

November 28, 2017

Ben Grumbles, Chair, Principals' Staff Committee
Secretary of Environment, State of Maryland
ben.grumbles@maryland.gov



Via Electronic Mail Only

Re: Adopting Proposed Policies for Addressing Climate Change Considerations in the Jurisdictions' Phase III Watershed Implementation Plans

Dear Secretary Grumbles:

The undersigned members of the Choose Clean Water Coalition want to express their strong support for adoption of *both* the numeric and programmatic proposals for addressing climate impacts during the development and implementation of Phase III Watershed Implementation Plans (WIPs). Over the last year, these proposals have been developed by the Chesapeake Bay Program (CBP)'s Climate Resiliency Workgroup, in collaboration with the CBP Modeling Workgroup, and have been extensively reviewed by the Scientific and Technical Advisory Committee. The proposals represent a reasoned and pragmatic approach to addressing climate change effects on Bay restoration and, in the case of the numeric proposal, is supported by rigorous scientific analyses.

Adoption of the numeric proposal - the explicit quantification of climate change effects on the attainment of water quality standards - is necessary, because the Bay jurisdictions are bound by their commitment in the Chesapeake Bay Watershed Agreement of 2014 to address the impacts of climate change. This should be done consistent with legal precedent, and the Partnership's strong history of using best available science in its management decision-making.

Section 10.5 of the Chesapeake Bay TMDL ("Factoring in Effects from Continued Climate Change") calls for action to "incorporate new scientific understanding of the effects of climate change into the Bay TMDL [...] during the mid-course assessment." Federal courts have approved settlement agreements that require consideration of climate impacts arising from legal challenges to nutrient TMDLs, and, nationwide, newer TMDLs are accounting for climate change as an important factor in calculating watershed pollutant rates and the assimilative capacity of receiving waterways.

The Chesapeake Bay Program partnership has a long history of commitment to sound science. In developing the Bay TMDL and in the ensuing implementation, the Partnership has relied upon rigorous scientific research, expert panels, and updated modeling tools to support planning and management decision-making. Confidence in this decision-making is fundamentally connected to the thorough quality assurance and peer review that undergird the Chesapeake Bay Program's scientific processes. To reject policy proposals that account for climate change impacts on Bay restoration efforts would constitute a repudiation of the commitment to decision-making based upon the best available science. Furthermore, the Bay TMDL and Chesapeake Bay Program are viewed nationally, and even internationally, as potential models for ecosystem restoration. The integrity and credibility of the Partnership as leaders in ecosystem restoration could be compromised if climate change impacts are not considered both numerically and programmatically in the Mid-Point Assessment.

Address: 20 Ridgely Avenue,
Suite 203
Annapolis, MD 21401

Phone: (443) 927-8047
Fax: (443) 927-8050

Email: info@choosecleanwater.org
Website: www.ChooseCleanWater.org

The numeric and programmatic policy approaches will set a precedent for development of adaptive management strategies at a crucial period in the restoration process. Adopting these approaches today will help to ensure that resulting adaptive management strategies are more sophisticated and tested before the even worse effects of a changing climate take place after the TMDL's 2025 deadline. The policy approaches will also help mitigate impacts of more severe storms and increased pollution loads and water temperatures on local rivers and streams in the near-term, thereby protecting water quality not just in the Bay, but throughout the watershed.

Finally, the programmatic approach commits the Chesapeake Bay Program to establish a framework that will drive guidance and provide an incentive for study and design of climate-resilient BMPs. This in turn will encourage implementation of climate-responsive BMPs that will be relied upon for their restoration value years beyond the 2025 deadline. Adoption of the proposed policies will also ensure demand for continued agency-led study and monitoring of climate impacts to the Bay and its restoration.

We thank you and the rest of the Principals' Staff Committee for your leadership on Bay restoration and for your thoughtful consideration of our input.

Sincerely,

Action Together NEPA

Anacostia Riverkeeper

Anacostia Watershed Society

Audubon Naturalist Society

Blue Water Baltimore

Butternut Valley Alliance

Center for Progressive Reform

Chesapeake Bay Foundation

Chesapeake Climate Action Network

Clean Water Action

Coalition for Smarter Growth

Conservation Voters of Pennsylvania

Delaware Nature Society

Friends of Accotink Creek

Friends of the Nanticoke River

Interfaith Partners for the Chesapeake

Interfaith Power & Light (DC.MD.NoVA)

James River Association

Lackawanna River Conservation Association

Lower Susquehanna Riverkeeper

Lynnhaven River NOW

Maryland Conservation Council

Maryland League of Conservation Voters
Maryland Native Plant Society
Midshore Riverkeeper Conservancy
National Parks Conservation Association
National Wildlife Federation
Natural Resources Defense Council
Nature Abounds
New York League of Conservation Voters
Otsego County Conservation Association
PennFuture
Potomac Conservancy
Potomac Riverkeeper
Potomac Riverkeeper Network
Rachel Carson Council
Rivertown Coalition for Clean Air & Water
Rock Creek Conservancy
Savage River Watershed Association
Severn River Association
Shenandoah Riverkeeper
Sleepy Creek Watershed Association
St. Mary's River Watershed Association
Upper Potomac Riverkeeper
Virginia Conservation Network
Virginia League of Conservation Voters
West Virginia Rivers Coalition
Wicomico Environmental Trust

CC:

Nicholas DiPasquale, Chair, Management Board
Director, Chesapeake Bay Program Office, U.S. Environmental Protection Agency
dipasquale.nicholas@epa.gov

James Davis-Martin, Chair, Water Quality Goal Implementation Team
Chesapeake Bay Coordinator, Virginia Department of Environmental Quality
James.Davis-Martin@deq.virginia.gov

Mark Bennett, Chair, Climate Resiliency Workgroup
U.S. Geological Survey
mrbenet@usgs.gov

Erik Meyers, Chair, Climate Resiliency Workgroup
The Conservation Fund
emeyers@conservationfund.org

Zoe Johnson, Coordinator, Climate Resiliency Workgroup
NOAA Chesapeake Bay Office
zoe.johnson@noaa.gov