



## Bay leaders say they'll not meet 2010 cleanup goal

**Executive Council touts accelerated efforts and agrees to champion causes to make restoration a reality**

By Karl Blankenship

The Bay cleanup's top policymaking body formally acknowledged in December that 2010 will come and go without meeting its cornerstone goal—cleaning up the Chesapeake.

"I think you probably could have come to that conclusion two years ago," acknowledged Maryland Gov. Martin O'Malley, chair of the Chesapeake Executive Council.

"No, we are not going to hit [the goal] by 2010. Not on the water quality, not on the nutrient reduction, not on the sediment issues," O'Malley said.

But he and other members of the council insisted at their annual meeting Dec. 5 that cleanup efforts were accelerating. And, O'Malley said, the region should have policies in place by the end of 2010 that would ultimately achieve the clean Bay goal.

To help accomplish that, the council signed a pledge to protect 695,000 acres of forest by 2020 because whenever forests are converted to other uses, water pollution typically increases.

Individual council members also agreed to "champion" various issues that could move restoration efforts forward, such as promoting cellulosic ethanol production and "green" infrastructure in cities.

Still, O'Malley wouldn't predict how long it will take to restore the Chesapeake, saying it depended on whether federal government increased Bay cleanup spending.

"A lot of progress is possible," he said. "When exactly we will hit that goal is going to be dependent, in part, on the sort of leadership the nation shows at the highest level."

A spate of recent reports, including several from the EPA, have shown that the region will fall far short of its nutrient and sediment reduction goals aimed at restoring the Bay's water quality. Senior officials have nonetheless been reluctant to publicly acknowledge that they would miss another major cleanup milestone.

The reason for the 2010 deadline dates to the resolution of a lawsuit against the EPA in 1999. As part of the settlement, the agency must write a cleanup plan known as a Total Maximum Daily Load for the the Bay unless it meets water quality standards by May 2011.

The Clean Water Act requires a TMDL for any waterway that fails to meet its water quality standards—conditions that make waterways safe for both humans and aquatic life.

The Executive Council set the 2010 deadline in its Chesapeake 2000 agreement, hoping to head off the need for a TMDL which has more regulatory provisions and more rigid requirements than the tributary strategies states have written to reduce Bay pollution.

But writing a TMDL covering the Bay watershed is a huge exercise. Planning for it has already begun and further work will have begin soon to ensure the process, which must include opportunities for public review, is completed on schedule.

"Candor compels us to say we're not going to be where we want to be by 2010," said Virginia Gov. Tim Kaine.

The Executive Council oversees the 24-year-old state-federal Chesapeake restoration effort. It includes the governors of Maryland, Pennsylvania and Virginia; the EPA administrator; the mayor of the District of Columbia; and the chair of the Chesapeake Bay Commission, which represents state legislators.

While not members of the Executive Council, representatives for Delaware, West Virginia, New York and the U.S. Department of Agriculture also attended the meeting.

Reducing the amounts of nitrogen and phosphorus entering the Bay has been the cornerstone of Chesapeake restoration efforts dating to 1987, when the Executive Council signed an agreement promising a 40 percent nutrient reduction by 2000, which was missed.

At the current rate of implementation, various reports have suggested that the region is not likely to achieve its nutrient and sediment reduction goals until 2025, or even later. Because it takes years for many actions to become fully effective, actual restoration could lag by another decade, or until about 2035.

O'Malley said 2008 would be a year of "recommitment" to Bay restoration. "Failure is not an option. We have to move forward."

As evidence of progress, council members pointed to new regulations forcing reductions at wastewater treatment plants, and to stepped-up Bay spending.

Kaine, for instance, said that in the last two years, Virginia had spent or committed roughly \$700 million for wastewater treatment plant upgrades, putting the state on track for sewage plants to meet discharge goals by 2010.

"If you look at each of the state's efforts, you would see a pretty significant acceleration of regulatory strategies and actual funding within the last two or three years," Kaine said.

Other states also expect to come close to goals for sewage plants in 2010 or shortly thereafter.

But the more vexing problem of controlling nutrient runoff from the land remains. Runoff is growing as urban and suburban areas expand over more of the watershed.

Pollution from agriculture, the largest single source of nutrients to the Bay, could increase substantially in coming years as farmers plant more corn to meet demand for ethanol.

Pennsylvania Gov. Ed Rendell, who said five new ethanol plants are in various stages of approval in his state, pledged to set up a biofuel summit in the coming year that would explore ways to accelerate the use of cellulosic material, such as switchgrass, for ethanol instead of corn.

"Corn-based ethanol contributes significantly to agricultural runoff and that runoff goes into the Bay," Rendell said. "If cellulosic ethanol becomes a viable means of producing substitutes for fossil fuels, the Chesapeake Bay states can benefit tremendously both economically and

environmentally."

Although progress has been difficult, O'Malley called restoring the Bay a "moral imperative" and said it is an objective the public increasingly demands. "I can't remember a time in my life when there was so much public support for improving our environment," he said.

Kaine agreed, "The citizens get this, and they want us to really start producing, and that is a sign of hope."

### **Champions for the Chesapeake**

At the Executive Council meeting, various Bay cleanup participants agreed to "champion" issues or programs with the goal of gathering information that could be used by others. Among the issues championed are:

#### **EPA**

- Improve cooperation with other federal agencies on Bay-related issues such as the development of the U.S. Navy's low impact development policy. Part of that effort will be the completion this spring of a Bay restoration plan that integrates the actions of all federal agencies.

#### **Virginia**

- Control pollution from agriculture through a targeted program that focuses 80 percent of the state's effort and resources on five, cost-effective actions to reduce farm pollution: implementing nutrient management plans; planting streamside buffers; installing stream bank fencing to keep farm animals out of waterways; conservation tillage which reduces erosion; and planting cover crops that help to absorb nutrients left in the ground after harvest.

#### **Maryland**

- Promote local government involvement by sponsoring a "local leadership summit" that focuses on finding ways to make local governments, communities and citizens true partners in the cleanup effort.
- Create a Chesapeake Bay Venture Capital Technology Fund to promote investments in technologies that could accelerate Bay restoration efforts. The state committed an initial \$250,000 for the fund, which will be matched by the EPA.
- Improve accountability in the Bay cleanup through new approaches such as Maryland's "BayStat" program, which seeks to target, track and measure the impact of restoration practices.
- Work with Virginia, the Chesapeake Bay Commission and stakeholders to develop actions that enhance the blue crab stock.

#### **Pennsylvania**

- Sponsor a "biofuels summit" in partnership with the Chesapeake Bay Commission to explore ways to accelerate the use of cellulosic material, such as switchgrass for sources of ethanol instead of corn. Studies suggest increased corn production to fuel the demand for ethanol could

sharply increase Bay pollution, while crops such as switchgrass could reduce runoff.

- Support a study to better understand the movement of sediments trapped behind the Conowingo Dam on the Susquehanna River. The reservoir behind the dam has gradually been filling and, once filled, would lead to a huge increase in the amount of sediment reaching the Bay.

#### **District of Columbia**

- Promote green development techniques, including the use of green infrastructure, such as planting urban trees, to reduce runoff.

#### **Chesapeake Bay Commission**

- Work with Pennsylvania on a biofuels summit to promote cellulosic ethanol.
- Lead the region's action to secure funding from Congress to upgrade the Blue Plains wastewater treatment plant in the District of Columbia, which is the largest single nutrient discharger in the Bay watershed.
- Continue work to build support for Bay-related activities in the Farm Bill.

#### **Delaware**

- Sponsor a workshop on carbon sequestration to help identify activities on agricultural and forest lands that contribute to Chesapeake Bay restoration efforts and absorb carbon dioxide, which contributes to global climate change.

#### **West Virginia**

- Work with Maryland to improve local government involvement by focusing on upstream localities.

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**Karl is the Editor of the Bay Journal.**

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