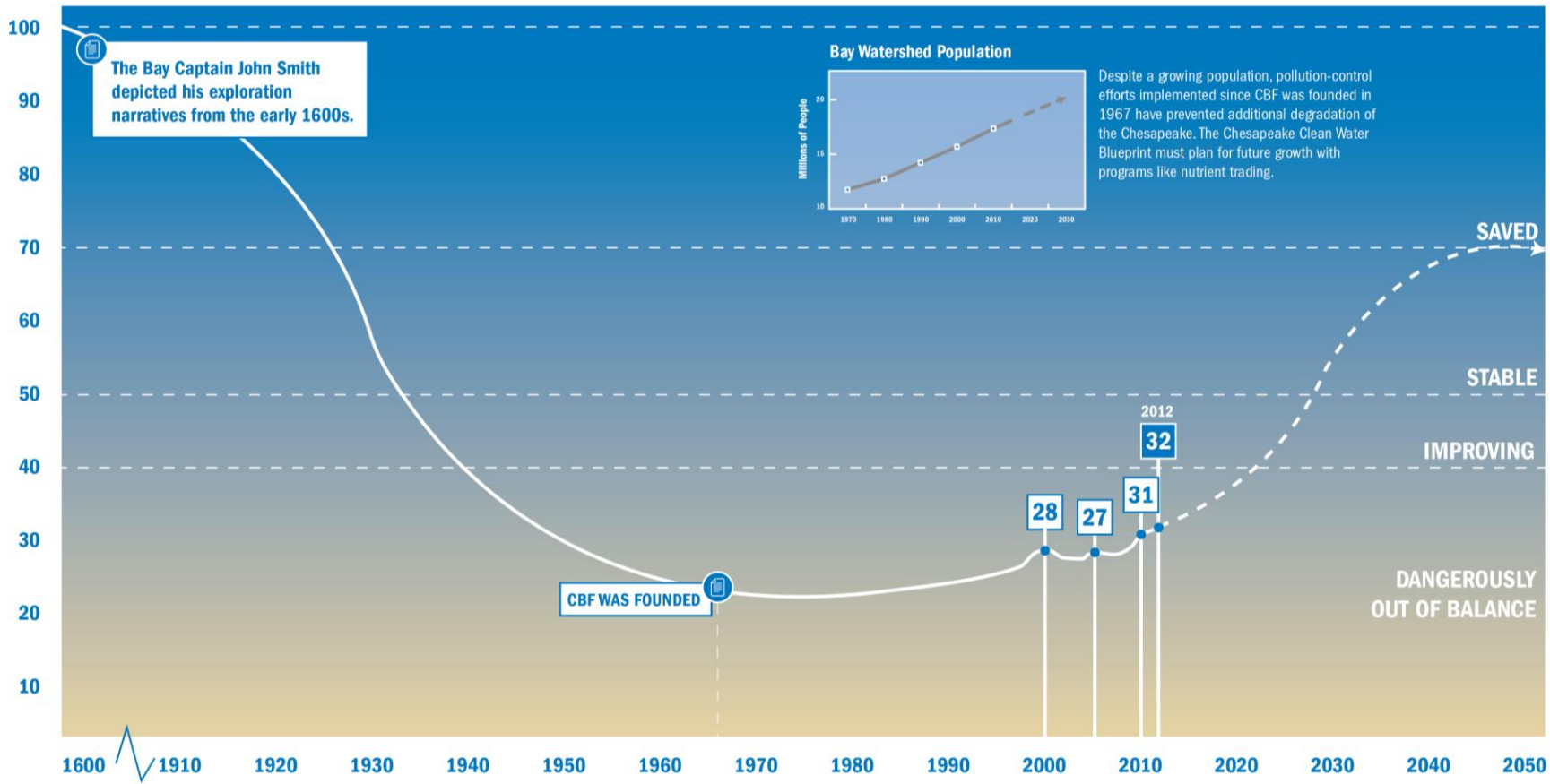
## Pollution Sources

2012  
**STATE** OF THE  
**BAY**



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

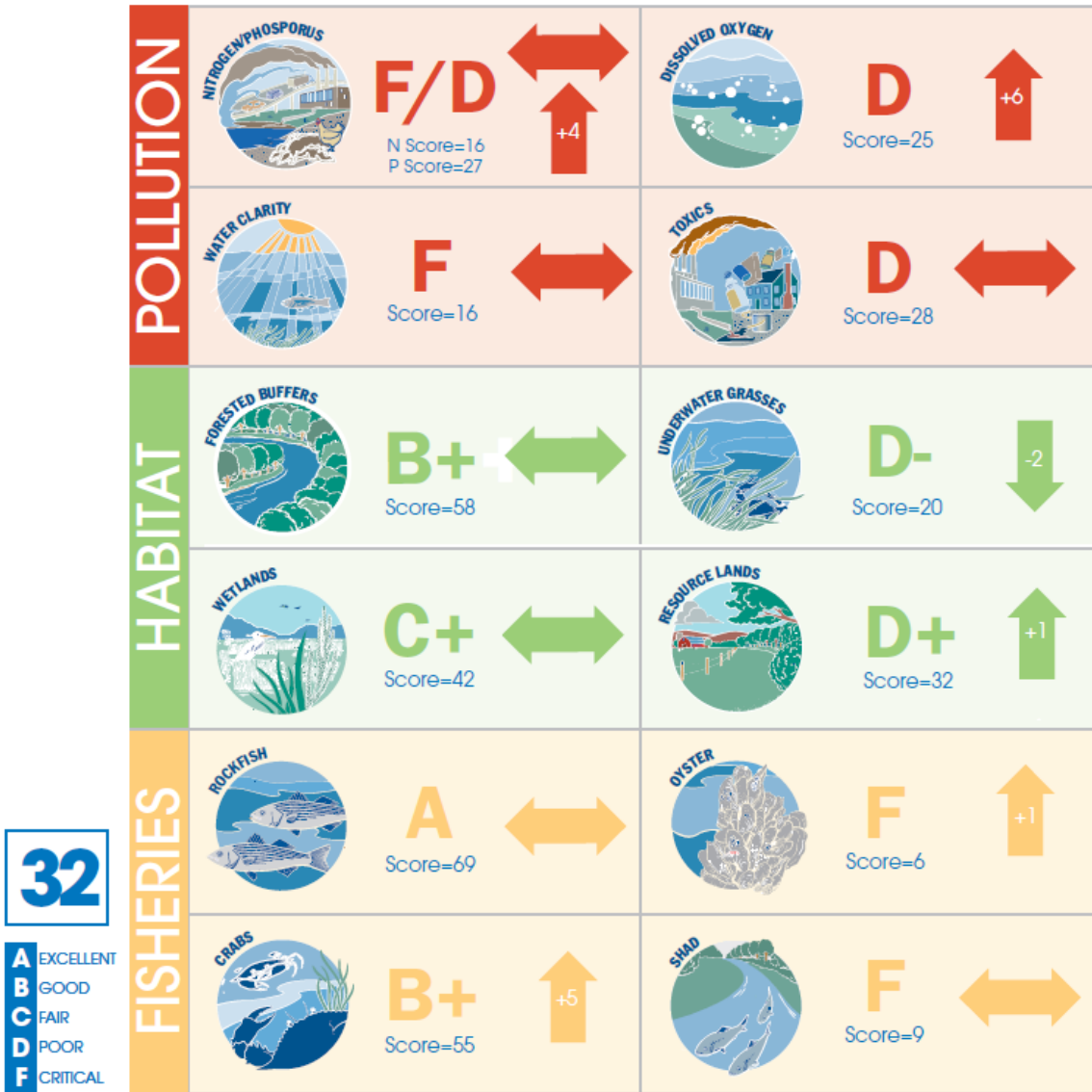
**State of the Bay 2012**



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**Beginning to See Progress**



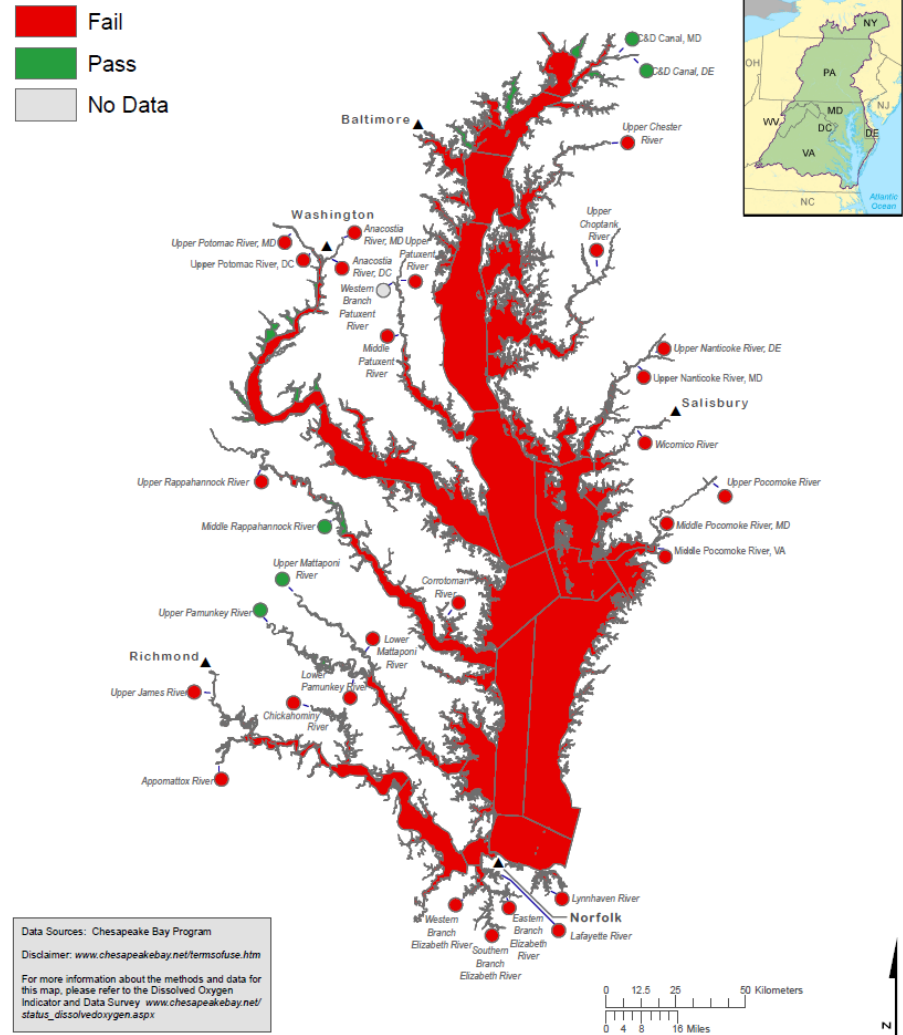


CHESAPEAKE BAY FOUNDATION  
*Saving a National Treasure*

# The Indicators

Bay and its rivers are listed on the Clean Water Act (303 d) list of “impaired” or “dirty” waters because of nitrogen, phosphorus and sediment pollution.

A “TMDL” is required for waterbodies on this list.



“We know why the Bay has become degraded and what we need to do to restore it. While science is still needed to guide and monitor the recovery, our diagnosis and treatment regimen are as solid and reliable as they come.”

Dr. Donald Boesch  
*Professor of Marine Science and President of the  
University of Maryland Center for Environmental Science*  
From *The Capital*, February 11, 2012



University of Maryland  
CENTER FOR ENVIRONMENTAL SCIENCE



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**We Know What to Do**

**1972**

Clean Water Act enacted.  
Pollution limits (or TMDLs)  
created to clean up  
impaired waters.

**1983**

EPA and Bay jurisdictions signed  
the Chesapeake Bay Agreement  
recognizing the need to act to clean  
up the Bay.

**1970**

**1975**

**1980**

**1985**



**1976**

Congress directed  
EPA to study  
the Bay.



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**History of Good Intentions**

**1987**

Clean Water Act codified the Chesapeake Bay Program.

Bay Agreement set numerical reduction target (40% reduction by 2000).



**1998**

Chesapeake Bay on impaired waters list.

**2000**

Chesapeake 2000 Agreement to clean up the Bay by 2010.

**1990**

**1995**

**2000**

**1992**

The 1987 agreement was reaffirmed.



**1999**

Lawsuit results in pollution limits (or TMDLs) required by 2010.



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**How We Got Here**

## 2003

EPA developed water quality criteria for dissolved oxygen and clarity for the Bay and the sediment and nutrient allocations to achieve them.

## 2009

CBF filed a lawsuit against EPA for failing to enforce the CWA.

## 2012

States refine and improve their clean up plans - "Phase 2 WIPs"

2003

2006

2009

2012

## 2004 - 2005

Bay Jurisdictions develop "Tributary Strategies" describing actions needed to achieve their share of the pollution allocations .

## December 2010

EPA released pollution limits (or TMDLs) for the Chesapeake Bay region based on State WIPs – the "Cleanwater Blueprint".



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

# How We Got Here

Of the more than 40,000 TMDLs in the country, very few have been implemented.

Why would the Bay TMDL be any different??

- World class science
- Déjà vu
- EPA authority under CWA Section 117
- Accountability Framework



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**Bay TMDL**



# Accountability Framework

1. Comprehensive and detailed state-specific plans
2. Deadlines (2017 and 2025)
3. Two-year incremental goals or “milestones”
4. Consequences for failure



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

## What's New?



# But the tough battles lie ahead

Lobbyists for big agribusiness and developers are fighting against the pollution limits, in the courts, in Congress, and in the media, attempting to derail progress.



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

## Opposing Clean Water

# Opposition by local government

## **Frederick commissioners could take runoff mandate to court**

**Majority opposes collecting money for Bay restoration  
--- 4/19 Frederick Gazette**

## **Calvert County Board of County Commissioners slams state science**

**MDE rep offers to re-examine Calvert WIP figures  
---3/16 Calvert Recorder**



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

# CBF's Priorities

- Defend the TMDL in Congress and in the courts
- Help implement the TMDL



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**Bay TMDL**



The new, region-wide push—EPA’s pollution limits and the states’ plans to implement them—holds the most exciting promise in decades for the Chesapeake.

A saved Bay will provide a healthy habitat for our critters; a boost to the economy and jobs; and clean, swimmable and fishable waters for our children.



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

**A Promising Future**

# What You Can Do

1. Write a letter to the editor.
2. Write your local elected officials.
3. Join CBF's Action Network.
4. Become a supporting member of CBF today.





Saving the Bay  
~~THE~~  
A Moment In Time



CHESAPEAKE BAY FOUNDATION  

---

Saving a National Treasure