EPA needs to act on states’ inability to reach nutrient goals

* *By* William C. Baker *on* July 13, 2015

Top of Form

Bottom of Form



*(Dave Harp)*

Since 2010, the Chesapeake Bay Foundation has applauded the transparency, accountability and consequences built into the Chesapeake Clean Water Blueprint. But like any three-legged stool, take one leg away and it falls.

It is the Chesapeake Bay Executive Council’s job to establish the policies and financing for the restoration and protection of the Bay and its living resources and to be accountable to the public for progress, or lack thereof. The EPA’s recent interim milestone assessment suggests that the Bay cleanup is dramatically off course: Since 2009, Bay states have achieved only 29 percent of the nearly 41 million pounds of nitrogen reductions needed by 2017.

When the council meets on July 21, its actions will determine if the stool continues to stand, or whether we are in danger of repeating the decades of failed restoration efforts from the first three Bay agreements. The disappointing progress to date suggests that the stool might soon fall. The council must soon take corrective action, or the legacy of an improving Bay will be lost once again.

Although both Virginia and Maryland are making progress, the EPA’s recent assessment suggests that both states face shortfalls.

Virginia missed its target for both nitrogen and phosphorus from urban/suburban runoff. And because of changes in farming production and expected increases in Virginia’s poultry industry, the state might have to achieve additional reductions from agriculture.

Because Virginia’s plan calls for achieving 79 percent of its pollution reduction from agriculture, the CBF calls on the McAuliffe administration to ensure that farmers across the state fence livestock out of streams and plant trees to restore streamside buffers. These and other proven conservation practices not only protect streams and rivers but also boost livestock health and farm bottom lines.

Virginia must also increase funding to help localities reduce polluted runoff from streets, parking lots, lawns and buildings. Urban and suburban runoff is one of the few increasing sources of nitrogen and phosphorus pollution in Virginia.

Maryland data show phosphorus pollution increasing in the Choptank watershed, and the EPA recommends that Maryland consider additional reductions.

With regards to nitrogen pollution, the state missed its 2014 milestone for both agriculture and urban/suburban runoff. The job will not get easier, as new information from the United States Department of Agriculture agricultural census, and population and land use data put Maryland off track to meet its overall nitrogen goals. As in Virginia, polluted runoff from streets, rooftops and other impervious surfaces remains a pressing issue.

Pennsylvania is the greatest source of nitrogen pollution and missed the mark on its 2012–13 milestones and again in its 2014 nitrogen milestone goal. Not surprisingly, the largest shortfalls are in reducing nitrogen pollution from agriculture and urban/suburban runoff.

The shortfall in Pennsylvania is huge. When we look at how Bay states are coming up short, Pennsylvania is responsible for more than 75 percent of that deficit. And more than 80 percent of Pennsylvania’s share of the shortfall comes from agriculture.

While Gov. Tom Wolf and his administration inherited the commonwealth’s water quality problems, they are nonetheless responsible for implementing solutions. Pennsylvania needs to aggressively advance efforts to ensure farmers are complying with existing laws. At the current rate of inspections, it will take more than 150 years for each farm in the Bay watershed to be inspected once.

Given that Pennsylvania has repeatedly missed its nitrogen goals, the CBF is also calling on the federal government to take action. In 2009, the EPA outlined the consequences that it could impose if jurisdictions do not implement the plans. It is time for the EPA to impose the backstops to ensure pollution is reduced.

The USDA also has a key role to play. President Obama’s Executive Order committed the USDA to target funding to key watersheds to assist states in meeting two-year milestones. The USDA must, therefore, target technical and financial resources to help Pennsylvania achieve its goals.

The governors of Virginia, Maryland and Pennsylvania will all be in office when the 2017 deadline is reached. Their legacy will be determined by the actions they take over the next two years. Their actions need to be solely focused on implementing the blueprint. The Executive Council can never state that it didn’t have adequate forewarning about the challenges we face.

About William C. Baker

William C. Baker is president of the Chesapeake Bay Foundation.