

# Committee on Resources

resources.committee@mail.house.gov

[Home](#) [Press Gallery](#) [Subcommittees](#) [Issues](#) [Legislation](#) [Hearing Archives](#)

## **TESTIMONY OF: JAMIE BAXTER, DIRECTOR TRIBUTARY STRATEGIES PROGRAM MARYLAND DEPARTMENT OF NATURAL RESOURCES**

SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS  
COMMITTEE ON RESOURCES  
U.S HOUSE OF REPRESENTATIVES

ANNAPOLIS, MD

DECEMBER 13, 2004

Mr. Chairman and Members of the Subcommittee, thank you for inviting me to testify at this hearing on a topic that is near and sometimes dear to my heart, Maryland's Chesapeake Bay Tributary Strategy. I will provide the subcommittee with answers to your questions concerning Tributary Strategy development and the implementation plan and Secretary Franks will address your questions related to implementation progress and what Congress can do to help.

### **What is a Tributary Strategy and how was it developed?**

Simply stated, the Tributary Strategy is a detailed plan that lays out the on the ground actions needed to restore water quality in the Chesapeake Bay and its tidal tributaries, ultimately achieving the goal of removing the Bay from the EPA list of Impaired Waters. The strategies address all sources of nutrients and sediments to the bay including Agriculture, Urban Stormwater and Growth Management, Septic Systems, Sewage Treatment Plants and Air Deposition.

The commitments made in the strategy (copies are provided) provide an example of the magnitude of effort needed across the state for the implementation of best management practices to control the flow of nutrients and sediments to the Bay. This level of effort (e.g planting 600,000 acres of cover crops annually, retrofitting 40% of our urban land with stormwater management or installing nitrogen removal technology in all septic systems) is not limited by what can currently be achieved with existing Federal, State and local regulations and financial resources. The level of effort of each commitment reflects what it could ultimately take, regardless of current resources, to achieve our water quality goals.

Which brings us to how this Strategy was developed. Development of the Tributary Strategy began in 2003 with extensive engagement at the local level with Tributary Team members, state agency staff, local governments and the Agriculture community. After 25 public meetings, and even more meetings with specific stakeholder groups, a draft strategy was developed that included implementation levels that were widely considered to be acceptable goals for increasing restoration efforts. That strategy would have only achieved half of the needed reductions in nutrients and sediments. With a firm commitment to have a strategy that when implemented would achieve the water quality goals it was refined based on public input, scientific data, and local and state policies, laws and implementation issues. The Governor's Chesapeake Bay Cabinet made final revisions to the Strategy that was ultimately approved by Governor Ehrlich. The resulting final strategy calls for actions above and beyond many existing local and state policies, laws and budgets.

### **What is the status of the development of the Tributary Strategy?**

The Chesapeake Bay Program partners also agreed to develop implementation plans to address how the Tributary Strategies would translate into policy and an increase in on-the-ground implementation efforts.

Maryland immediately moved forward in the summer of 2004 to develop a foundation for these strategies by

determining barriers and solutions to their implementation. Meetings were held with specific stakeholder groups throughout the State from July through December 2004. The groups included staff from state agencies, local governments, the agriculture community, Tributary Teams and local watershed groups. The meetings focused on the commitments detailed in the Strategy and what the real or perceived barriers were to fully implementing those commitments. In addition, a number of potential solutions were generated that could help overcome those barriers. The outcomes of those meetings, including a summary of the recommendations will be included in the State's draft Tributary Strategy Implementation Plans.

Because of the magnitude and complexity of the issues raised by the release of the Tributary Strategy the draft implementation plans are not quite complete. Efforts are underway to ensure that they address critical policy gaps in all aspects of Bay clean up programs.

The plans will address each major river basin in the state and will include a schedule for implementation, an overview of the challenges to implementation as well as possible solutions to those challenges. The plans will also include a summary of near term policy actions that have been or will be initiated in Maryland that will jump start the implementation of the Tributary Strategy

An example of a policy action to jump start implementation of the strategy is the Chesapeake Bay Restoration Fund designed to finance the upgrade the State's wastewater treatment plants, increase the acres of cover crops planted each year and provide much needed and unprecedented financial incentives to homeowners to upgrade their septic systems.

At a total cost of over \$10 Billion in Maryland alone the road to restoring the Bay will be challenging both financially and from a policy perspective. Many of the actions needed are not managed or controlled by the State and require commitment and action by local governments as well as everyone living and working in the watershed. Clearly, continued and increased leadership will be needed at all levels of government and within our communities to ensure full implementation of these strategies.

#### **What are the barriers to the implementation of the Tributary Strategies?**

After meeting with nearly every local government throughout the state of Maryland what we generally knew about these Tributary Strategies became increasingly clear. Full implementation of this strategy will require all parties to continue and greatly expand current efforts and initiate new and innovative programs and policies in all management areas.

While the obvious barrier prohibiting implementation of many practices is the roughly \$6 billion funding gap, it is also evident that many other barriers exist at the local, state and federal level. These barriers include streamlining existing funding sources; improving coordination of related but often-disparate policies and plans affecting growth patterns, development practices, building codes and ordinances; as well as private landowner awareness of the problems. We hope to provide a more detailed account of these barriers as well as the potential solutions to overcome them in our draft Tributary Strategy Implementation Plans.

It is clear that the implementation plans themselves will not hold all the answers to how these Tributary Strategies will be implemented. We must continue to work collaboratively with all our partners to explore all potential solutions at every level of government in order to restore water quality, and living resources to the Chesapeake Bay.

Secretary Franks will address your questions related to the current status of implementation of the Tributary Strategy as well what you can to help.

Thank you for the opportunity to participate in this hearing.