

Restoring Our Waters No More Excuses!

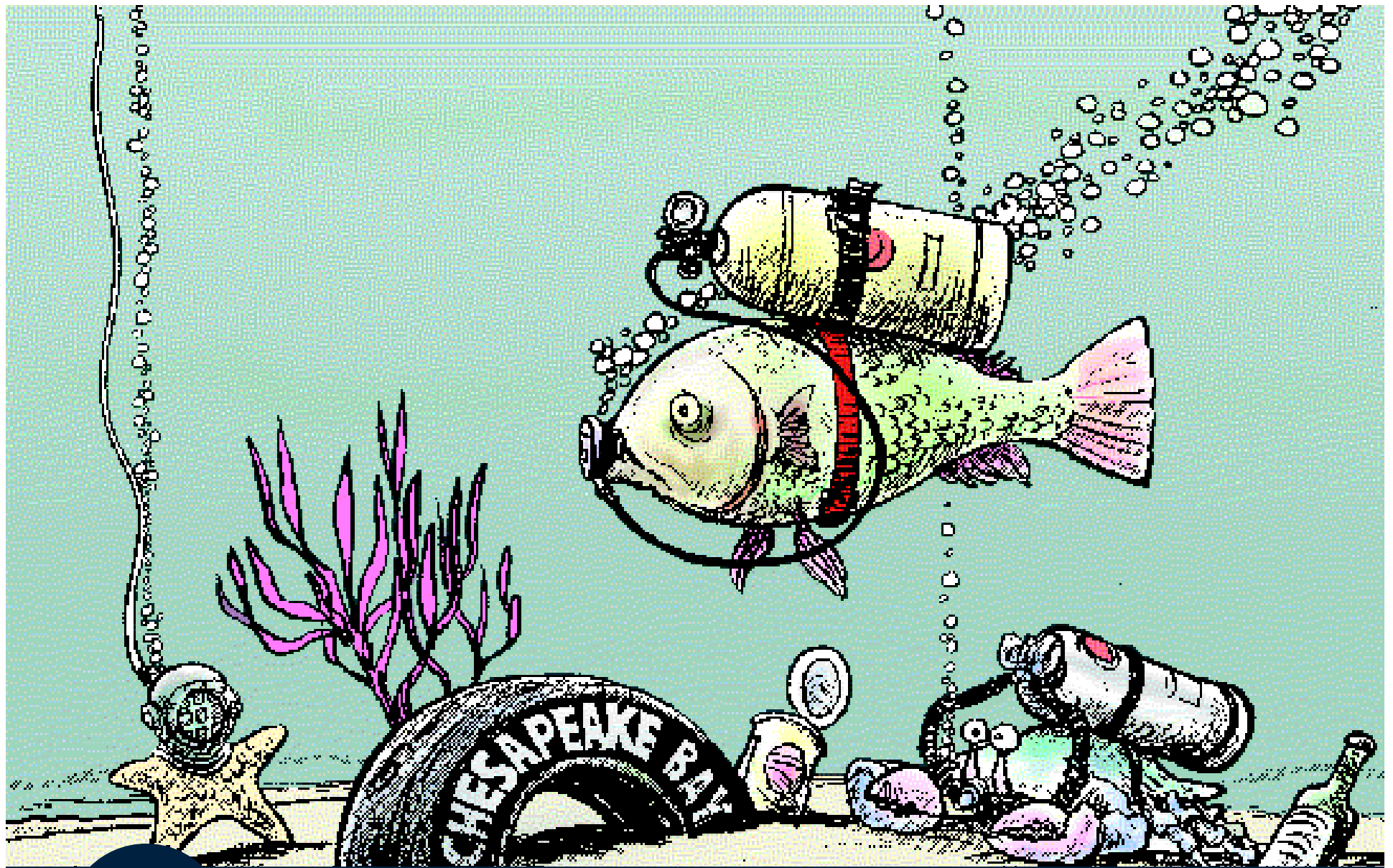
Virginia Environmental Assembly

September 18, 2010

Ann F. Jennings
Virginia Executive Director
Chesapeake Bay Foundation



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Mahogany Tide
Elizabeth River
July 2010

Photo by Morgan Heim, iLCP



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“Dirty Waters” of the Commonwealth

(fail to meet Clean Water Act requirements)

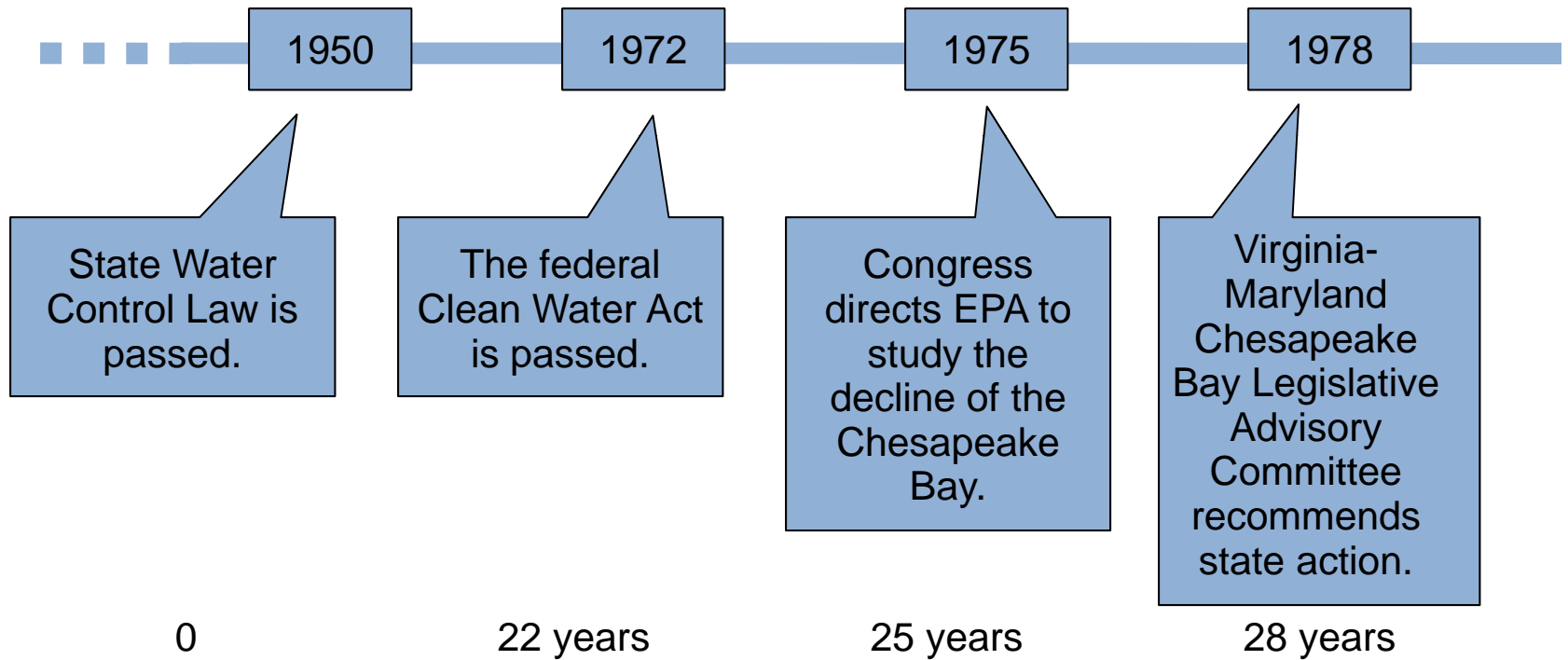
Includes the James, York, Rappahannock, Potomac, Shenandoah, Chowan, Roanoke, and New Rivers, and Chesapeake Bay

- 12,100 miles of streams and rivers
- 96,500 acres of lakes
- 2,200 square miles of estuaries – nearly all of Chesapeake Bay

Source: Virginia Department of Environmental Quality 2010 303d Report

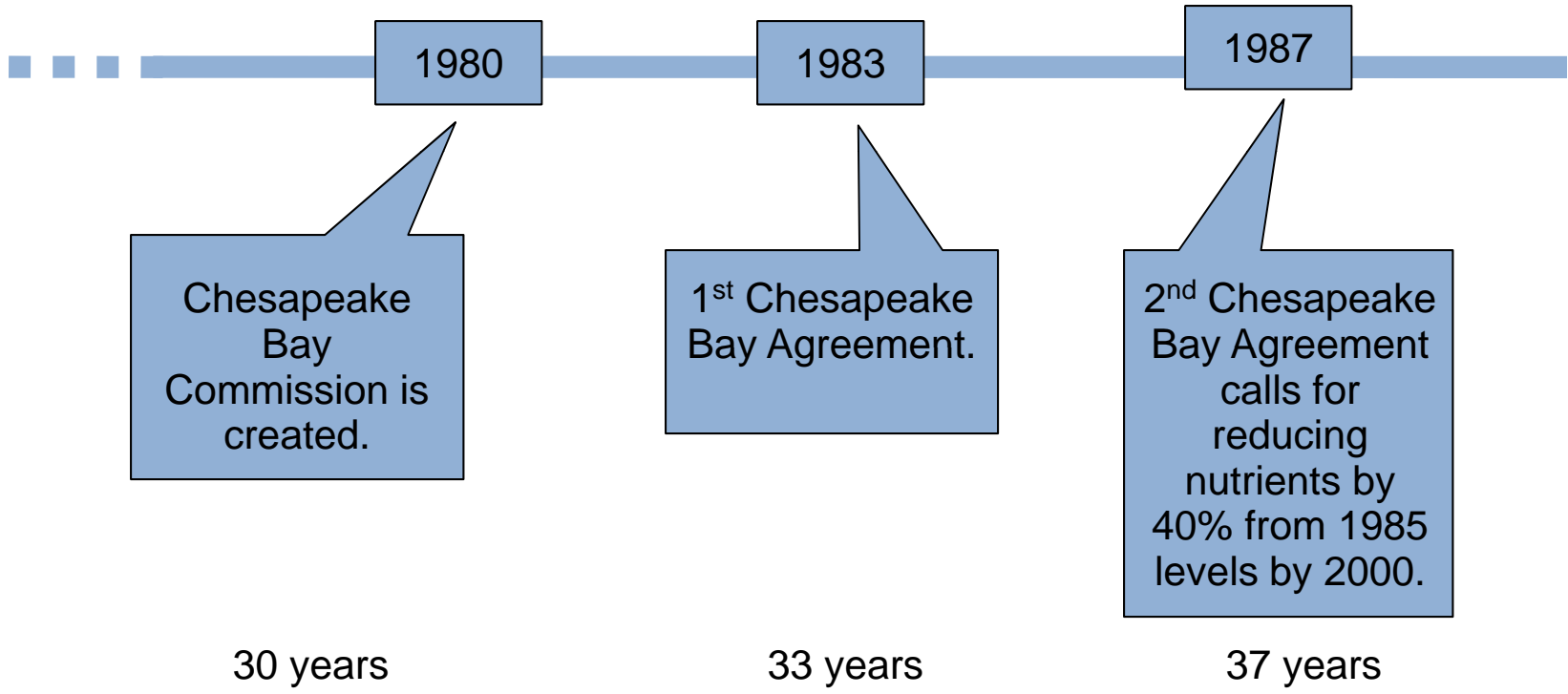


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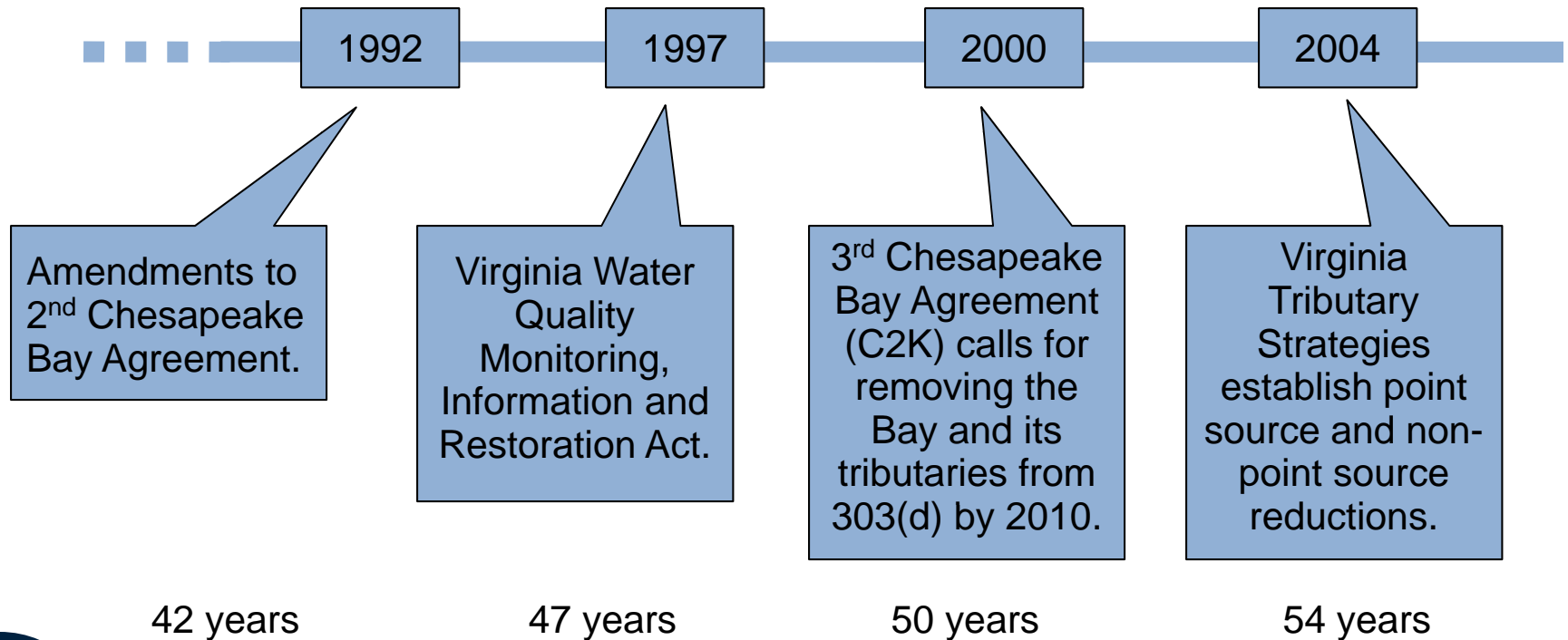
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The Pace of Progress Has Been Slow



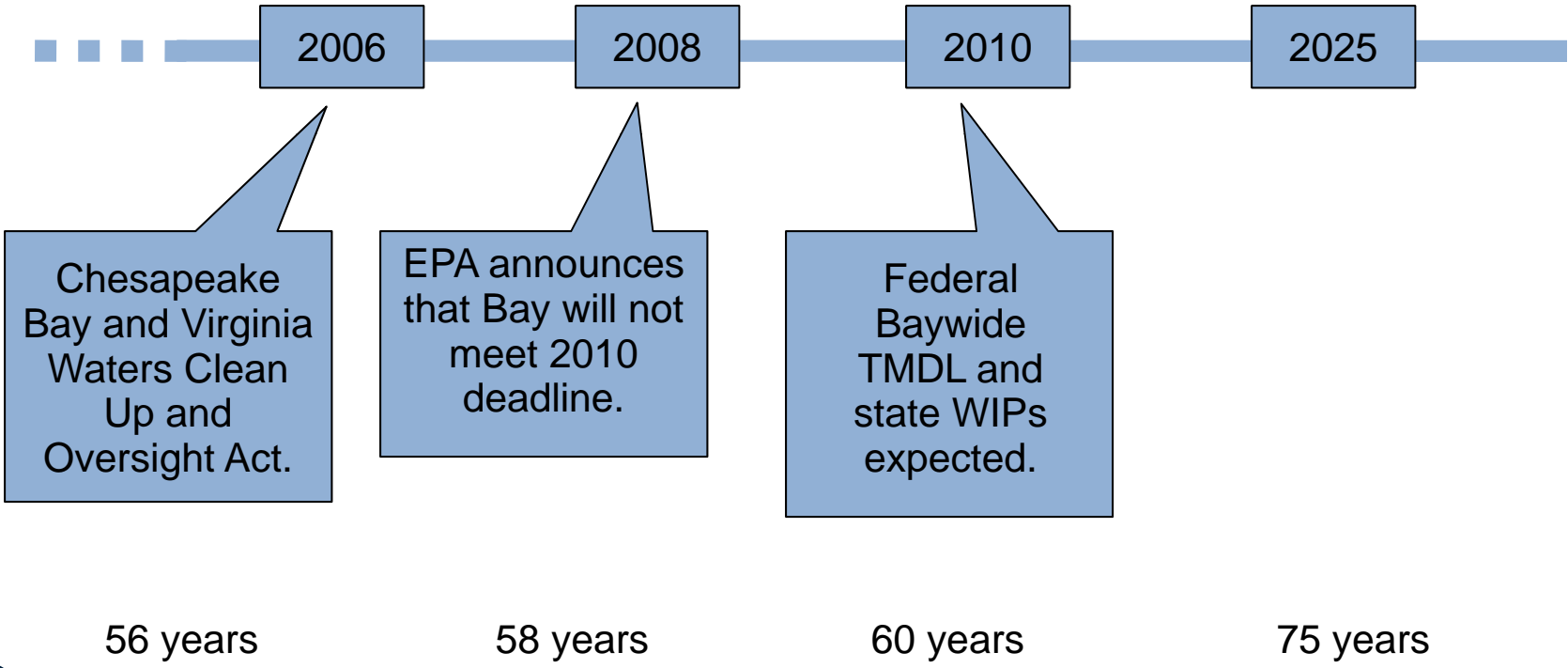
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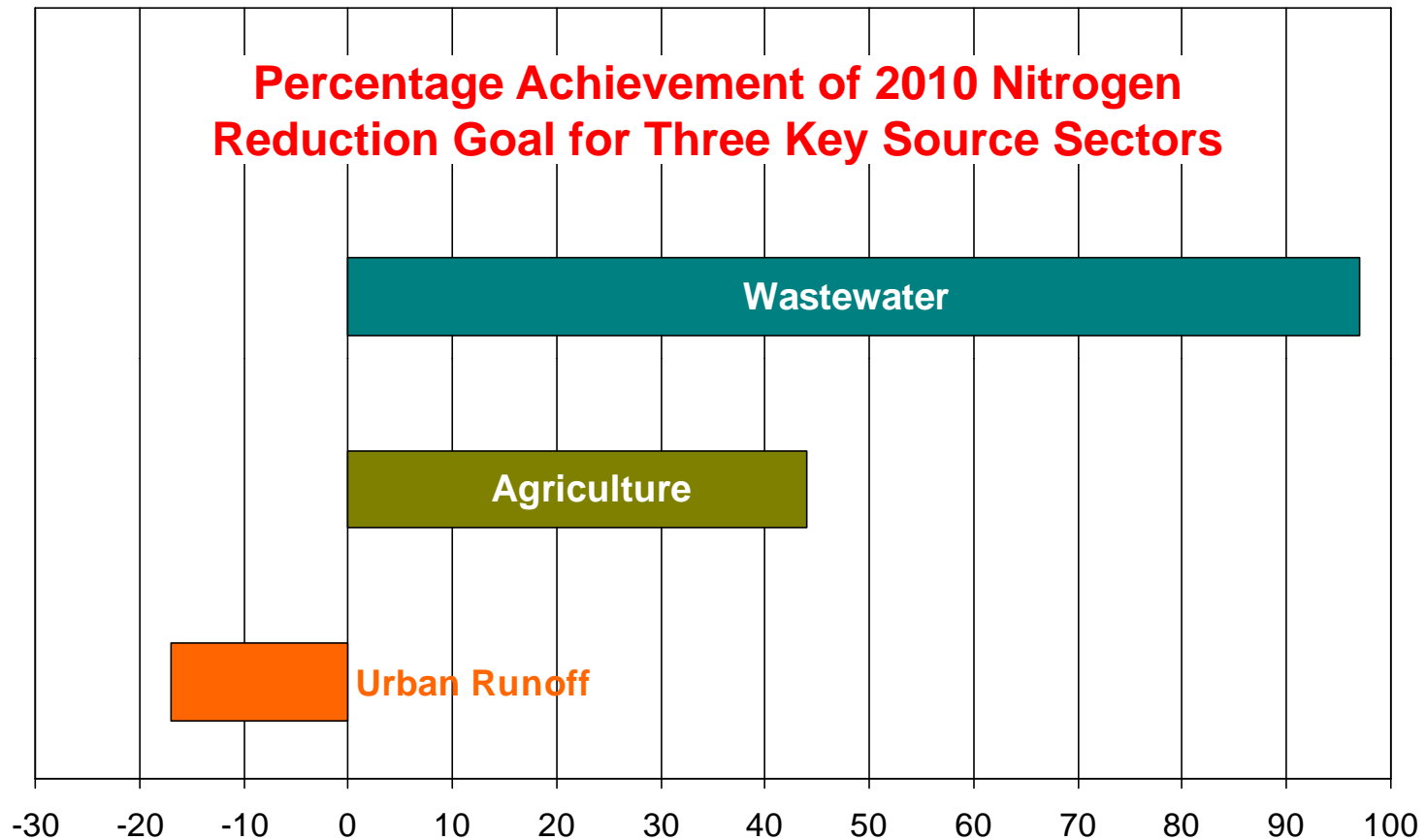
The Pace of Progress Has Been Slow



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The Pace of Progress Has Been Slow

Has Virginia Met the 2010 Goal?



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There is No Free Lunch!

“... as programs to protect the bay begin to pinch. As complaints about cost come in from this group or that group, and as legislators begin to backpedal, fearing the reaction from various constituencies, remember that each exemption, each exception, simply transfers the cost from someone whose responsibility it should be, to someone else. Each time that happens, we grant a subsidy to the favored group just as surely as if we took money from the public coffers and handed it over. Only this type of subsidy is even more dangerous than the monetary kind, because it is paid in a currency that is not replaceable, the very life and health of the bay. Thus for those whose livelihoods depends on the bay, this type of subsidy is fatal. It can be paid only at their direct expense and ultimately at the price of their ruin.”

W. Tayloe Murphy, Jr.

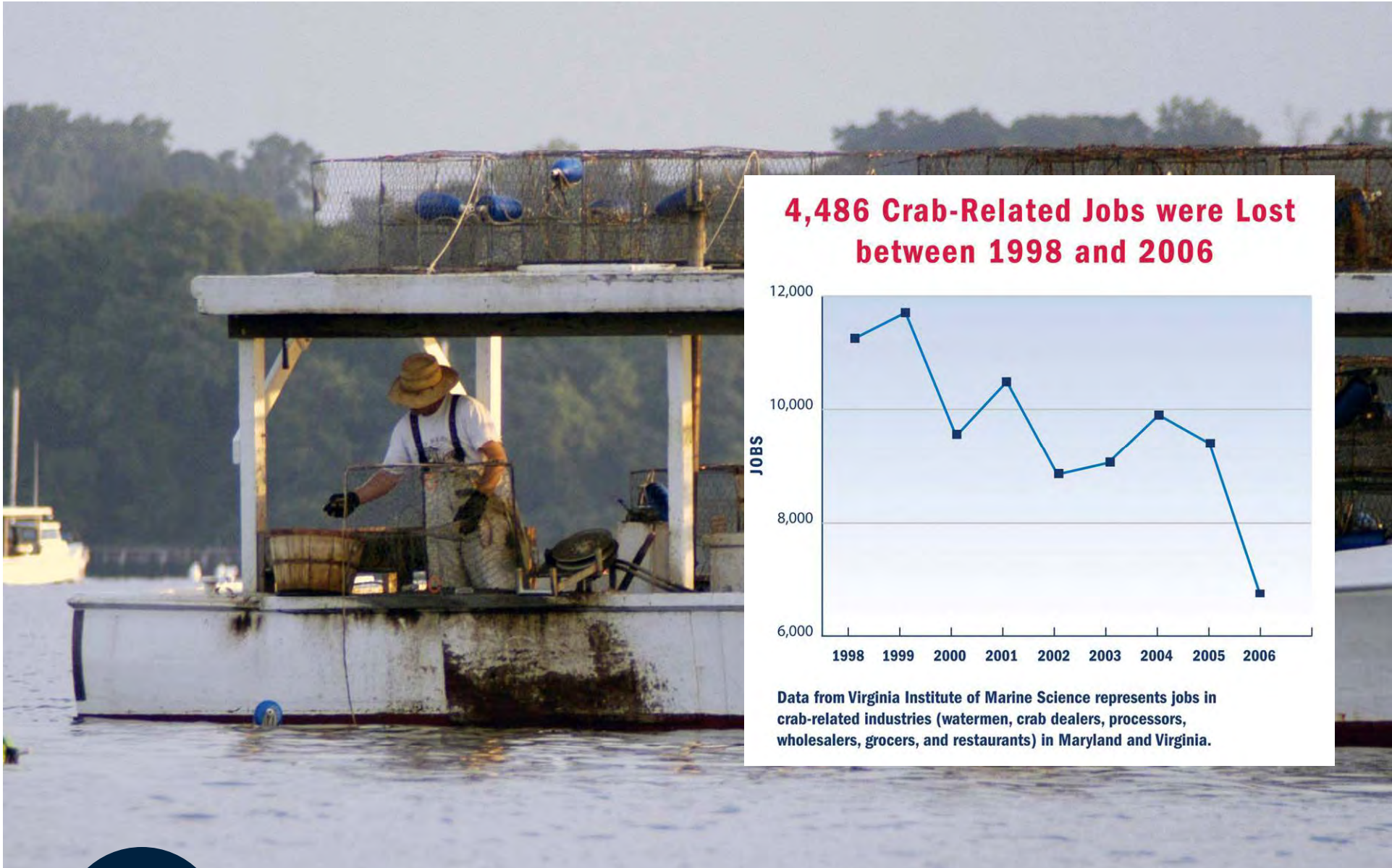
Virginia Secretary of Natural Resources, 2002-2006

Virginia House of Delegates, 1982-2000

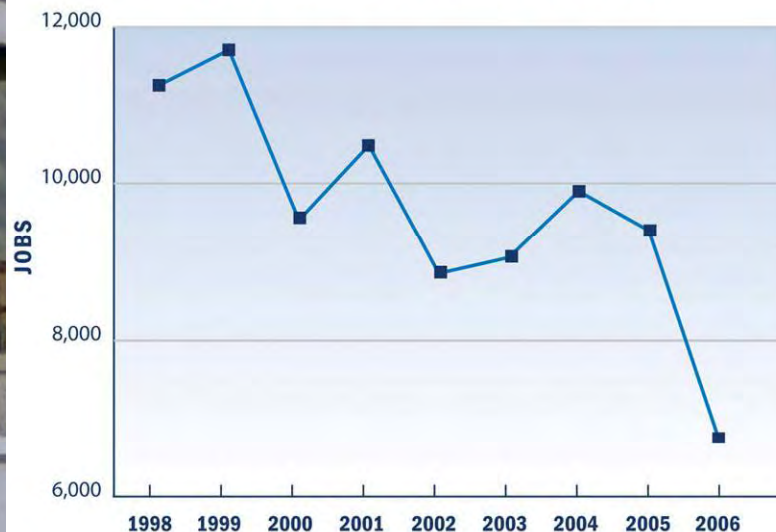
April 16, 1985



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4,486 Crab-Related Jobs were Lost between 1998 and 2006



Data from Virginia Institute of Marine Science represents jobs in crab-related industries (watermen, crab dealers, processors, wholesalers, grocers, and restaurants) in Maryland and Virginia.



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Environmentalists Don't Like Jobs?!??

“Some in the environmental community appear to not care if people lose their jobs,” he said recently, “or they don't care if taxes have to be raised on everybody to pay for this cleanup.”

The Honorable Doug Domenech
Virginia Secretary of Natural Resources
Richmond Times-Dispatch
July 28, 2010



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Watershed Implementation Plans— Pathway to Success?

1. Include descriptions of the authorities, actions, incentives and control measures that will be implemented to achieve point source and nonpoint source pollution reductions.
2. Identify and commit to actions to achieve pollution reductions by 2025.
3. Identify and commit to implement specific pollution reduction measures in each successive two-year milestone.



Watershed Implementation Plans— Pathway to Success? Absolutely Not!

1) Include descriptions of the authorities, actions, and control measures that will be implemented to achieve point source and nonpoint source pollution reductions.

“authorities will be considered ...” p. 78

“the Board could mandate ...” p. 89

“an achievable and economically feasible resource management plan will be deemed to be in compliance with the WIP and any associated law or regulation, ...” p. 61



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Watershed Implementation Plans— Pathway to Success? Absolutely Not!

2) Identify and commit to actions to achieve pollution reductions by 2025.

Virginia's allocation for the James River is 26.790 million pounds of nitrogen per year. EPA's draft allocation for the James River is 23.480 million pounds per year. Table 1.1.



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Watershed Implementation Plans— Pathway to Success? Absolutely Not!

2) Identify and commit to actions to achieve pollution reductions by 2025.

Basin	TN (mg/l)	TP (mg/l)
Shenandoah and Free Flowing Potomac	4.00	0.30
Tidal Potomac	3.00	0.30 (0.18 for embayments; 0.10 for Dulles watershed)
Rappahannock	4.00	0.30
Eastern Shore	4.00	0.30
York	6.00	0.70
James (above fall line and tidal fresh water)	6.00	0.50 (0.10 for Chickahominy)
James (lower estuary)	12.75	1.00



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Watershed Implementation Plans— Pathway to Success? Absolutely Not!

3) Identify and commit to implement specific pollution reduction controls and actions in each successive two-year milestone.

“For the milestone periods ending as follows, Virginia will target the following percentages of total nutrient and sediment reductions from 2009 progress loads to 2025 load allocations: 5% for 2011, 10% for 2013, 20% for 2015, and 25% for 2017 resulting in meeting a total 60% loading target by 2017....” p. 26

“Assessing compliance with 2-year milestones will be based upon total loadings, not by compliance with individual source sector allocations....” p. 47



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Dirty Waters Kill Jobs!

We demand healthy and safe waters to improve economic opportunities for all Virginians.

We expect Governor McDonnell to uphold his solemn duty under Article 11 of the Virginia Constitution and his repeated promises to protect our water resources. We expect the WIP to assure success, through issuance of a step-by-step clean-up plan that prescribes mandates, funding and deadlines. In particular, the plan must:

- a) Specify additional pollution reductions from sewage treatment plants on the lower James River basin;
- b) Commit to real mandates and incentives to reduce polluted runoff from farms and cities; and
- c) Define specific 2-year actions to achieve actual pollution reductions over the next 15 years.



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Dirty Waters Kill Jobs!

We demand healthy and safe waters to improve economic opportunities for all Virginians.

We expect EPA, if Virginia does not fulfill its obligation, to protect our waters. We expect EPA to do its job under the Clean Water Act by taking the following actions:

- a) Rewrite the TMDL to maximize reductions from "point" sources;
- b) Rewrite or deny pollution discharge permits; and/or
- c) Assume responsibility for Virginia's waters.



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Speak Out for Clean Water!

Public Hearings in Virginia

October 4: James Madison University, Harrisonburg

October 5: Northern Virginia Community College, Annandale

October 6: University of Richmond, Richmond

October 7: Crowne Plaza Hampton Marina Hotel, Hampton

October 7: webinar 1:00 to 3:00 p.m.

Register here: <https://www2.gotomeeting.com/register/689259867>

Public Comments

Submit comments on the Bay TMDL and the state's clean-up plan:

Submit comments to EPA on the Bay TMDL:

<http://www.epa.gov/chesapeakebaytmdl/>

E-mail comments or questions on the state's clean-up plan

to: VABAYTMDL@dcr.virginia.gov.



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Grasses in the Potomac

Photo by Chuck Epes, CBF



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Lynnhaven River



Photo by Christy Everett, CBF



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