

# CHESAPEAKE BAY COMMISSION

## 40TH ANNIVERSARY WEBINAR



Delegate David Bulova (VA), Vice-Chair  
Senator Guy Guzzone (MD), Vice-Chair  
Senator Emmett Hanger (VA), longest-serving member  
Representative Garth Everett (PA), retiring member  
Ann Swanson, Executive Director





# CHESAPEAKE BAY COMMISSION

## Tri-State Legislative Commission

Established by MD, VA, PA laws in 1980s to:

- Help legislatures evaluate and respond to Bay and watershed concerns;
- Promote intergovernmental cooperation and coordination for resource planning;
- Enhance the functions and powers of existing offices and agencies;
- Coordinate regional policy interests with US Congress.

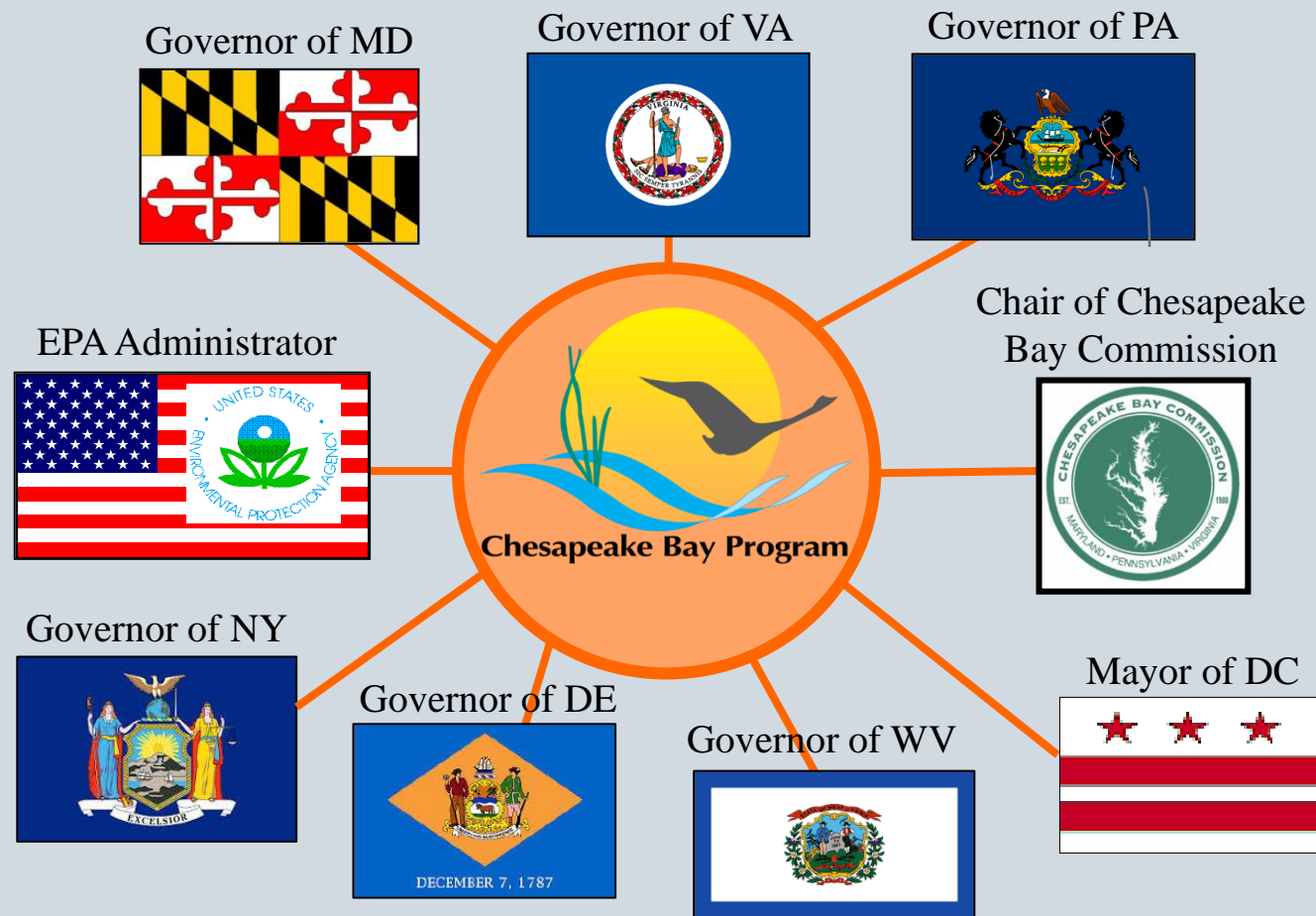


## WHO'S AT THE TABLE?

Three state  
Delegations  
with seven  
members each:

- Two Senators
- Three House members
- One Governor or Cabinet Secretary
- One citizen representative

# CHESAPEAKE BAY PROGRAM



Of all the partners, only the CBC represents the state legislatures



# Reflections

*...We recognized 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), First Chairman, 1981





# Reflections

*...At the Commission table, I cannot tell who is a Republican  
and who is a Democrat.*

Senator Mike Waugh (R - PA)







# Chesapeake Bay Commission Celebrating 40 years

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ANN PESIRI SWANSON  
EXECUTIVE DIRECTOR  
CHESAPEAKE BAY COMMISSION

# 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.”*

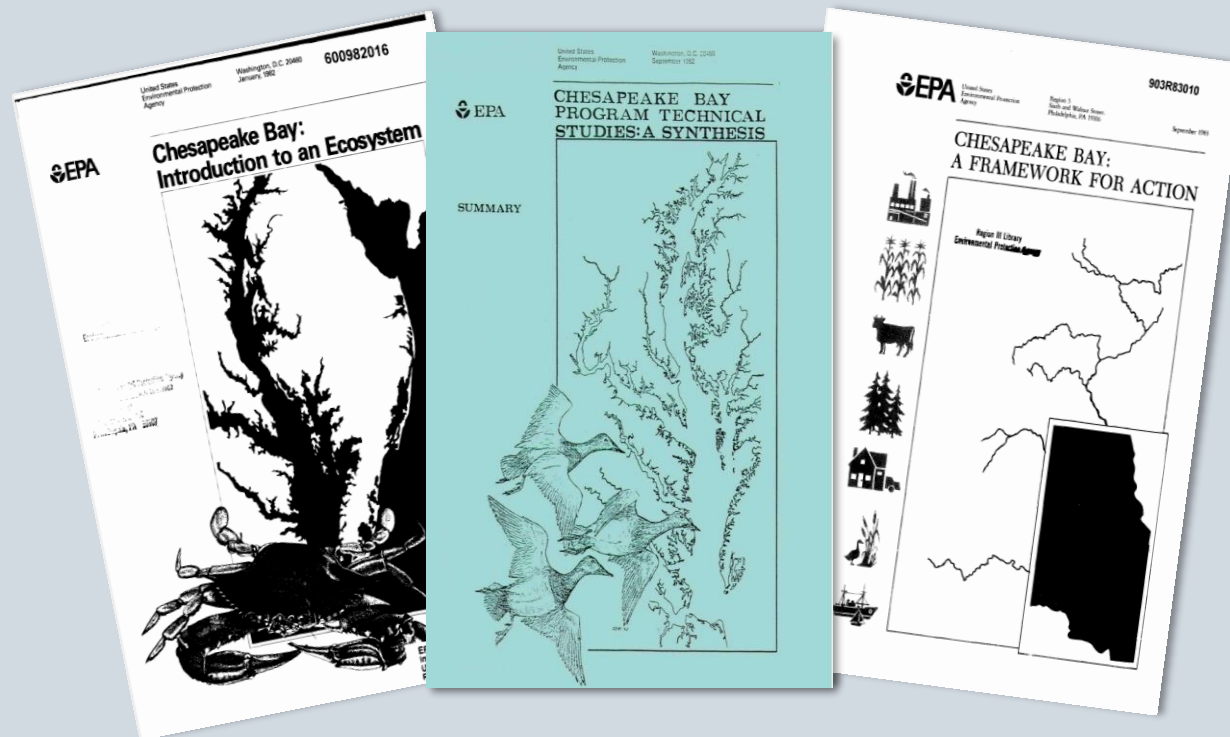
Chief Sponsor

U.S. Senator “Mac Mathias, Jr. (MD)



# 1976

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

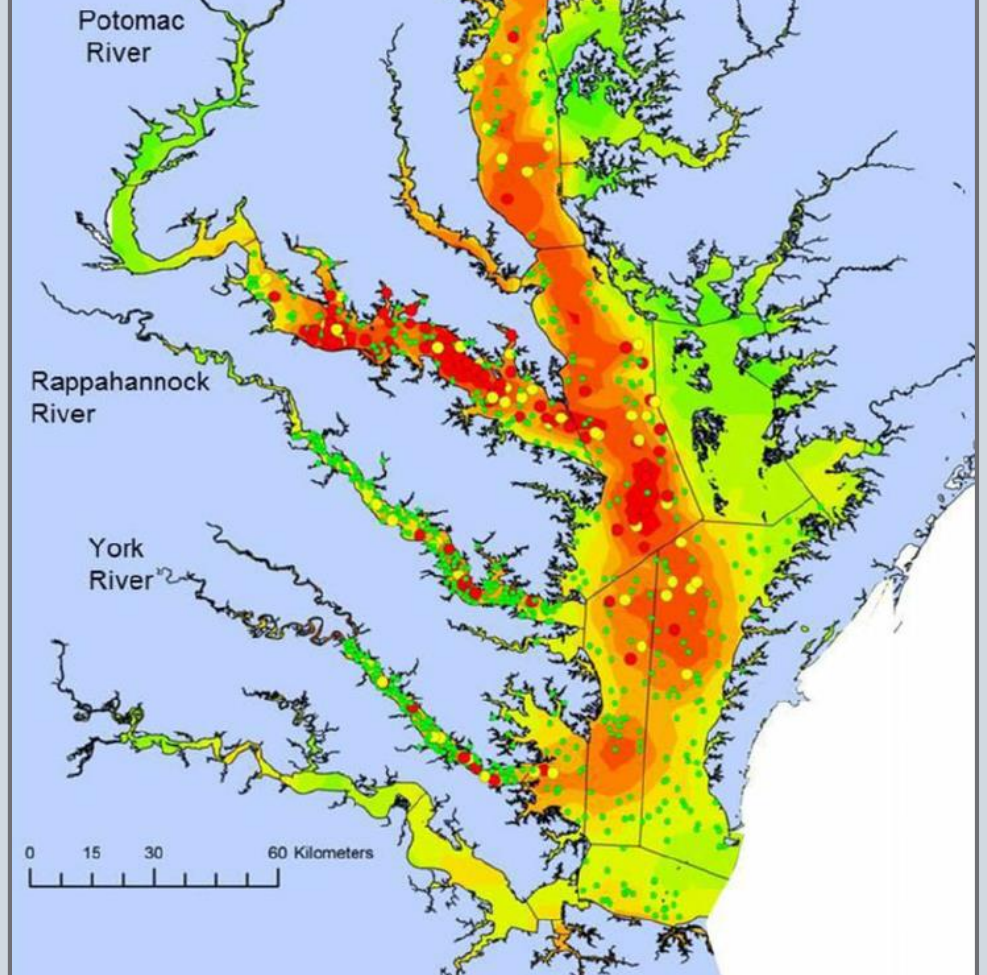


## TROUBLING CONDITION

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

Summer Mean  
Dissolved Oxygen (bottom)

- 0.0 - 2.0 Hypoxia
- 2.1 - 2.8 Mild Hypoxia
- > 2.8 Normoxia







# 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

#### 14 Members

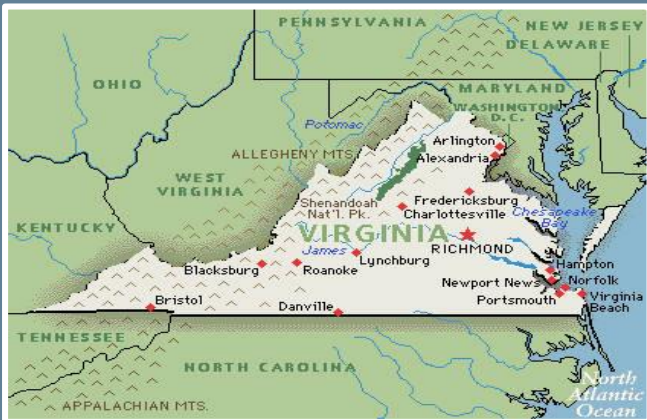
- 10 State Legislators
- 2 Governors or Cabinet-Level Secretaries
- 2 Citizen Representative

Facilitate intergovernmental coordination

Translate science and interstate issues into policy

Inform State General Assemblies & Congress

**FIRST MEETING:** December 17, 1980





# 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 launched by MD, VA, PA, DC & the federal government.

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



First  
Chesapeake  
Bay Agreement





# 1985

**PASSED:**

**Tri-State Legislative Commission**  
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. (VA)

# MARYLAND

# 1983 - 1987



## Major Environmental Legislation

- Critical Areas (1984)
- Phosphate Detergent Ban (1985)
- Sediment & Erosion Control (1980, 1984)
- Stormwater Control Act (1982-1986)
- Rockfish Moratorium (1985)
- Chesapeake Bay Trust (1985)
- Chesapeake Bay Fishing License (1985)



## VIRGINIA

# 1983 - 1987



### Major Environmental Legislation

- Water and Sewer Assistance Authority (1986)
- Water Facilities Revolving Fund (1986)
- Erosion and Sediment Control (1986)
- Phosphate Detergent Ban (1987)
- Dredged Material a Priority for Beach Nourishment (1987)

## PENNSYLVANIA

# 1983 - 1987



### Major Environmental Legislation

- Agricultural Non-point Source Abatement Program (1985)
- Agricultural Cost-Share Program (targeted 6 lower Susquehanna River Basin counties) (1985)





# 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. (1988)
- Agricultural Nutrient Management (1988)
- Sewage Treatment Plant Compliance (1990)
- Chesapeake Bay License Plate Fund (1990)
- Oil Spill Liability (1990)
- Forest Conservation (1991)
- Recreational Boat Pollution (1992, 1994, 1999)
- Brown Fields (1997)
- Smart Growth (1997)
- Rural Legacy (1997)
- Prohibition Hydraulic Clam Dredging (1998)
- Animal Waste Technology Fund (1999)
- Blue Crab Targets and Thresholds (1999)



# VIRGINIA

# 1988 - 1999



## Major Environmental Legislation

- Chesapeake Bay Preservation Act (1988)
- Population Growth & Development Commission (1989)
- Striped Bass Moratorium (1989)
- Ag Equipment Tax Credit (1990)
- Wetlands Enforcement (1990)
- Oil Spill Liability (1991)
- Chesapeake Bay License Plate (1992)
- Forestry Water Quality Law (1993)
- Nutrient Mgmt. Certification (1994)
- Blue Crab Fishery Management Plan (1995)
- Agricultural Stewardship Act (1996)
- Ag BMP Tax Credit (1996)
- Water Quality Improvement Act (1997)
- Poultry Waste Management Act (1999)
- Land Conservation Foundation & Fund (1999)

## PENNSYLVANIA

# 1988 - 1999



### Major Environmental Legislation

- Phosphate Detergent Ban (1989)
- Farmland Preservation Program (1989)
- Agricultural Nutrient Management (1993)
- Environmental Education (1993)
- Brownfields Program (1995)
- Clean & Green (1999)
- Growing Greener I (1999)



# Major Federal Offices & Policies 1983-1999



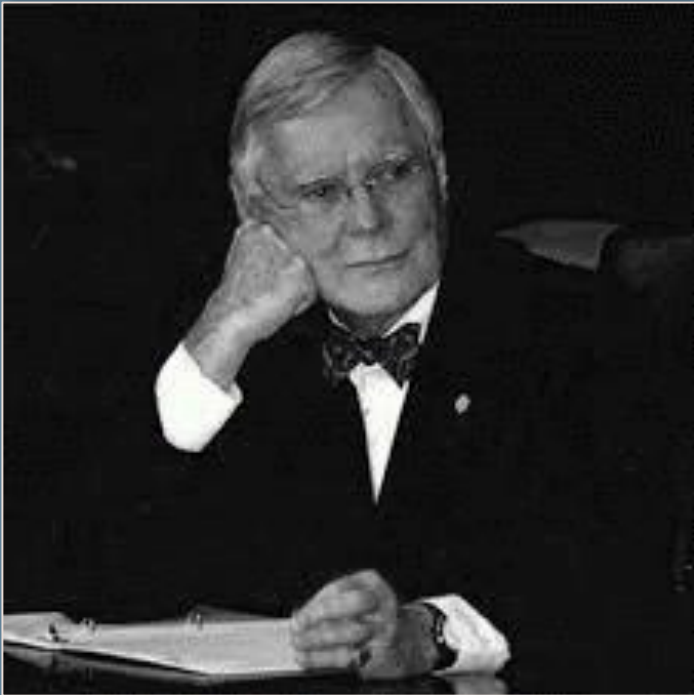
## Establishment of Federal Offices

- EPA
- NOAA
- Forest Service
- National Park Service

## Appropriations

- USFWS
- USDA
- USGS
- DOD

# 1988



Delegate W. Tayloe Murphy, Jr. (VA)  
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. Phytase
4. Oil Spill Immunity

## Chairmen

- 1990 Representative Kenneth J. Cole (PA)
- 1991 Delegate W. Tayloe Murphy, Jr. (VA)
- 1992 Senator Bernie Fowler (MD)

# 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 (MD)



# 1996- 2004

BBCAC  
Bi-State Blue Crab  
Advisory  
Committee



First: Ocean City, Maryland



Newest Sign  
Petersburg, Virginia  
2020



# 1996

First of 14 Watershed Boundary Signs

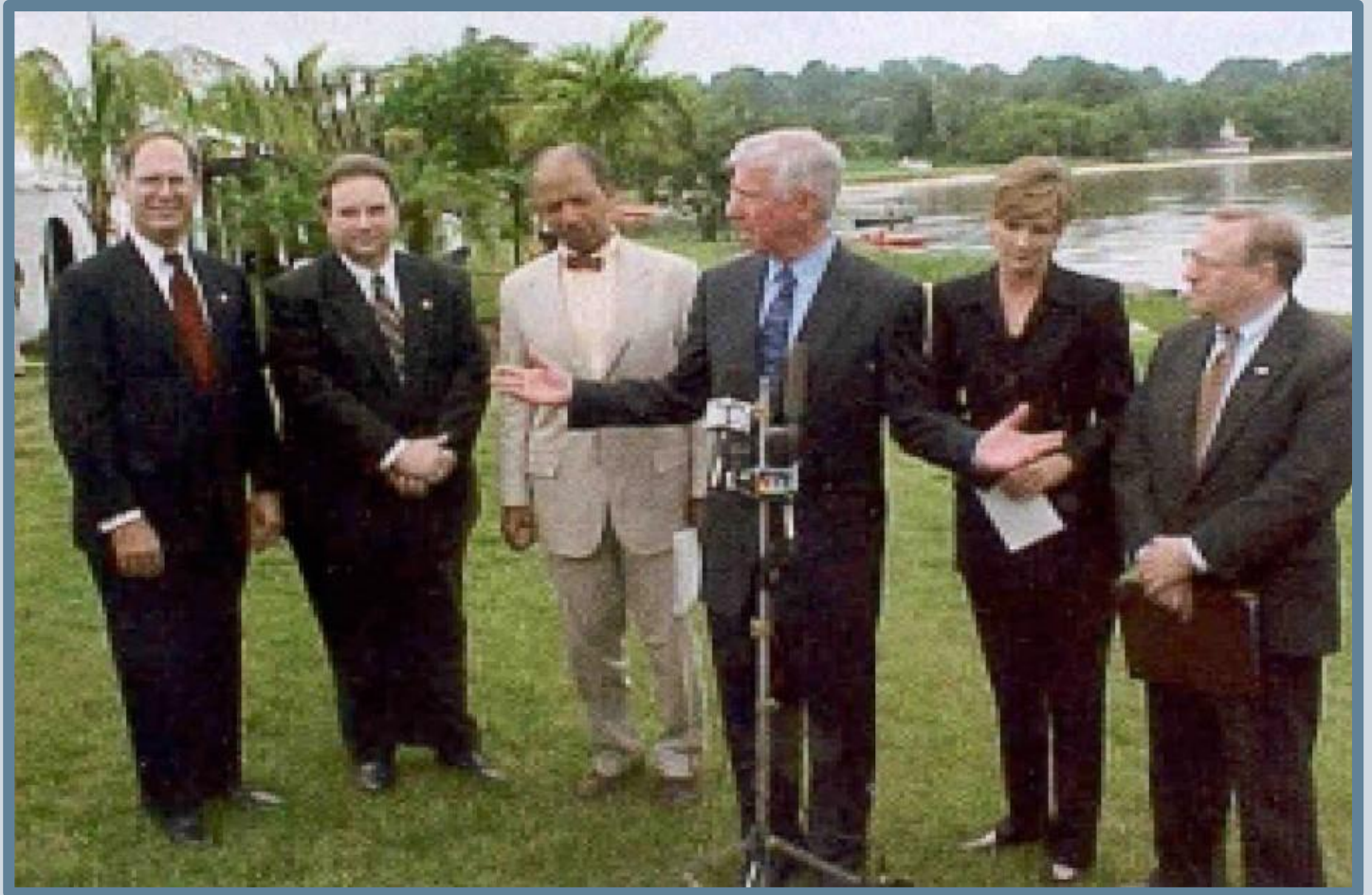
Chairman John F. Wood, Jr. (MD)



# 2000

Chesapeake 2000  
“C2k”

Chairman  
Senator Bill Bolling (VA)



Marking the conclusion of an  
18-month drafting process

# 2001- 2002

Launching the  
Bay Funders  
Network

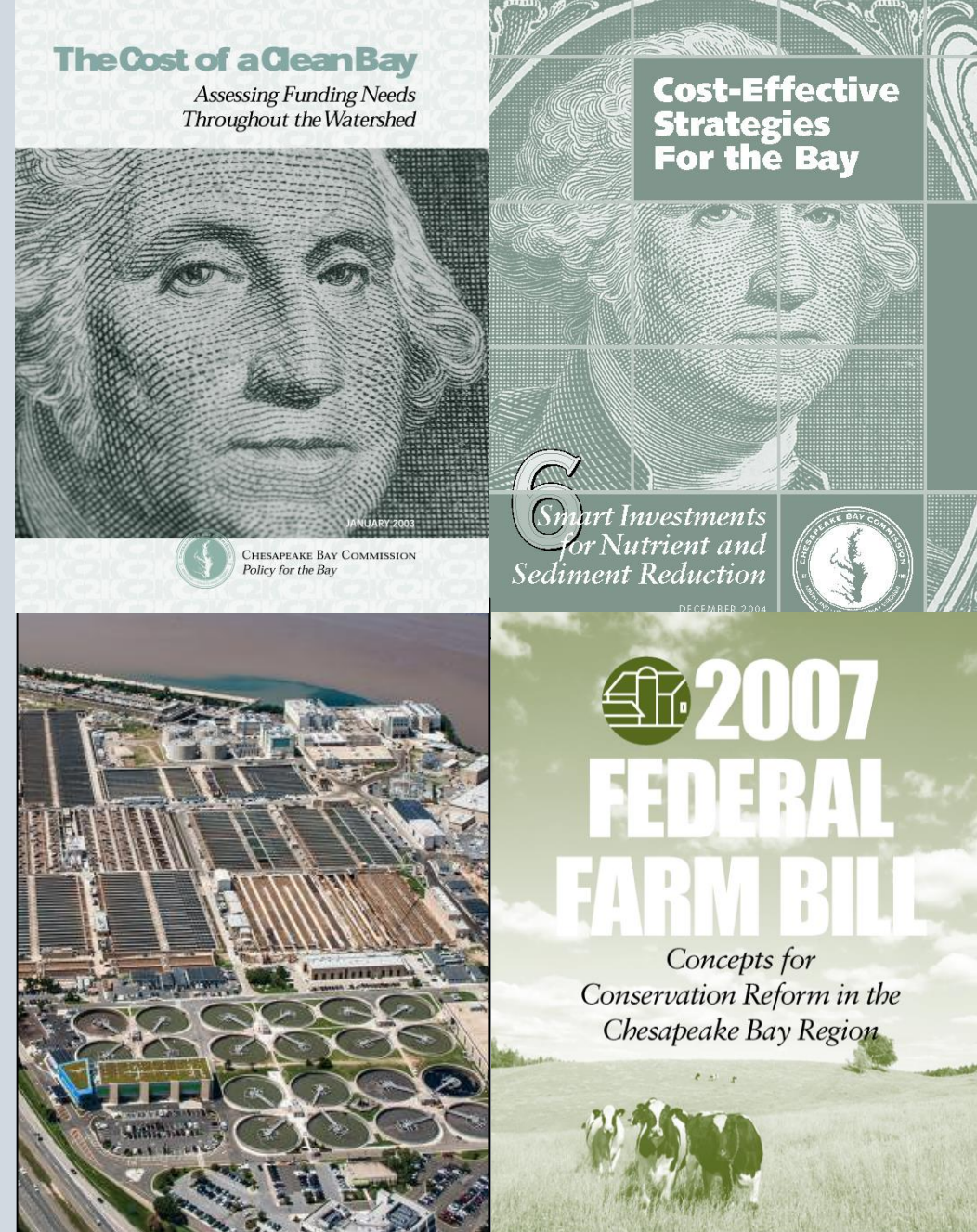
Chairman  
Senator Brian Frosh (MD)



*Connecting grantmakers across the  
watershed to learn, share and develop  
collaborative strategies.*



- 2003:** Publish Cost of A Clean Bay
- 2004:** Publish Cost Effective Strategies
- 2005:** Federal Farm Bill Policy Report
- 2006:** Federal Funding Blue Plains WWTP
- 2007:** 2010 Bay Trust Fund
- 2008:** Farm Bill CB Watershed Initiative







# 2008

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

\$260 million for farm  
conservation practices in  
the watershed.





2010



## TMDL: Enforceable Pollution Diet





# State Legislation (2000-2014)

## Virginia

- Land Preservation Tax Credit (2000)
- Stormwater Program Consolidation (2005 & 2013)
- Nut. Credit Exchange (2005)
- Major Point Source Upgrades (2005)
- Crab Dredging Ban (2008)
- Phosphate Detergent Ban (2008)
- Resource Management Planning (2011)
- Alternative On-site Sewage Systems (2011)
- Urban Lawn Fertilizer (2012)

## Pennsylvania

- MPC Omnibus Amendments (2000)
- Growing Greener (2002)
- Chesapeake Bay Watershed Education Program (2004)
- Water & Wastewater Treatment Bond (2004)
- Manure Hauler & Broker Certification (2004)
- Growing Greener II (2005)
- REAP (Ag. Trans. Tax Credit) (2007)
- Phosphate Detergent Ban (2008)
- H<sub>2</sub>O PA (2008)
- Stormwater Authorities (2014)

## Maryland

- Green Print (2001)
- Intro Non-native Species (2001)
- Smart Growth (2001)
- Bay Restoration Fund (2004, 2012)
- P Detergent Ban (2006, 2011)
- Chesapeake and Coastal Bay Trust Fund (2007)
- Stormwater Management (2007)
- Clean Cars (2007)
- Forest Preservation Act (2008)
- Living Shorelines (2008)
- Septic Tanks (2009, 2012)
- Lawn Fertilizer (2011)
- Stormwater Utilities (2012)
- Agricultural Certainty (2013)

# 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.

**Healthy Livestock,  
Healthy Streams**

Policy Actions To  
Promote Livestock  
Stream Exclusion



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

# State Legislation (2015-2020)

## Virginia

- Public-private partnerships for stormwater management (2016)
- Bay Awareness Week (2016)
- Review of waste load allocations (2017)
- Combined sewer overflow reporting (2017)
- Stormwater and wastewater funding needs assessments (2019)
- Firefighting foam prohibition (2019)
- Chesapeake Bay Watershed Implementation Plan Initiatives (2020)

## Pennsylvania

- Forest Buffer Offsets (2014)
- Bay Awareness Week (2016-2020)
- Conservation Excellence Grants (2019)
- Keystone Tree Fund (2019)

## Maryland

- Microbeads Pers.Care Products (2015)
- Bay Awareness Week (2016)
- Oyster Stock Assessment (2016)
- POS Lock-Box (2016)
- Oyster Sanctuary Boundaries (2017)
- Farms and Families Act (2017)
- Clean Commerce Act (2017)
- Organic Materials Recycling Act (2017)
- Lawn Fertilizer Update (2018)
- Forest Conservation Study (2019)
- Oyster Restoration Tributaries (2019)
- Oyster Management (2019-20)
- Firefighting foam prohibition (2020)



## CHESAPEAKE BAY RESTORATION

1960s



2025

# THE PAST IS PROLOGUE

*What about the future?*

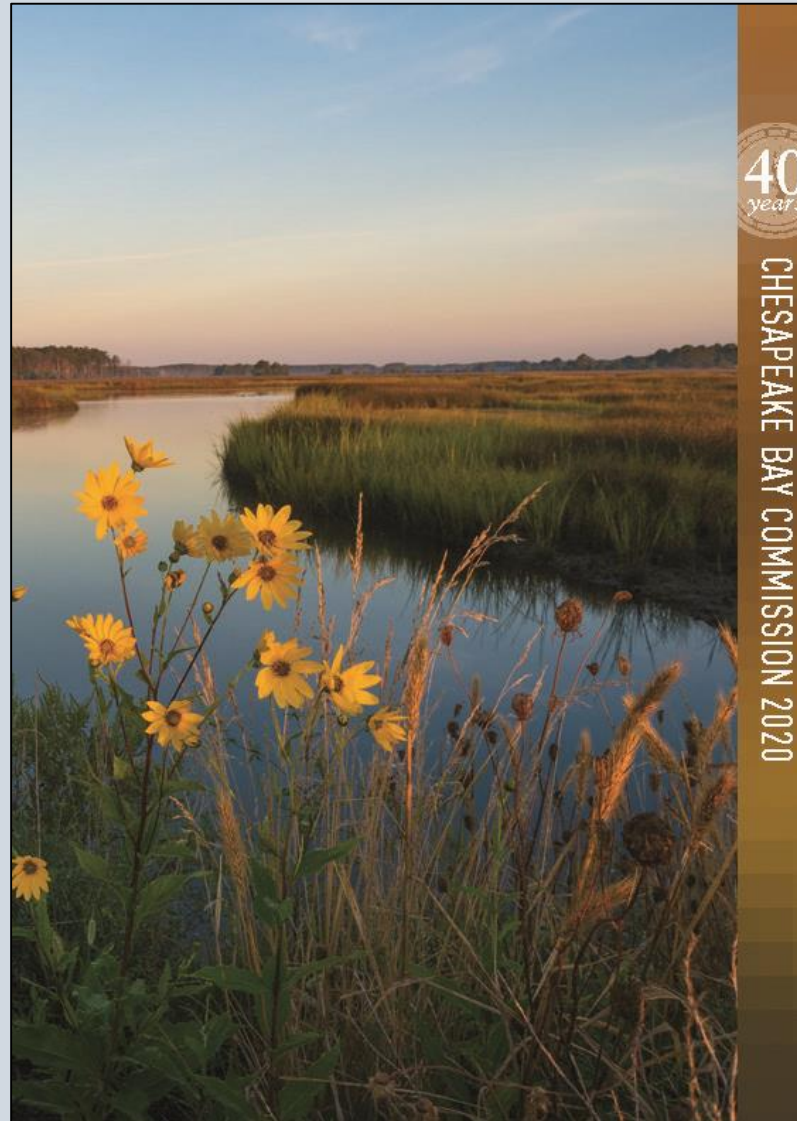
- 1960s-70s Visible decline in Bay resources
- 1976-1982 EPA conducts 5-year Bay study
- 1980 **Chesapeake Bay Commission established**
- 1983 First Bay Agreement – Bay Program created
- 1987 Second Bay Agreement – WQ Goals: 40% reduction
- 1992 Amendments to Agreement – Tributary Strategies
- 2000 Third 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**



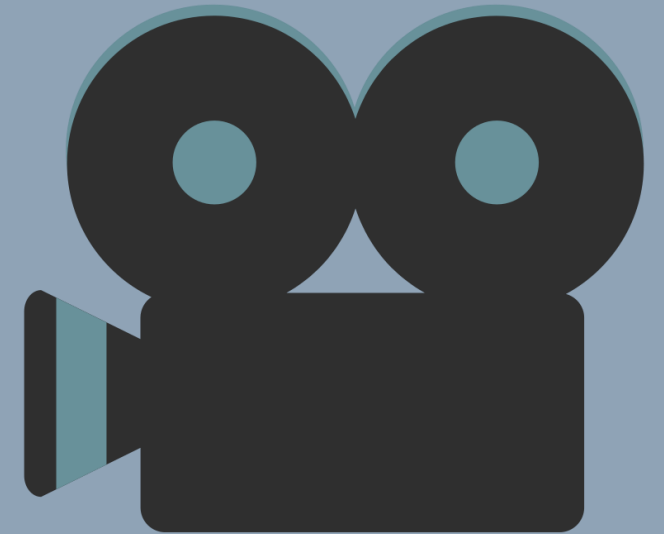
# Documenting 40 years of Policy for the Bay



## ANNIVERSARY ANNUAL REPORT



## DOCUMENTARY FILM



### 9-Minute Documentary Film

By  
Sandy-Cannon Brown  
Dave Harp  
Tom Horton



Visit [chesbay.us](https://chesbay.us) to read and watch