

Waterkeepers Chesapeake 2017-2018 Impact and Accomplishments

WHAT WE DO

Waterkeepers Chesapeake and its members are committed to achieving swimmable, fishable and drinkable waters in the Chesapeake and Coastal Bays. Our member Waterkeepers work locally, using grassroots action, advocacy, and legal action to protect their communities and their waters.

Waterkeepers Chesapeake expands the impact of each member organization to reduce pollution by promoting peer learning, sharing successful strategies and providing technical and legal expertise. We organize collective legal and advocacy campaigns around clean water, coordinate information and resources and amplify the voices of individual organizations. Our campaigns focus long-term systemic change and pollution reduction. We track regional efforts and improve communication among members to increase effectiveness and coordination. Overall, Waterkeepers Chesapeake gives all of our organizations – and the entire Waterkeeper movement – more influence in the Chesapeake Bay restoration effort and all of our shared water resources.

2017-2018 KEY MILESTONES

Passage of Groundbreaking Laws & Policies in Maryland that Protect Water -

- Banned the toxic practice of fracking
- Eliminated the use of antibiotics in farm animals that are not sick
- Established the Healthy Soils program
- Created tax credits for farmers who donate surplus food

Voice for Water Quality -

- Commented on key state policies that affect local water quality
- Watchdogged polluter-facilities that fall under state permits
- Submitted Public Information Act requests based on water quality enforcement concerns

Built a Powerful Movement –

- Through our **Fair Farms** work, we have been able to utilize our relationship with farmers and our consumer base to garnish public support for food systems policies that also improve the health of our waterways. The Fair Farms campaign now has over 37,000 activated consumers and 178 partners.
- Waterkeepers Chesapeake helped launch the **Don't Frack Maryland Coalition** in 2015 to push for a long-term moratorium on fracking in Maryland. A two-year moratorium on fracking passed in 2015, and the Don't Frack Maryland continued on and called for a statewide ban. In March 2017, a statewide fracking ban passed, the result of a massive grassroots movement across Maryland, especially in Western Maryland, that demanded the legislature protect their families, livelihoods, and clean water and air from the irreversible damage caused by fracking.

Support to Member Waterkeepers -

- Provided legal and communications support in fight against the fracked gas Potomac Pipeline
- Intervened in federal action to ensure that Conowingo Dam owner pays fair share of Susquehanna River cleanup efforts
- Held various trainings and presentations on legal and policy advocacy

ADDRESSING AGRICULTURAL POLLUTION

An overarching goal for Waterkeepers Chesapeake has been to improve the health of the Chesapeake Bay due to reductions in agricultural pollution. Over the past year and a half, we have:

- Secured a role on the Healthy Soils consortium to ensure that the program has adequate policies in place.
- Pushed for monitoring and reporting (i.e. ammonia emissions) to help us better understand the public health threat in communities, and lead to a broader universe of protective regulations, such as zoning and air permitting.
- Increased transparency and accountability in the agriculture industry, while promoting safe and healthy waterways, through Nutrient Management Plans (NMPs), manure transport, the Phosphorus Management Tool (PMT), and limits on the use of antibiotics in livestock feed.

Fair Farms has begun to transform the food system in the region by mitigating pollution of our environment and the destruction of our ecosystem through movement building and civic engagement. The campaign has achieved policy goals that:

- Limit the use of human antibiotics in routine livestock feed
- Increase transparency on Maryland farms
- Increase subsidies for healthy, sustainable farming practices
- Protect communities from encroaching, contracted factory farms the proximity of which threatens public health and quality of life

REDUCED STORMWATER RUNOFF

Polluted runoff remains one of the fastest growing sectors of pollution in the Chesapeake Bay, and the Clean Water Act requires that state and local governments reduce polluted runoff from suburban and urban areas. In many areas throughout the Chesapeake and Coastal Bays regions, polluted runoff causes high bacteria levels that close our swimming areas, create algae blooms that choke our waterways and carry toxic contaminants that harm fish, crabs and oysters. Waterkeepers Chesapeake believes polluted runoff must be addressed to protect our families and communities who depend on clean water for recreation and quality of life, and our maritime industry and commercial watermen who depend on it to make a living.

Over the past year, Waterkeepers Chesapeake has facilitated coordination with our member Waterkeepers, the Maryland Department of the Environment (MDE) and U.S. Environmental Protection Agency (EPA) on the enforcement of Municipal Separate Storm Sewer System (MS4) permit programs. We have also coordinated efforts around the roll out of Phase III of the Chesapeake Bay Watershed Implementation Plans. Our member Waterkeeper organizations have watchdogged individual facilities to ensure compliance with permit terms and to evaluate enforcement efforts under each program. We have facilitated citizen action through the use of the Water Reporter App and other tools to hold polluters accountable.

We remain the voice for water quality on various important policy stormwater checkpoints:

- Draft Integrated Reports on Water Quality and 303 (d) lists
- MDE's Triennial Review on Water Quality
- Financial Assurance Plans
- Clean Water Act 401 Water Quality Certifications for various projects (i.e. pipelines, dams, etc.)
- Stormwater general permits

Coming Soon: Clear Choices Clean Water Campaign

Waterkeepers Chesapeake is excited to announce the rollout of the Clear Choices Clean Water campaign in Maryland, D.C. and Virginia. With stormwater being the fastest growing sector of pollution in the Chesapeake Bay, Clear Choices serves as a way to motivate individuals to take small pledges (i.e. install a rain garden, pick up pet waste, refrain from using harmful pesticides, etc.) that demonstrate the collective amount of pollution prevented to the Chesapeake Bay and Coastal Bays in pounds. Collectively, this program has the potential to prevent millions of pounds of nitrogen and phosphorus in our watersheds.

FIGHTING FOSSIL FUELS THREATS

Waterkeepers Chesapeake has participated in a number of campaigns to mitigate and stop the expansion of natural gas infrastructure in the region through participation on steering committees, providing legal research, drafting legal documents, and boosting communications and outreach to give voice to the communities impacted by this infrastructure expansion. Some of our past (and ongoing) work in the fossil fuels realm includes:

- Participated in the leadership of the Don't Frack Maryland Campaign, a massive, statewide grassroots movement that resulted in the passage of the fracking ban in Maryland
- Participation in the Community of Communities coalition, a movement of organizations and individuals passionate about stopping natural gas infrastructure expansion and pushing for more protective laws and regulations
- Participation in the No Potomac Pipeline group to stop a fracked gas pipeline that would tunnel under the Potomac River near Hancock, Maryland.
- Provided comments, outreach, and education on various checkpoints for other natural gas infrastructure throughout the region (i.e. Public Service Commission decision re: Dominion Cove Point volatile organic compounds limit removal)
- Member of the Allegheny-Blue Ridge Alliance to stop the massive fracked gas Atlantic Coast Pipeline that is being built through West Virginia, Virginia and North Carolina. Traversing steep, forested mountain slopes and fragile karst topography. This pipeline would present a significant hazard to the Shenandoah and James Rivers
- Participation in the No New Fossil Fuels Campaign, a coalition of organizations dedicated to preventing new fossil fuels projects from coming to the region

CHESAPEAKE BAY TMDL & FEDERAL ROLLBACKS

Chesapeake Bay TMDL

The Chesapeake Bay Total Maximum Daily Load (TMDL) serves as an important tool for Bay states to participate in the cleanup of the Chesapeake Bay. In light of the TMDL Midpoint Assessment, Bay state squabbling has increased over new pollution load totals and the correct path forward towards meeting 2025 clean water goals. Throughout this process, we have involved our Waterkeepers in the U.S. EPA's process for development of local watershed clean up plans ('Phase III Watershed Implementation Plans' known as WIPs') that will lead to clean waterways for families and individuals living across the Chesapeake Bay.

Federal Action

Waterkeepers Chesapeake mobilized hundreds of citizens through various communications and advocacy campaigns on federal issues. Over the past year, we have drafted, coordinated and urged support for various comment letters to EPA and federal legislators to stop rolling back of regulation of toxic coal ash, limiting the scope of the Waters of the United States rule, giving

Federal Energy Regulatory Commission (FERC) more authority over natural gas pipelines, and removing public health and waterway protections in the Resource Conservation and Recovery Act. We have also worked in broad coalitions to coordinate action alerts and other advocacy measures, such as meetings with members of the U.S. Senate and House of Representatives on matters such as Conowingo Dam and Phase III WIPs.

Conowingo Dam: Seeking a Fair Solution

Waterkeepers Chesapeake remains one of the biggest advocates for the Chesapeake Bay in holding Exelon, who owns and profits from Conowingo Dam, accountable for any pollution build-up behind the Dam. While we have been participating in the federal re-licensing process for Conowingo Dam for the past decade, we recently ramped up our participation with Maryland's Water Quality Certification being finalized earlier this year. Unfortunately, the Certification failed to include any requirements on the cleanup of nutrient pollution or sediment pollution behind the Dam. Given this, Waterkeepers Chesapeake is partnering with Lower Susquehanna Riverkeeper and EarthJustice in filing an administrative appeal and intervening in the federal court action on this Certification.

MEMBER SUPPORT

Waterkeepers Chesapeake is one of the leading coalitions in the fight for clean water in the Chesapeake Bay and Coastal Bay regions. Our member Waterkeepers are the heart of our organization, working tirelessly to protect their watersheds. We aim to support and catalyze this work. Over the past year, Waterkeepers Chesapeake successfully provided legal, advocacy, communications, technical, network, program and other types of support for our member Waterkeepers including:

- Provided assistance with Public Information Act requests for proposed pipelines
- Drafted legal memorandum for Sassafras Riverkeeper on interpretation of Submerged Aquatic Vegetation protection law
- Coordinated with member Waterkeepers to pass and prevent laws in the legislature based on legislative priorities survey to member programs for statewide work
- Supported the Middle Susquehanna Riverkeeper in communications around Loyalsock Creek becoming the 2018 River of the Year
- Drafted rapid response news release for Middle Susquehanna Riverkeeper for the 55,000 gallon oil spill in Lycoming County threatening drinking water
- Helped draft Public Information Act request regarding Eastern Shore pipeline for the Choptank Riverkeeper
- Connected Waterkeepers with appropriate coalition members to help them move forward their goals
- Lifted up member Waterkeepers to funders and linked Waterkeeper programs with new potential funding opportunities
- Provided an array of action alerts on federal and regional issues: (1) Reject Scott Pruitt for EPA, (2) Don't Slash EPA Funding, (3) Stop the Atlantic Coast Pipeline, (4) Prevent the Repeal of the Clean Water Rule, (5) Conowingo Dam Relicensing, (6) Conowingo

Dam Must Pay Its Fair Share, (7) Stop EPA's Rollback of Coal Ash Regulations, and (8) Virginia Must Protect Our Waters from Fracked Gas Pipelines.

- Provided additional support, such as hosting an Annual Retreat, cost-free to members, for networking, education and training.

We hosted a wide array of trainings for Waterkeepers over the past year, such as "Using Water Quality Standards and Listing Decisions for Advocacy," "How to use CAST," "Water Quality Monitoring: Tools, Uses and Coordination," "Citizen Advocacy Guides," "Accessing and Analyzing County Data for Enforcement," and the "The Importance of Healthy Soils for Water Quality and Climate Change."

Our member Waterkeepers have never been more united on a multitude of issues, campaigns, and comment letters.