

# Chesapeake Bay Commission

## Celebrating 40 years

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ANN PESIRI SWANSON

EXECUTIVE DIRECTOR

CHESAPEAKE BAY COMMISSION

# Reflections

*...thousands of individuals have dedicated their time, intelligence, resourcefulness and passion to restoring the nation's largest estuary. The Chesapeake Bay Commission has been a determined catalyst – seeking the best science, the most inventive strategies and the most productive legislative approaches to reverse the decline of Chesapeake Bay.*

DNR Secretary & Delegate Torrey C. Brown (MD) 2005



# Reflections

*...We recognize from the beginning that each state has its own set of economic and social conditions that have an impact on the Bay...In the end, each legislature can do what it wants to do, within the constraints of its own constitution, its own relationship with local governments, and its existing programs and policies. We never seek to dictate to one another. And as a result, I think we are more successful in forging common approaches.*

Senator Joseph V. Gartlan, Jr. (VA) 2005



# 1975



## **PASSED:**

US Senate Appropriations  
Committee charges EPA

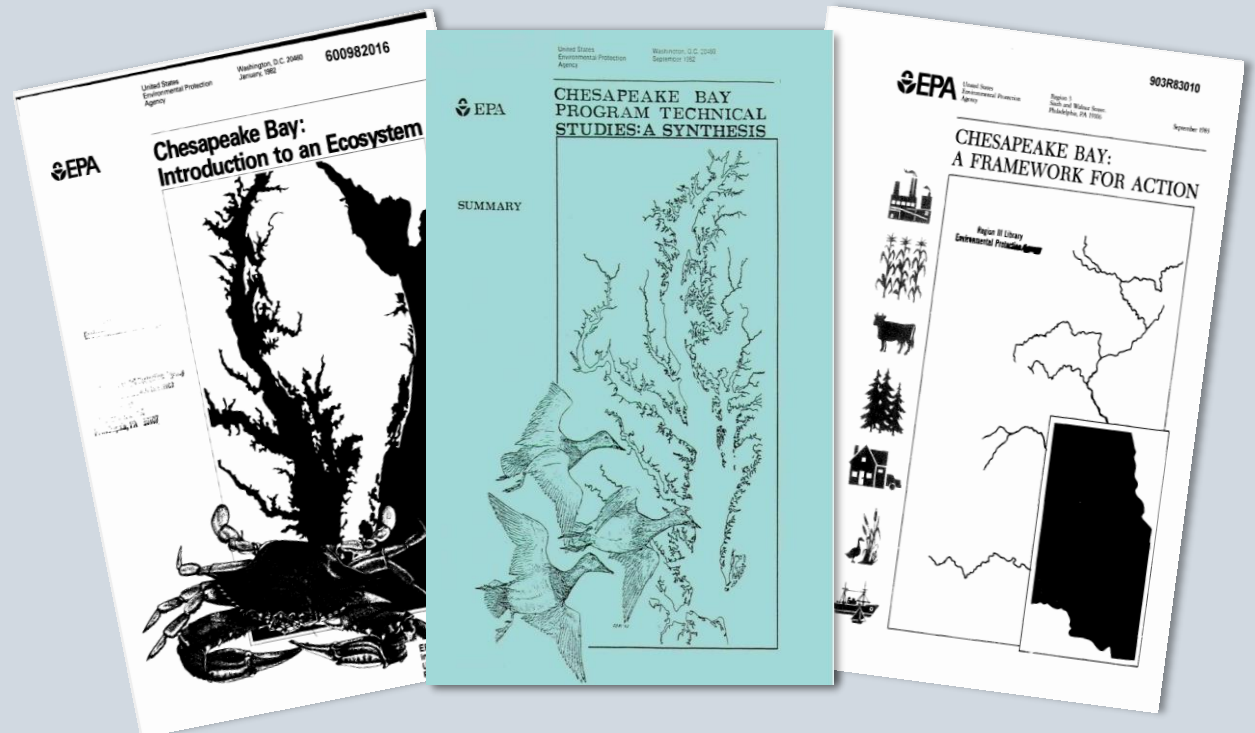
*“to conduct an in-depth study  
of the Chesapeake Bay which  
shall be applicable to other  
areas of the country.”*

Chief Sponsor

U.S. Senator “Mac Mathias, Jr. (MD)

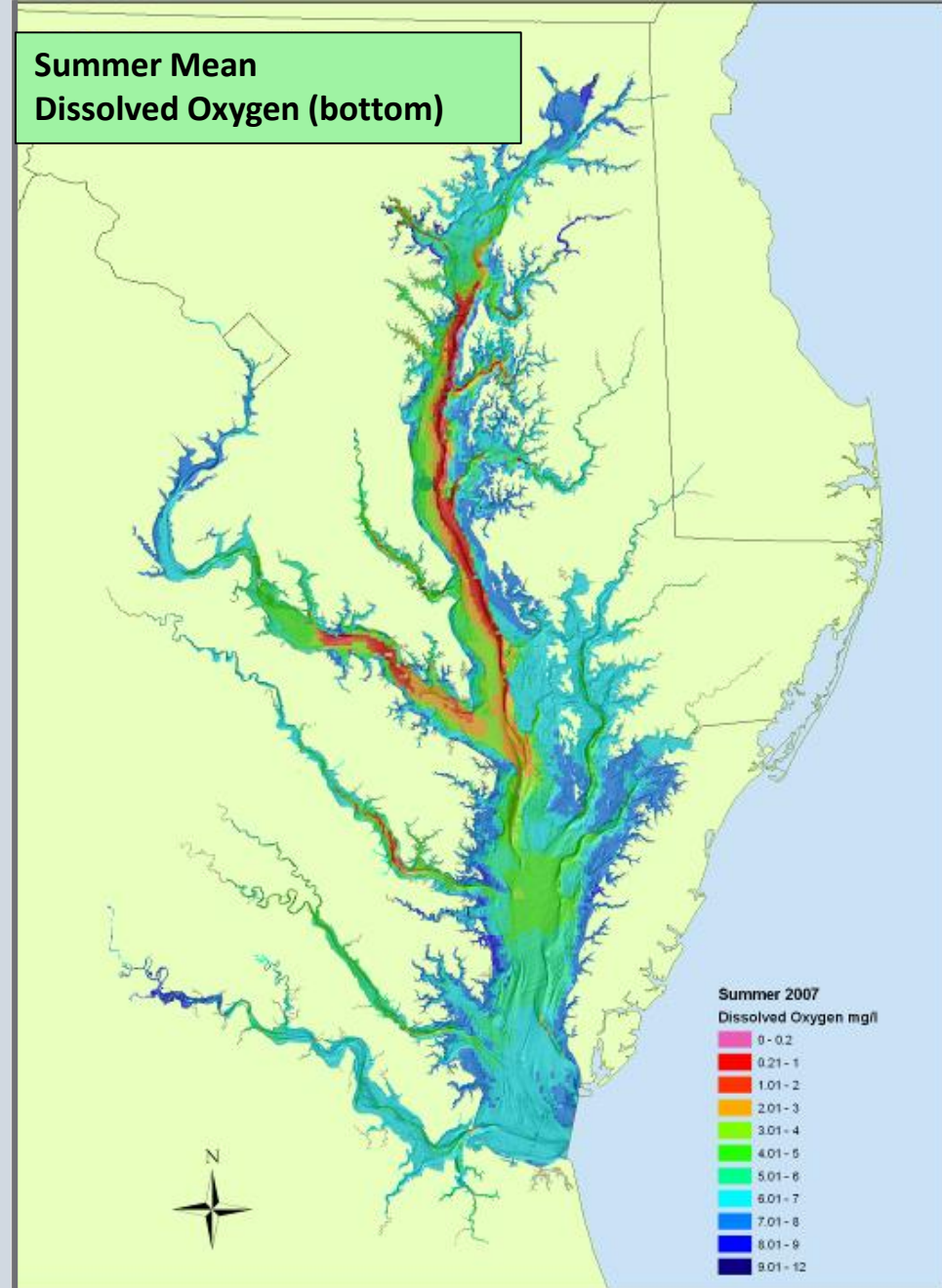
# 1976

EPA launches Chesapeake six-year, \$27 million study focused on toxics, nutrients, and SAV.



## TROUBLING CONDITION

Low to no dissolved oxygen in the Bay & tidal rivers every summer & poor water clarity.





# 1978



## PASSED:

Via legislation, Maryland and Virginia form the Commission's precursor, the Chesapeake Bay Legislative Advisory Commission, to begin a 2-year study.

Chairmen

Senator Joseph Gartlan, Jr. (VA)

Dr. Eugene Cronin (MD)

# 1980

## CHESAPEAKE BAY COMMISSION

**PASSED:** Bi-State Legislative Commission

Established by state laws in MD & VA

7 Members from each State

- 2 Senators & 3 House Members
- 1 Cabinet-Level Secretary
- 1 Citizen Representative

Facilitate intergovernmental coordination

Translate science and interstate issues into policy

Coordinate with Congress



# 1982 - 1983



## **PASSED:**

CBC works to resolve the exclusion of watermen from fishing across state lines, and sponsors reciprocity legislation in 1983 in both Maryland and Virginia.

Chairman  
Senator Catherine Riley (MD)

# 1983

CBC contracted with Citizens Program for the Chesapeake Bay to conduct a conference, which resulted in major Chesapeake Bay Initiatives by Governors Robb, Hughes, Scranton and Mayor Barry.

Chairman  
Senator Joseph V. Gartlan, Jr.  
(VA)



First  
Chesapeake  
Bay Agreement



# 1985

**PASSED:**

Virginia & Maryland amend their laws and Pennsylvania passes legislation to join the Chesapeake Bay Commission as a full and equal partner.



Chairman  
Senator Joseph V. Gartlan, Jr.

# MARYLAND

# 1983 - 1987



## Major Environmental Legislation

- Critical Areas ('84)
- Phosphate Detergent Ban ('85)
- Sediment & Erosion Control ('80, '84)
- Stormwater Control Act ( '82-'86)
- Rockfish Moratorium ('85)
- Chesapeake Bay Trust ('85)
- Chesapeake Bay Fishing License ('85)

## VIRGINIA

# 1983 - 1987



### Major Environmental Legislation

- Water and Sewer Assistance Authority ('86)
- Water Facilities Revolving Fund ('86)
- Erosion and Sediment Control ('86)
- Phosphate Detergent Ban ('87)
- Dredged Material a Priority for Beach Nourishment ('87)

## PENNSYLVANIA

# 1983 - 1987



### Major Environmental Legislation

- Agricultural Non-point Source Abatement Program
- Agricultural Cost-Share Program (targeted 6 lower Susquehanna River Basin counties)



# 1987



**1987 Chesapeake Bay Agreement** commits to reduce nutrients, control growth and development and improve fisheries management and creates the Chesapeake Executive Council.

**PASSED**

**Section 117 Clean Water Act** makes EPA's participation a statutory responsibility.

Chairman  
Representative Kenneth J. Cole (PA)

# MARYLAND

# 1988 - 1999



## Major Environmental Legislation

- Striped Bass Mgmt. ('88)
- Agricultural Nutrient Management ('88)
- Sewage Treatment Plant Compliance ('90)
- Chesapeake Bay License Plate Fund ('90)
- Oil Spill Liability ('90)
- Forest Conservation ('91)
- Recreational Boat Pollution ('92, '94, '99)
- Brown Fields ('97)
- Smart Growth ('97)
- Rural Legacy ('97)
- Prohibition Hydraulic Clam Dredging ('98)
- Animal Waste Technology Fund ('99)
- Blue Crab Targets and Thresholds ('99)

# VIRGINIA

# 1988 - 1999



## Major Environmental Legislation

- Chesapeake Bay Preservation Act ('88)
- Pop. Growth & Devpmt. Commission ('89)
- Striped Bass Moratorium ('89)
- Ag Equipment Tax Credit ('90)
- Wetlands Enforcement ('90)
- Oil Spill Liability ('91)
- Chesapeake Bay License Plate ('92)
- Forestry Water Quality Law ('93)
- Nutrient Mgmt. Certification ('94)
- Blue Crab Fishery Mgmt Plan ('95)
- Agricultural Stewardship Act ('96)
- Ag BMP Tax Credit ('96)
- Water Quality Improvement Act ('97)
- Poultry Waste Mgmt. Act ('99)
- Land Conservation Fndn. & Fund ('99)

## PENNSYLVANIA

# 1988 - 1999



### Major Environmental Legislation

- Phosphate Detergent Ban ('89)
- Farmland Preservation Program ('89)
- Agricultural Nutrient Management ('93)
- Environmental Education ('93)
- Brownfields Program ('95)
- Clean & Green ('99)
- Growing Greener I ('99)

# Major Federal Offices & Policies 1983-1999



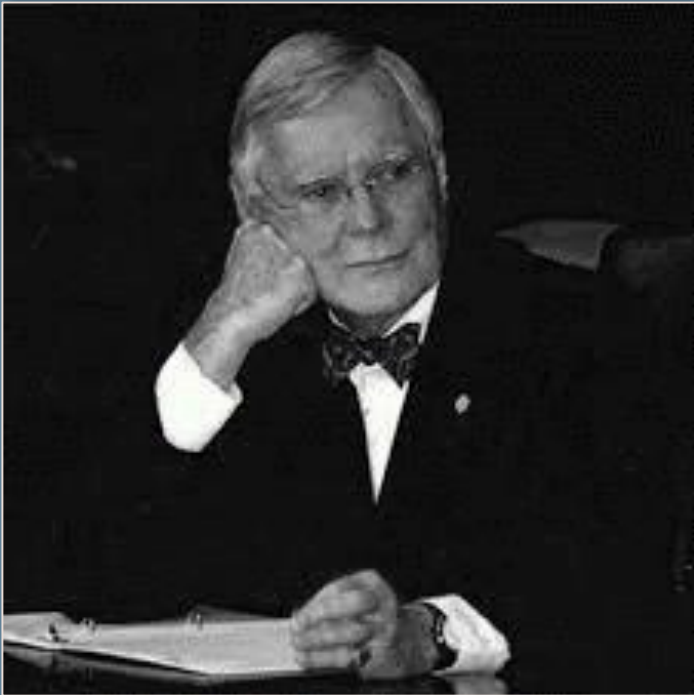
## Establishment of Federal Offices

- EPA
- NOAA
- Forest Service
- National Park Service

## Appropriations

- EPA
- USFWS
- USDA
- USGS

# 1988



Delegate W. Tayloe Murphy, Jr.  
Chair, 2020 Panel Report  
Drafting Committee

PUBLISHED:  
CBC chairs the drafting  
efforts for the Chesapeake  
Bay Program's *Year 2020  
Panel Report*.

Chairman  
Representative Kenneth J. Cole (PA)

# 1990 - 1992



1. Recreational Boat Pollution
2. Fish Passage
3. WQ Goals
4. Phytase
5. Oil Spill Immunity

Chairmen

Representative Kenneth J. Cole (PA)

Delegate W. Tayloe Murphy, Jr. (VA)

Senator Bernie Fowler (MD)

# 1992



CBC chairs the drafting effort to develop the **1992 Amendments to the Chesapeake Bay Agreement**, calling for basin-specific nutrient and sediment reduction strategies for the Bay's major tributaries.

Chairman  
Senator Bernie Fowler (MD)

# 1994



CBC adopts a resolution calling for the Bay Program to develop a riparian forest policy, leading to one of the most important restoration initiatives to date.

Chairman  
Senator Elmo G. Cross, Jr. (VA)

# 1995



## PUBLISHED

*Introduction of Nonindigenous Species to the Chesapeake Bay via Ballast Water*, spurring state and Federal legislation and speeding up adoption of more stringent Naval vessel requirements.

Chairman

Delegate Michael H. Weir



# 1996- 2004

BBCAC  
Bi-State Blue Crab  
Advisory  
Committee



# 1996

## First of 14 Watershed Boundary Signs

Chairman John F. Wood, Jr. (MD)

# 2000

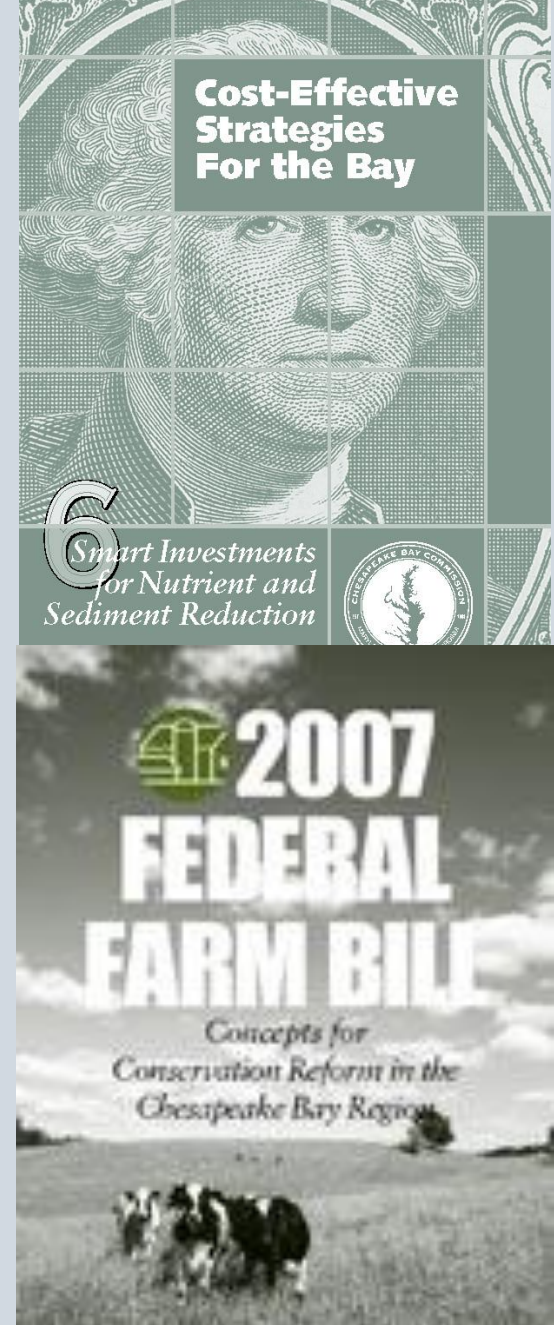
## Chesapeake 2000

Marking the  
conclusion of an  
18-month drafting  
process

Chairman  
Senator Bill Bolling (VA)



- 2001: Establish Bay Funders Network
- 2002: Publish Cost of A Clean Bay
- 2003: Publish Cost Effective Strategies
- 2004: Presidential Executive Order
- 2006: Federal Funding for Blue Plains WWTP
- 2007: 2010 Bay Trust Fund
- 2008: Farm Bill CB Watershed Initiative



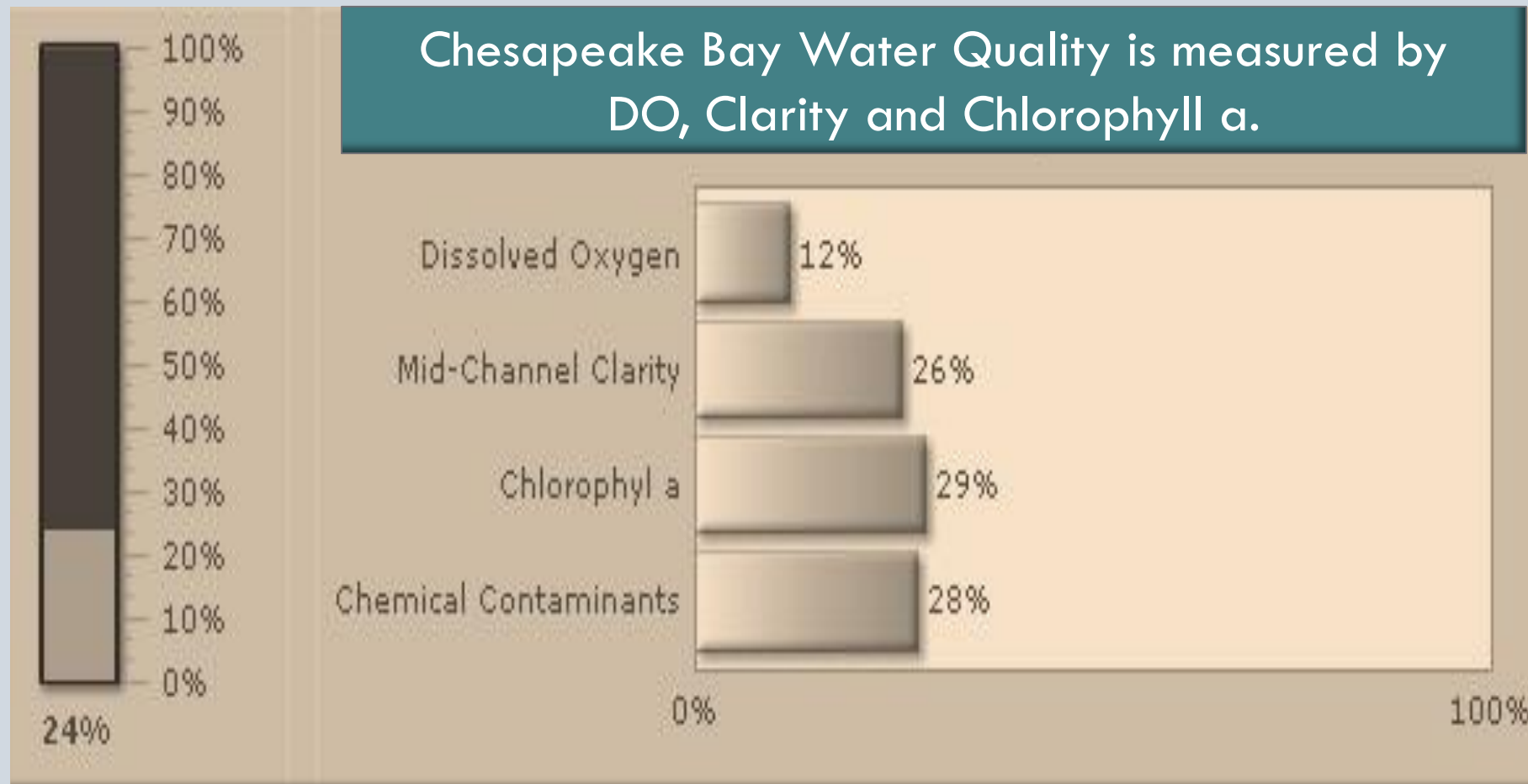
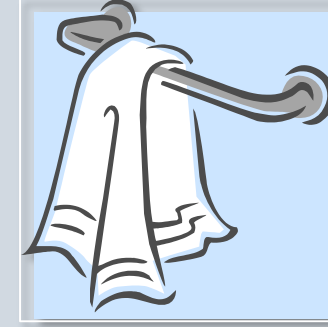


# **PASSED:** Chesapeake Bay Watershed Initiative (CBWI)

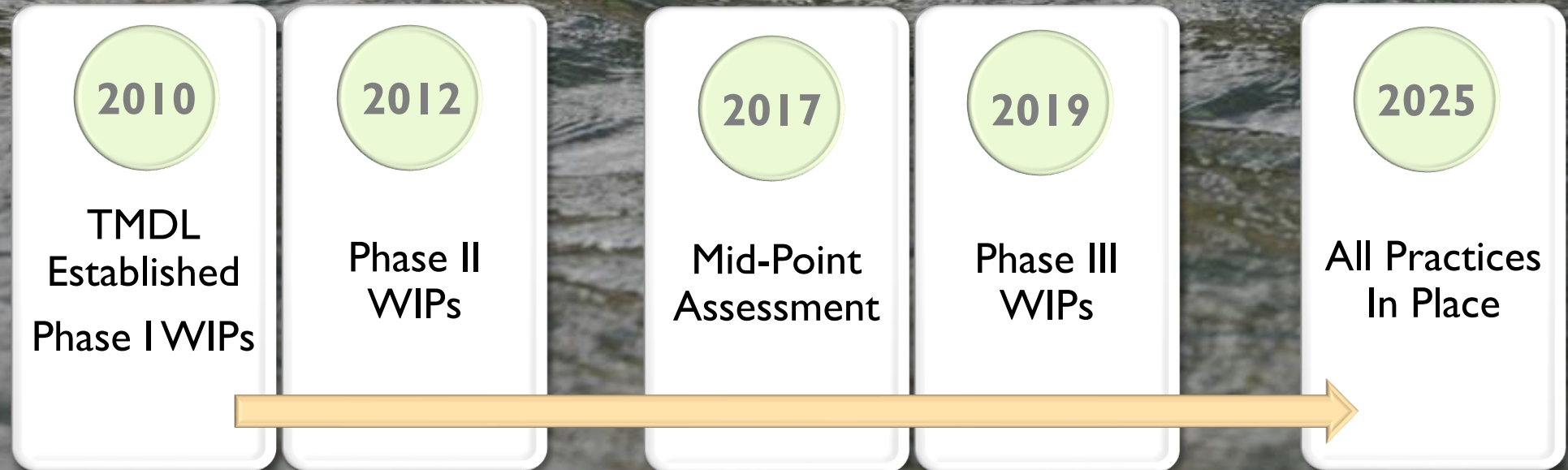
\$188 million over  
5 years for farm  
conservation practices,  
which  
became \$288 million  
over 7 years



# 2008 **WATER QUALITY** *Inadequate by any measure*



# CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD



# State Legislation (2000-2014)



## Virginia

- Land Preservation Tax Credit ('00)
- Stormwater Program Consolidation ('05 & '13)
- Nut. Credit Exchange ('05)
- Major Point Source Upgrades ('05)
- Crab Dredging Ban ('08)
- Phosphate Detergent Ban ('08)
- Resource Mgmt. Planning ('11)
- Alternative On-site Sewage Systems ('11)
- Urban Lawn Fertilizer ('12)

## Pennsylvania

- MPC Omnibus Amdts. ('00)
- Growing Greener ('02)
- Chesapeake Bay Watershed Education Program ('04)
- Water & Wastewater Treatment Bond ('04)
- Manure Hauler & Broker Certification ('04)
- Growing Greener II ('05)
- REAP (Ag. Trans. Tax Credit) ('07)
- Phosphate Detergent Ban (08)
- H<sub>2</sub>O PA ('08)
- Stormwater Authorities ('14)

## Maryland

- Green Print ( '01)
- Intro Non-native Species ('01)
- Smart Growth ('01)
- Bay Restoration Fund('04,'12)
- P Detergent Ban ('06,'11)
- Chesapeake and Coastal Bay Trust Fund ('07)
- Stormwater Management ('07)
- Clean Cars ('07)
- Forest Preservation Act ('08)
- Living Shorelines ( '08)
- Septic Tanks ('09, '12)
- Lawn Fertilizer ('11)
- Stormwater Utilities ('12)
- Ag Certainty ('13)

# MD Chesapeake Bay Restoration Fund

A dedicated fund, financed by wastewater treatment plant users, to upgrade Maryland's wastewater treatment plants with enhanced nutrient removal (ENR) technology so they are capable of achieving wastewater effluent quality of **3 mg/l total nitrogen and 0.3 mg/l total phosphorus**.

In addition, a similar fee paid by septic system users will upgrade **onsite systems and implement cover crops** to reduce nitrogen loading to the Bay.

This bill will support Maryland's efforts to reduce nitrogen and phosphorus loading in the Bay by over 7.5 million pounds of nitrogen per year and over 260 thousand pounds of phosphorus per year, which represent over **1/3 of Maryland's commitment** under the Chesapeake Bay 2000 Agreement.

# 2014

## Chesapeake Watershed Agreement

Chairman  
Rep. Ronald E. Miller (PA)



# 2015



## PUBLISHED:

*Healthy Livestock, Healthy Streams*, focused on excluding livestock from streams across the watershed.

Chairman  
Delegate L. Scott Lingamfelter (VA)

# 2017



## PUBLISHED:

*Boots on the Ground:  
Improving Technical  
Assistance for Farmers,*  
resulting in state and federal  
actions to assist farmers  
address water quality and  
habitat on their farms.

Chairman  
Senator Thomas "Mac" Middleton

# FOCUS ON FUNDING



Chesapeake Bay Commission • May 2017

## ***What the Congress Must Do to Address the President's FY 2018 Budget Shortfalls***

*Like never before, real progress is being seen in Chesapeake Bay restoration. Record acres of submerged aquatic vegetation, reduced areas of oxygen-starved water, and a burgeoning aquaculture industry are signposts that the state-federal partnership to restore the Bay is working. We are gaining momentum.*

*But the President's FY2018 budget puts this risk. The critical federal support for the BC would be slashed. Here is what Congress add to the President's budget to sustain success of Bay Restoration.*

*With limited dollars available and 2010 quickly approaching, where should we focus available funds to achieve the most efficient use of taxpayer dollars?*

## Representative Russ Fairchild (PA)



*With limited*

**T**HE RESTORATION of the San Francisco Bay watershed is well under way. Positive signs of progress are appearing across the watershed. Through collaborative efforts over the past three decades, we are achieving the shared goal of restoring the Bay. But to complete the restoration, we must bring to bear the full force of the Bay's Commission.

As Congress begins FY 2020 Federal budget, the Commission offers this report to priorities where targeted increases will be required. We have highlighted areas where your work (see box at right).

★ **US Army Corp — Chesapeake Bay Comprehensive Construction and Protection**  
(FY 2019 level \$0K)

**Agriculture, Rural Development, Food & Drug Administration**

**What We Do**  
The Chesapeake Bay Commission is a tri-state organization with members from Maryland, Pennsylvania and Virginia. We work together at all levels of government, to represent the primary of state leaders, to reach a common understanding of progress.

## Federal Investments Are Working

estments Are Working

LIKE NEVER BEFORE, REAL PROGRESS IS BEING seen in Chesapeake Bay restoration. Record acres of submerged aquatic vegetation, reduced areas of oxygen-starved water, and a burgeoning aquaculture industry are signposts that the state, federal and legislative hip to restore the Bay is working. We are omentum. inued success depends on maintaining the funding among federal, state and local the myriad of non-governmental agencies Bay and private citizens. And the Bay's Congressional delegation has roviding both the policy and financial ve improvements in water quality eliberations on the FY 2019 apeake Bay Commission ail in numbers and narrative o support the Bay.

# Funding for the Watershed – Where does this money come from? What more do we need?\*

## FEDERAL

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### MARYLAND

- Bay Restoration Fund
- Chesapeake and Atlantic Coastal Bays Trust Fund
- Water Quality Revolving Loan Fund
- Maryland Ag Cost Share Program

### PENNSYLVANIA\*

- Clean Water State Revolving Fund
- Growing Greener

### VIRGINIA

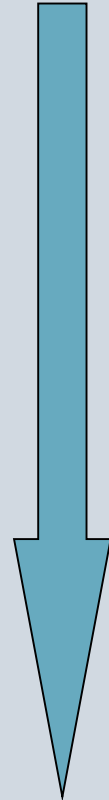
- Water Quality Improvement Fund
- Stormwater Local Assistance Fund
- Clean Water Revolving Loan Fund



# THE CHESAPEAKE BAY RESTORATION

## *A History of Key Events*

1960s



2025

- 1960s-70s Visible decline in Bay resources
- 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: 40% reduction
- 1992 Amendments to Agreement – Tributary Strategies
- 2000 Third Bay Agreement – Water Quality Focus
- 2008 Acknowledged regulatory approach (TMDL) needed
- 2009 Presidential Executive Order 13508
- 2010 Chesapeake Bay TMDL established
- 2014 Fourth Bay Agreement – Verification & Accountability
- **2025 TMDL to be achieved – 100% of practices in place**



# Questions & Reflections?