

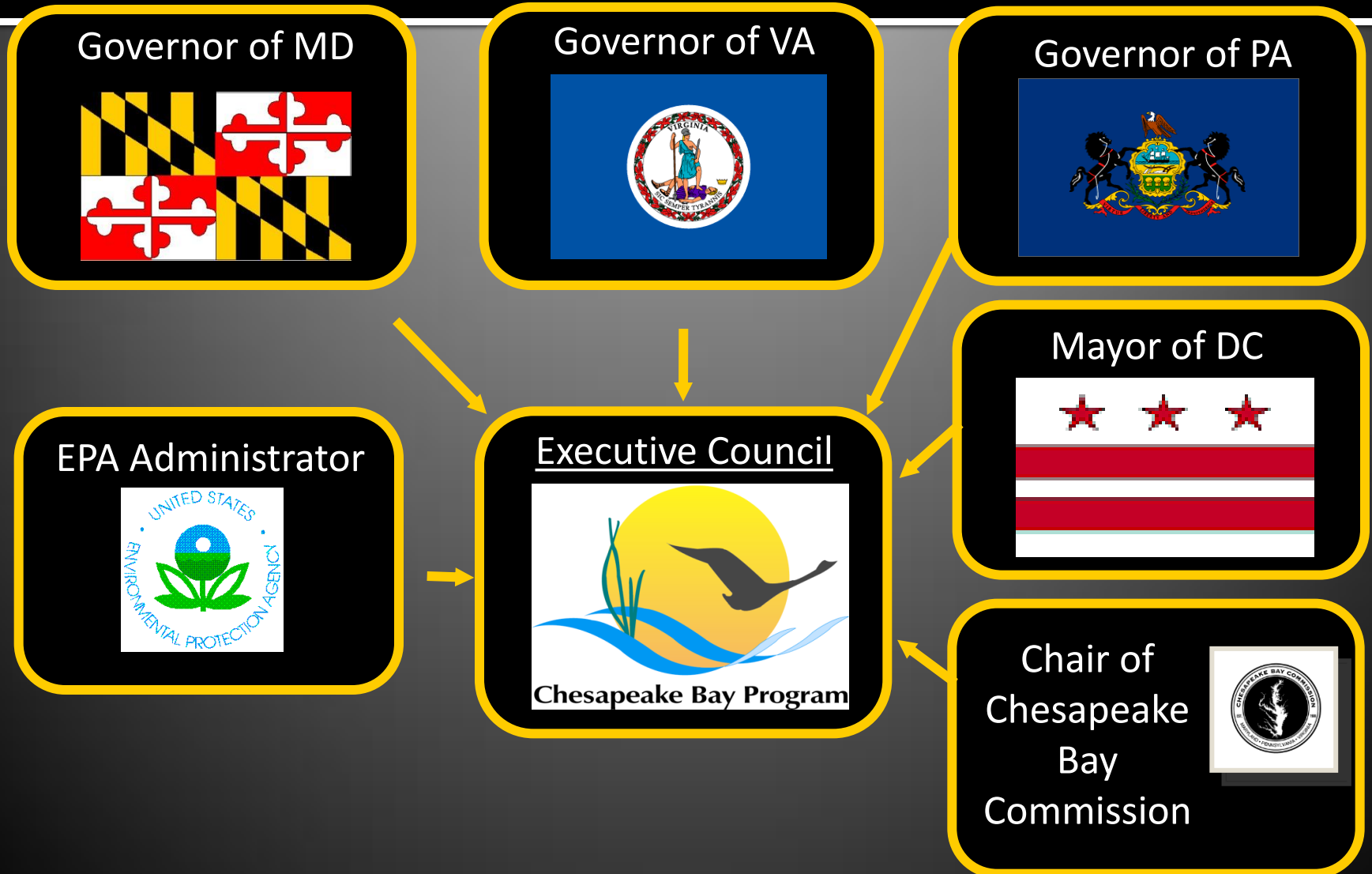


NEGOTIATING A NEW CHESAPEAKE BAY AGREEMENT

The Bay Program in 2013

Ann Swanson and Marel Raub
Chesapeake Bay Commission
Washington, D.C.
May 10, 2013

The Chesapeake Bay Program





A Watershed Partnership

Signatories

Chesapeake Bay Commission
Commonwealth of Pennsylvania
Commonwealth of Virginia
District of Columbia
State of Maryland
U.S. Environmental Protection Agency

Headwater State Partners

State of Delaware
State of New York
State of West Virginia

Federal Agency Partners

U.S. Department of Agriculture (USDA)
U.S. Department of Commerce
U.S. Department of Defense (DOD)
U.S. Department of Education
U.S. Department of the Interior
U.S. Department of Transportation
U.S. Postal Service (USPS)
U.S. General Services Administration (GSA)
National Aeronautics and Space Administration (NASA)
National Capital Planning Commission

Academic Partners

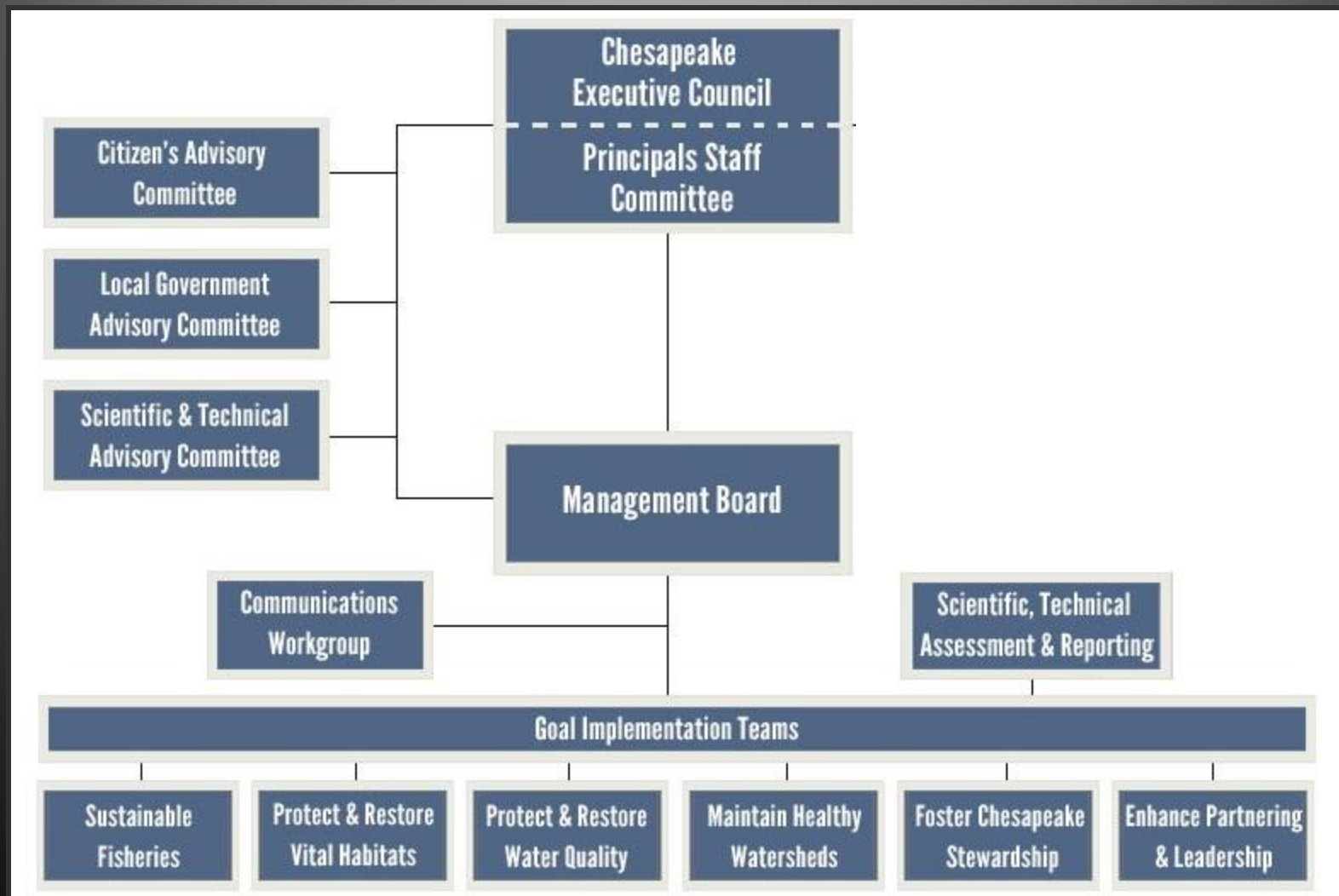
Academy of Natural Sciences
Chesapeake Research Consortium (CRC)
College of William and Mary
Cornell Cooperative Extension (New York)
Old Dominion University (ODU)
Pennsylvania State University (Penn State)
Smithsonian Institution

University of Maryland
University of Pennsylvania
University of Virginia (UVa)
University of Delaware
University of the District of Columbia
Virginia Polytechnic Institute and State University (Va Tech)
West Virginia University

Other Partners

Alliance for the Chesapeake Bay (ACB)
American Forests
Anacostia Watershed Society
Center for Chesapeake Communities (CCC)
Center for Watershed Protection (CWP)
Chesapeake Bay Foundation (CBF)
Chesapeake Bay Trust
Consortium for International Earth Science Information Network
Ducks Unlimited
Ecosystem Solutions
International City/County Management Association
Local Government Environmental Assistance Network (LGEAN)
Interstate Commission on the Potomac River Basin (ICPRB)
Low Impact Development Center
Metropolitan Washington Council of Government (MWCOG)
Montgomery County Environmental Protection
National Fish and Wildlife Foundation
Potomac Conservancy
Susquehanna River Basin Commission (SRBC)
Upper Susquehanna Coalition
World Resources Institute

The Chesapeake Bay Program



1960s



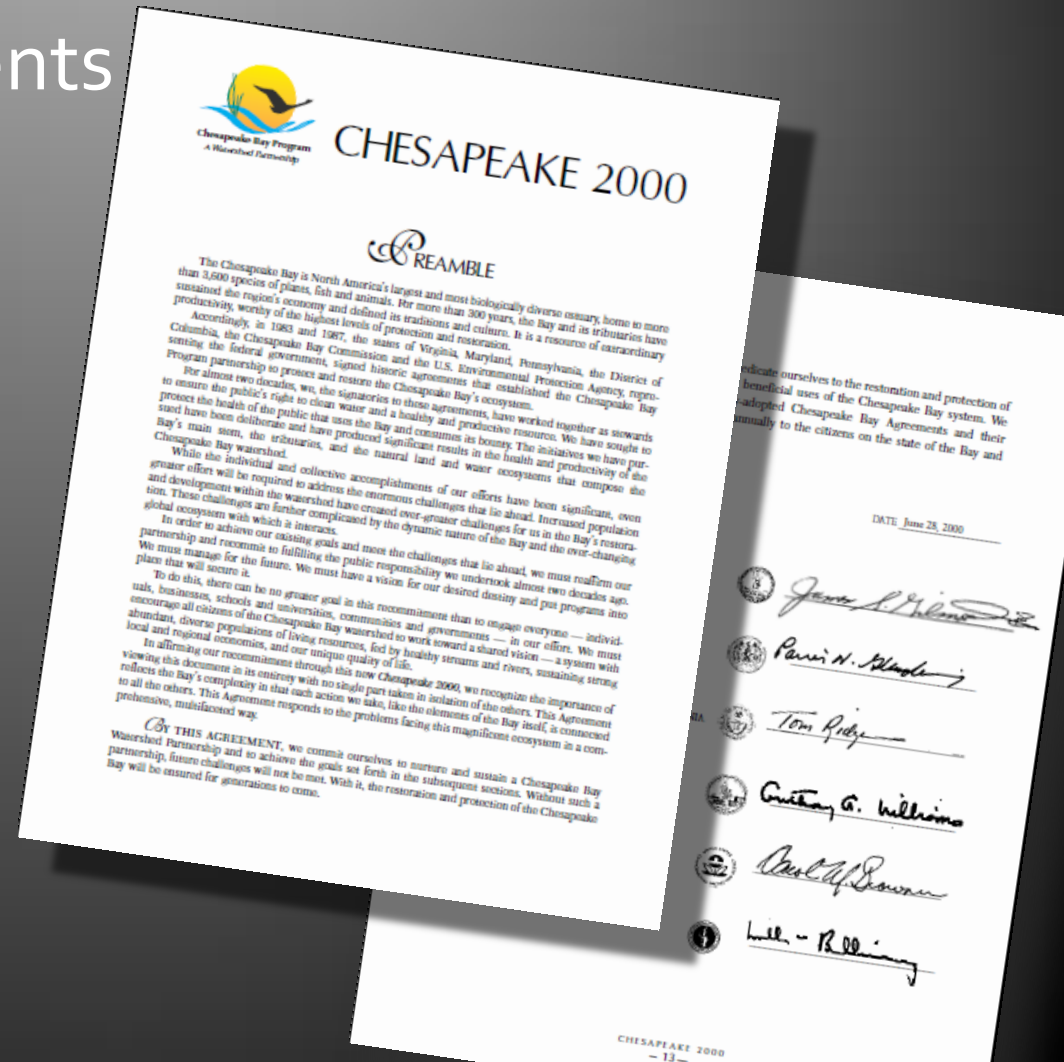
2025

The Chesapeake Bay Restoration : A 50-Year History with a future

- 1960s-70s Visible decline in Bay resources
- 1967 Chesapeake Bay Foundation established
- 1976-1982 EPA conducts 5-year Bay study
- 1980 Chesapeake Bay Commission established
- 1983 **First Bay Agreement** - Bay Program created
- 1987 **Second Bay Agreement** – WQ Goals
- 1987 Bay Program authorized in Section 117 CWA
- 1992 Amendments to Agreement – Trib Strategies & air
- 2000 **Third Bay Agreement (C2K)** – Precursor to TMDL
- 2008 Water Quality Impairments Acknowledged
- 2010 Chesapeake Bay **TMDL** established
- 2013 **Fourth Bay Agreement?**
- 2017 60% of TMDL implemented
- 2025 TMDL practices fully implemented

Chesapeake 2000 Agreement

- Over 100 commitments
- 5 Overarching goals
 - Water Quality
 - Living Resources
 - Sound Land Use
 - Stewardship
 - Habitat

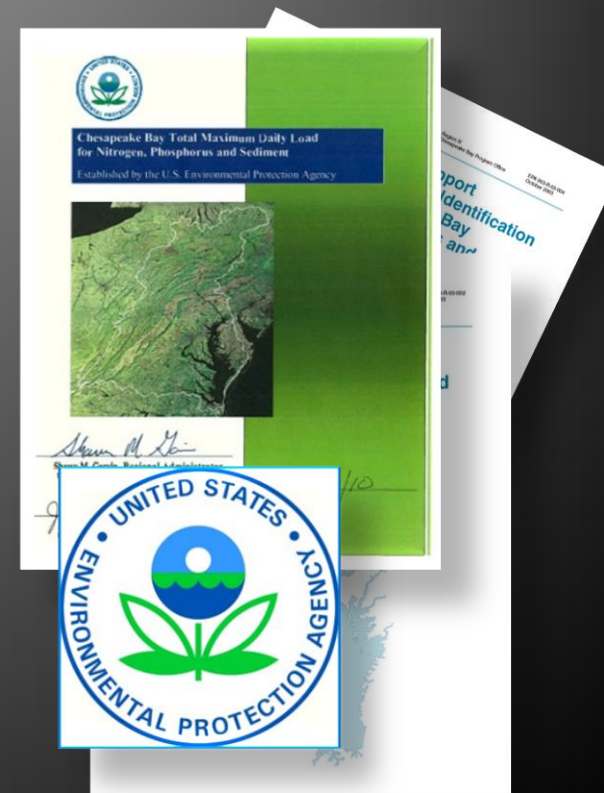
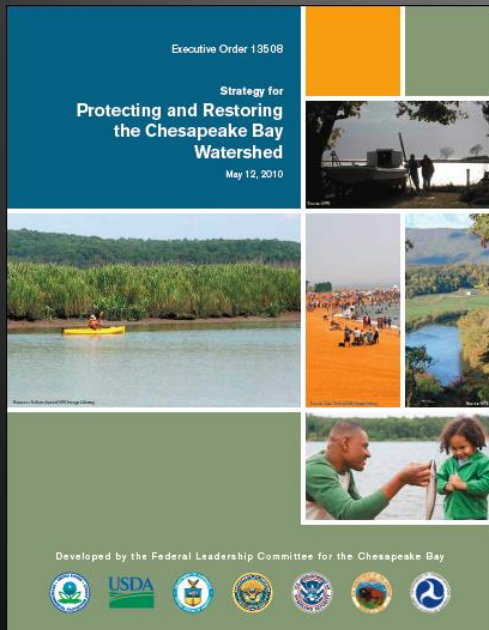


Post-C2K Developments

2009 Executive
Order

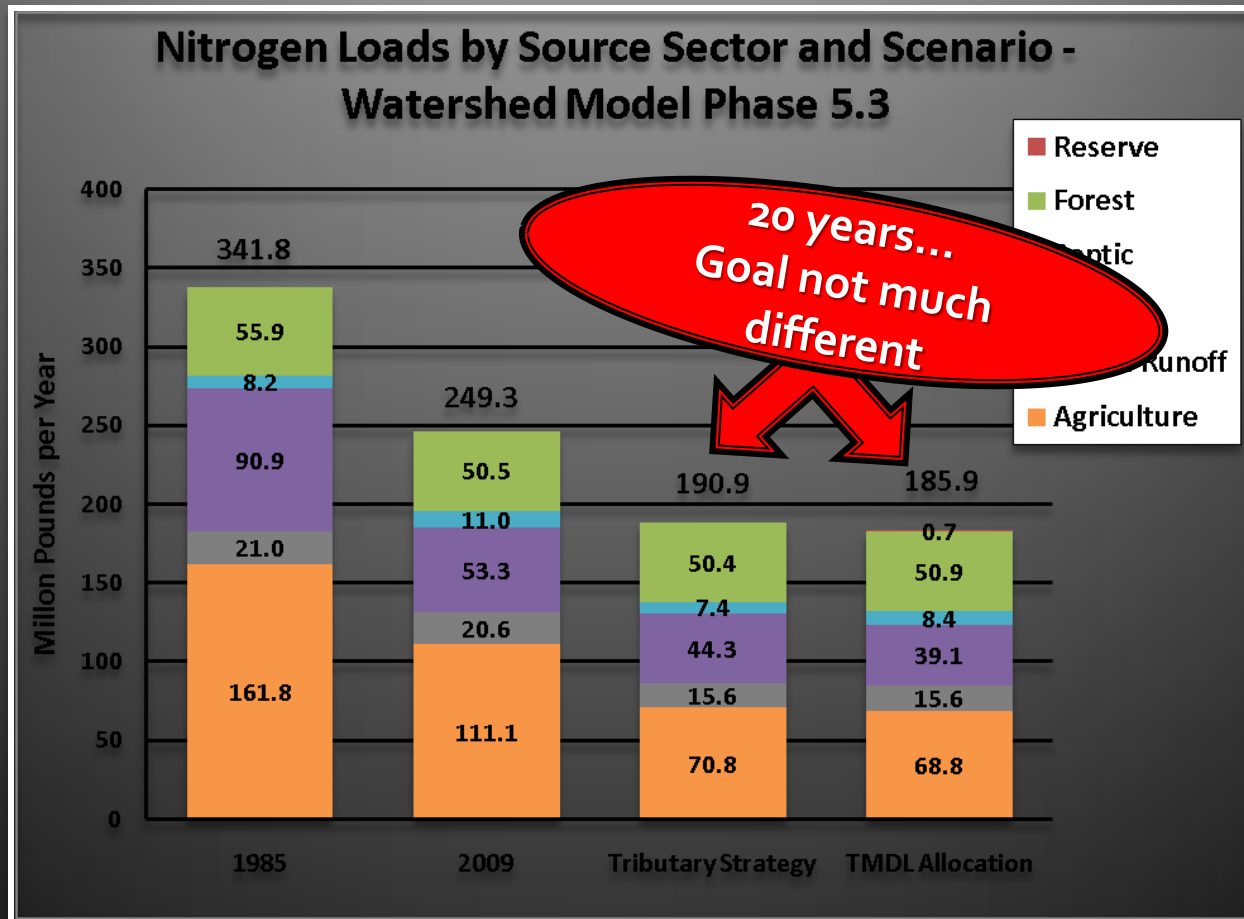
Rising Costs &
Recession

2003 WQ
Standards & 2010
TMDL



This challenge is **NOT** new... the rules are!

- Numeric goals for N, P and Sediment



1960s



2025

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- 1987 Bay Program authorized in Section 117 CWA
- 1992 Amendments to Agreement – Tributary Strategies
- 2000 **Third Bay Agreement** – Precursor to TMDL
- 2008 Water Quality Impairments Acknowledged
- 2010 Chesapeake Bay **TMDL** established
- 2013 **Fourth Bay Agreement?** – Early in TMDL process
- 2017 60% of TMDL Implemented
- 2025 TMDL practices fully implemented



Chesapeake '13

April 17, 2013

PSC agreed to pursue the development of a comprehensive agreement (by all 7 jurisdictions, CBC and EPA on behalf of the Federal Government)

Section 117, CWA

Key Definitions

Chesapeake Bay Agreement – (a)(2) “the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.”

Members of the Chesapeake Executive Council – (a)(5) “the signatories to the Chesapeake Bay Agreement.”

Chesapeake Bay Program – (a)(4) “the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement

Section 117, CWA

Key Requirement

Grant Funds— (e)(1) “if a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement...the Administrator – (A) shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established and conditions as the Administrator considers appropriate; and (B) may make a grant to a signatory jurisdiction for the purpose of monitoring the Chesapeake Bay ecosystem.

(e)(2)(A) “to implement management mechanisms established under the Chesapeake Bay Agreement.”

ISSUE #1:

Are These Goal Categories Appropriate?

C2K

- Water Quality
- Living Resources
- Sound Land Use
- Stewardship
- Habitat

2013

- Water Quality
- Sustainable Fisheries
- Land Conservation
- Healthy Watersheds
- Environmental Literacy
- Stewardship
- Vital Habitats
- Public Access
- Partnering and Leadership

PSC Decision Made: April 17, 2013
Water Quality to be included

WATER QUALITY

Will be part of the Agreement...

Acknowledgement of the TMDL

ISSUE #2:

Will the agreement contain goals or goals and outcomes?

Section 1: Preamble

Section 2: Vision

Section 3: Mission


Section 4: Goals & Outcomes

Section 5: Membership

Section 6: Principles

Section 7: Effective Date

Section 8: Affirmation and
Signatures



Specific
enough to be
measured?

Value
added?

PSC Decision Made: April 17, 2013

Agreement will contain goals and outcomes

- Goals (High level statements)

- Sustainable Fisheries

- Restore, enhance, and protect the finfish, shellfish and other living resources, their habitats and ecological relationships to sustain all fisheries and provide for a balanced ecosystem in the watershed and bay.*

- Outcomes (Measurable and achievable)

- Blue Crabs: maintain sustainable blue crab population based on the current 2012 target of 215 million adult females and continue to refine population targets between 2013 through 2025 based on best available science.*

Issue #3:

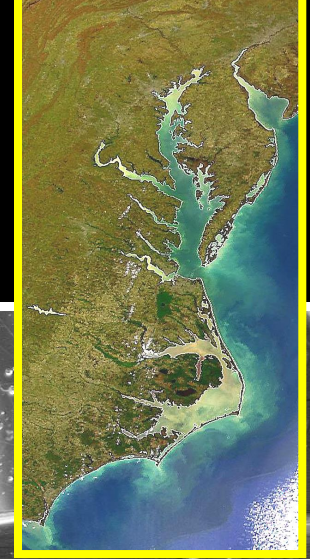
How will policy be set?

3

policy-making
documents

1. Bay Agreement
(EC level)
2. Governance Bylaws
(PSC level)
3. Management Strategies
(PSC Level)

CHESAPEAKE 2013



PROPOSED
TO BE
SIGNED
OCTOBER
2013

