



NEGOTIATING A NEW CHESAPEAKE BAY AGREEMENT

Decisions and Next Steps

Ann Swanson, Executive Director
Chesapeake Bay Commission
November 15, 2013

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
- 2014 **Fourth Bay Agreement?**
- 2017 60% of TMDL implemented
- 2025 TMDL practices fully implemented

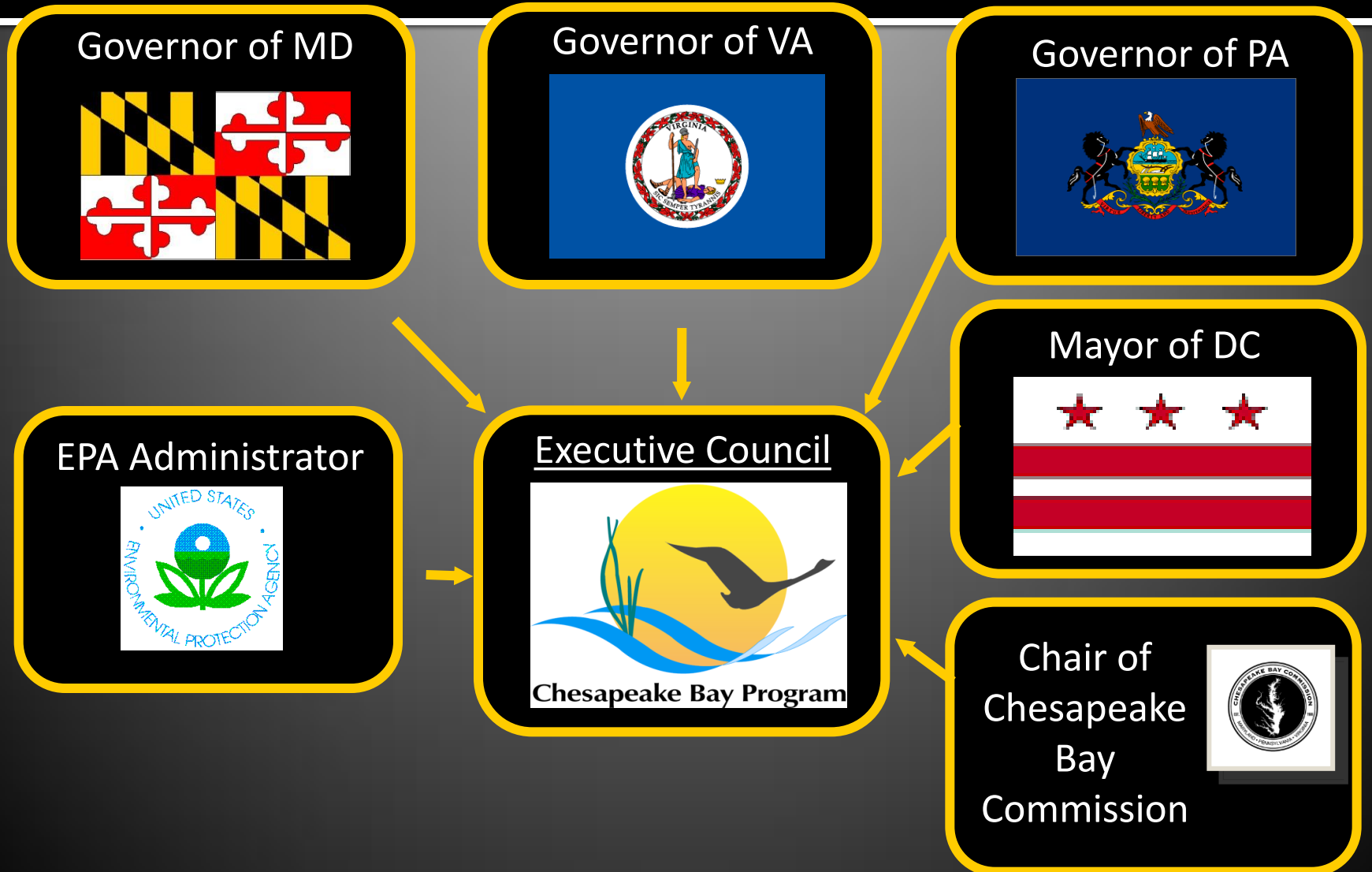
4 years

5 years

8 years

14 years

The Chesapeake Bay Program



Revised Timeline

July –August 2013

Stakeholder Comment on Abridged Agreement

September 2013

PSC considered revised Agreement

November 2013

PSC finalized revisions for public comment

December 12, 2013

Executive Council Meeting to consider draft Agreement

January 29 – March 15, 2014

45-day Public Comment Period

March 15 – late April 2014

Comments incorporated

May 2014

Final Agreement signed at Executive Council meeting

CONTENT



In



Out

Supermajority: 7/9

Preamble

- Importance of Chesapeake Bay
- History of Bay Program
- Challenges (e.g. population, changing environmental conditions)
- Role of local governments and other partners
- Verification and Transparency
- Expansion to include headwater states
- Cost-effectiveness

Recent Decisions - Vision

The Chesapeake Bay Program partners envision an environmentally and economically sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands and access to the water, a vibrant cultural heritage, and a diversity of engaged citizens and stakeholders.

For:

CBC, PA, MD, DC,
Federal, NY, WV

Against:

DE, VA



Principles – The “Catch-All”

- Work collaboratively
- Achieve goals and outcomes in a timely way and at the least possible cost
- Represent the interests of people throughout the watershed fairly and effectively
- Operate with transparency
- Use science-based decision making and seek out innovative technologies
- Seek consensus
- Maintain a coordinated watershed-wide monitoring and research program
- Acknowledge, support and embrace local governments, other local entities
- Anticipate changing conditions
- Adaptively manage
- Use place-based approaches
- Engage our citizens
- Explore the application of social science

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Sustainable Fisheries – New Outcome

Blue Crab Management:

“Improve the ability to manage for a stable and productive crab population and fishery by working with the industry, recreational crabbers, and other stakeholders to improve commercial and recreational harvest accountability. Evaluate the establishment of a Bay-wide, allocation-based management framework with annual levels set by the jurisdictions that will provide stability for crabbing businesses and accountability of the harvest for each jurisdiction.”

For:

CBC, PA, MD, DC,
Federal, NY, DE

Against:

VA, WV



Sustainable Fisheries – Revised Outcome

Oysters:

“Restore native oyster habitat and populations in **10** tributaries by 2025 to recover the benefits of fish habitat and water quality improvements that healthy oyster reefs provide.”

For:

CBC, DE, PA, NY,
MD, DC, Federal

Against:

WV, VA



Sustainable Fisheries – New Outcome

Forage Fish:

“By 2016 develop a strategy for assessing the forage fish base available as food for predatory species in the Chesapeake Bay.”

For:
Unanimous



Sustainable Fisheries – New Outcome

Fish Habitat:

“Continue to identify and characterize critical spawning, nursery and forage areas within the Bay and tributaries for important fish and shellfish and use existing and new tools to integrate information and conduct assessments to inform restoration and conservation efforts.”

For:

CBC, PA, WV, MD,
DC, Federal, NY,
DE

Against:

VA



Vital Habitats – Revised Outcome

Wetlands:

“Create or re-establish 85,000 acres of tidal and non-tidal wetlands and enhance function of an additional 150,000 acres of degraded wetlands by 2025. These activities may occur in any land use (including urban) but primarily occur in agricultural or natural landscapes.”

For:
Unanimous

Black Ducks:
Wintering Populations
of 100,000 by 2025



Vital Habitats – Revised Outcome

Submerged Aquatic Vegetation:

“Achieve and sustain the ultimate outcome of 185,000 acres of SAV Bay-wide necessary for a restored Bay. Progress towards this ultimate outcome **as measured against 90,000 acres of SAV by 2017 and 130,000 acres by 2025.**”

For:
Unanimous



Vital habitats – Revised Outcome

Tree Canopy:

“Expand urban tree canopy
by 2,400 acres by 2025.”

For:
Unanimous



Water Quality – New Outcome

Toxics Contaminants Research:

“Assess planned research and opportunities for new research to improve knowledge of the effects of contaminants of emerging concern on the health of fish and wildlife by 2015 so future strategies can be considered.”

For:

CBC, PA, MD, DC,
Feds;

Against:

WV, VA, NY



Water Quality – New Outcome

Toxics Contaminants Reduction:

“Identify existing and new practices and an implementation schedule by 2015 to reduce loadings of PCBs and mercury to the Chesapeake Bay and its watershed.”

For:

CBC, MD, DC,
Feds

Against:

WV, PA, VA, NY,
DE



Water Quality – New Outcome

WQ Standards Attainment:

“By 2017, establish an outcome, based on monitoring data and sound science, that projects a percentage of Bay segments that will meet water quality standards by 2025.”

For:

MD, DC, Feds,
PA, DE

Against:

WV, VA, NY, CBC



Land Conservation – New Outcome

Land Use Methods & Metrics:

“By 2015, develop a Chesapeake Bay watershed-wide methodology and metrics for measuring the rate of land conversions of agricultural and forest lands, and for measuring the extent and rate of change in impervious surface coverage.”

For:
Unanimous



Land Conservation – New Outcome

Land Use Options Evaluation:

“By 2017, evaluate policy options and identify potential incentives, resources and other tools that could assist local governments in their efforts to better manage and, when possible, reduce the rate of consumption of agricultural and forest lands, and rate of conversion of porous landscape to impervious surface.”

For:

CBC, WV, PA, MD,
DC, Feds, NY, DE;

Against:

VA



Public Access – Revised Outcome

Public Access Site Development:

“By 2025 add 300 new public access sites, with a strong emphasis on providing opportunities for boating, swimming and fishing, where feasible. (2010 baseline year)”

For:
Unanimous



Environmental Literacy – New GOAL

Environmental Literacy:

“Enable students in the region to graduate with the ability knowledge to use scientific evidence and citizenship skills to act responsibly to protect and restore their local watershed.”

For:

CBC, WV, PA, MD,
DC, Fed, NY, DE;

Against:

VA



Local Government – New GOAL

Local Government Leadership:

“Engage, empower and facilitate local governments as partners in the protection and restoration of the Chesapeake Bay watershed.”

No Vote



MANAGEMENT STRATEGIES



Management Strategies

- Optional to participate
- May address multiple outcomes
- Identify means to accomplish, monitor, assess and report progress
- Identify how non-signatory partners will be engaged
- Developed within one year
- Approved by Management Board
- Evaluated every other year

Content of Management Strategies

- Outcome and Baseline
- Jurisdictions and Agencies Participating
- Factors Influencing Ability to Meet Goal
- Current efforts and gaps
- Management Approach
- Monitoring Progress
- Assessing Progress
- Adaptively Manage
- Biennial Workplan

Executive Council

- December 12, 2013
 - EC will meet to consider draft agreement, receive comments from Advisory Committees
 - Announcement will be made for the release of the draft and the timing of the public comment period
- May 2014
 - EC will meet to sign final agreement