**Chesapeake Bay Program Update**

**Management Board Meeting**

**Wednesday, January 04, 2012**

**CBPO Calendar**

Jan 5 Chesapeake Bay Commission meeting

Jan 6 2 Year Milestones Due

Jan 21 Chesapeake Bay Watershed Stewards Academy Conference

February PSC Meeting (TBD)

March 1-2 Citizens’ Advisory Committee Meeting (Charlottesville, VA)

March 1-2 Local Government Advisory Committee Meeting (DC)

March 30 Final Phase II WIPs due

**TOPIC UPDATES**

**Draft Phase II Watershed Implementation Plans**

On December 22, EPA received draft Phase II Watershed Implementation Plans (WIPs) from six of the seven Bay jurisdictions as part of the Chesapeake Bay restoration effort.  The draft Phase II WIPs are the next step forward in the committed collaboration between the Bay jurisdictions and EPA to protect and restore the Chesapeake Bay watershed. The jurisdictions’ plans are expected to identify how they are working with local partners to have measures in place by 2017 that will achieve 60 percent of the nitrogen, phosphorus, and sediment reductions needed to restore the Bay.  EPA and the Bay jurisdictions have committed to having all pollution control measures in place no later than 2025 that are needed to fully restore the Bay.

EPA is reviewing the draft submissions and providing feedback to each jurisdiction by mid-February, noting both strengths and areas that may merit further consideration or modification. EPA will assist the jurisdictions as they refine and finalize their Phase II WIPs, due March 30, 2012. The jurisdiction plans can be accessed through EPA's website [www.epa.gov/chesapeakebaytmdl](http://www.epa.gov/chesapeakebaytmdl) which provides links to the plans where they are posted on jurisdiction websites.

**Two Year Milestones for Jurisdictions and Federal Agencies**  
By Friday, January 6, EPA expects to receive the first set of two-year milestones from the seven Chesapeake Bay jurisdictions as part of the Bay TMDL. The milestones will outline steps the Bay jurisdictions will take in the next two years, to reduce nitrogen, phosphorus and sediment pollution to the Chesapeake Bay, and what reductions those measures will achieve. In addition, six Federal Leadership Committee (FLC) agency partners, including EPA, are issuing their own water quality milestones to assist the jurisdictions in meeting their reduction goals. The two-year milestones are a key component of the accountability framework laid out in the Chesapeake Bay TMDL agreed upon by EPA and the jurisdictions in December 2010, working with federal agencies, as part of the 2009 Executive Order for restoring and protecting the Chesapeake Bay. The purpose of the milestones is to keep all the jurisdictions and federal agencies on schedule for implementing all the needed pollution reducing measures by 2025, with measures in place by 2017 for achieving 60 percent of the needed reductions. EPA will review the submissions and provide feedback on them by mid-February. Copies of the milestone documents will be available on the Bay TMDL web site by Monday, January 9, 2011.

**NAS Recommendations status**

On November 23, EPA submitted the Management Board's recommendations on the National Academies of Science Report, *Achieving Nutrient and Sediment Reduction Goals in the Chesapeake Bay: An Evaluation of Program Strategies and Implementation.* The CBP Principals’ Staff Committee is expected to review and make final decisions on the recommendations at their next face-to-face meeting being scheduled for February.

**Bay Barometer**

The 2010 Bay Barometer was made available to the public on Tuesday, December 22 on the CBP website at www.chesapeakebay.net. As noted in a pre-release correspondence to the Management Board, both the executive summary and the full report were made available. The report summarizes all of the indicators of health and progress that the Program has reported throughout the year, with the addition of the new, “reducing pollution” indicator based on the practices and controls jurisdictions were able to get on the ground in 2010 while working on the development of Phase I Watershed Implementation Plans.

**GAO Reports**

On Thursday, December 22, EPA submitted its response to the September 2011 Government Accountability Office (GAO) report entitled*, Chesapeake Bay: Restoration Effort Needs Common General and State Goals and Assessment Approach* (GAO-11-802). The response responds to four major GAO recommendations to EPA: 1) develop common bay restoration goals to help ensure that federal and state restoration stakeholders are working toward the same goals; 2) establish milestones for gauging progress toward measurable goals; 3) develop an adaptive management process that will allow restoration stakeholders to evaluate progress made in restoring the bay and adjust actions as needed, and 4) identify the indicators that will be used for assessing progress made in improving bay health and clarify how the entities responsible for assessing this progress will coordinate their efforts. A copy of the response is attached.

On December 19, on an unrelated issue, Senator Ben Cardin (MD), chair of the Senate Environment and Public Works Committee and Senator Barbara Boxer (CA), chair of the Water and Wildlife subcommittee, recently petitioned the GAO to undertake a study of the EPA’s “efforts to restore and maintain the nation’s water quality through the TMDL.” Specifically, the GAO has been asked to look at the roles of the EPA and jurisdictions in developing, approving, implementing and assessing TMDLs; the effectiveness of implementing TMDLs in achieving water quality; tools including the models used to develop and implement the TMDLs; and the effectiveness of certain strategies used to restore water quality. The request does not establish a completion date.

**Trading Program Assessments Report**

On November 10, 2011, EPA shared an with the Bay jurisdictions an initial draft report on water quality trading programs based on its months-long series of interviews with the jurisdictions and other stakeholders. Comments were taken on that initial draft through December 19 and are currently being considered for inclusion. The observations and recommendations in the report will inform the ongoing development of an offset and trading program, a key component of the Watershed Implementation Plans. As Phase II WIPs are being prepared, it is a timely opportunity to address the observations from this report in a defined action plan. EPA plans to finalize reports from their review at the end of January, 2012, so its findings can be addressed in the final Phase II WIP due in March 2012, as appropriate. For additional information, contact Patricia Gleason in EPA Region III (215-814-5740, [gleason.patricia@epa.gov](mailto:gleason.patricia@epa.gov)).

**CBP Budget Update**

Despite national budgetary constraints, funding for the Chesapeake Bay Program has been steady.  In Fiscal Year 2012, the program received $57.4 million, representing a $3 million increase over FY 2011.  Congress, however, specified that $8 million of the program's FY 2012 funding should support the Innovative Nutrient and Sediment Reduction Grants program, thereby reducing the total available for other activities by $2 million.  EPA expects that funding for state implementation and accountability grant programs will remain the same in FY 2012 as in FY 2011.  EPA is currently engaged in formulation of the President's budget request for FY 2013.

**CBF Jobs Report**

On January 3, the Chesapeake Bay Foundation (CBF) released a new report that looks into claims that environmental regulations hurt the economy. The report, Debunking the "Job Killer" Myth; How Pollution Limits Encourage Jobs in the Chesapeake Bay Region, found that during economic downturns environmental regulations help stimulate job growth while cleaning the water, restoring fish and shell fish, and creating a healthy environment for our children. The report found no support for a net loss of jobs because of environmental regulations. Citing that it is too early to be specific about the number of jobs that will be created by the Bay TMDL, it did indicate that **between 1990 and 2009, the number of environmental clean-up and monitoring jobs increased by 43 percent across the region.** The report is available on the CBF website at: <http://www.cbf.org/document.doc?id=1023>