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Bay jurisdictions' no-action climate policy puts restoration in peril

Rena Steinzor and David Flores | January 31, 2018



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Flooding is a common occurrence in Norfolk as sea level rises and storms are becoming more intense. (Dave Harp)

Governors in the Chesapeake Bay watershed are on the cusp of signing off on a momentously bad decision for the Bay, one that involves sticking their metaphorical heads in the sand when

it comes to climate change and the Bay, the sort of move one might expect from the Trump administration, but not from more enlightened leaders.

At a meeting right before the holiday season, environmental regulators from Maryland, Virginia, Pennsylvania, New York, Delaware, West Virginia and the District of Columbia agreed to ignore inconvenient truths by failing to require pollution reductions caused by climate change before 2025. They have one more meeting in February to get it right.

When they sit down again, they'll be representing a politically broad spectrum of governors, from liberal New Yorker Andrew Cuomo to newly elected moderate Virginian Ralph Northam to mainstream Democrat Tom Wolf from Pennsylvania to moderate Republican Larry Hogan. Sadly, even after the trauma of Hurricane Sandy, which was widely perceived as made much worse by climate change, New York regulators led the charge. Playing the regional self-interest card – Ocean City is admittedly far from Coney Island—they simply did not want to be bothered by a phenomenon that they may mistakenly believe affects Delaware, Maryland and Virginia the most.

Doubts about whether humans cause climate change and how much it threatens the planet are rapidly going the way of urban legend. Just ask any resident of Puerto Rico, the Gulf Coast, or California how they fared during the three consecutive hurricanes or the wildfires that have decimated the land where they live this summer and fall. Reliable scientific research shows climate change has also increased nutrient pollution in the Chesapeake. Observed increases in rainfall from climate change could mean the release of 9 million additional pounds of nitrogen and 500,000 million more pounds of phosphorus into the Bay on an annual basis by 2025.

It's no small irony that the harmful pollution resulting from climate change is likely to be significantly greater than Hogan's favorite whipping boy for nutrient loading in the Bay: the failing Conowingo Dam, which is no longer able to trap pollution coming down the Susquehanna River.

In 2018, Bay states are slated to write crucial implementation plans designed to determine whether they are on track to meet the 2025 deadline for putting in place pollution prevention measures that will save the Bay from dead zones and protect 18 million watershed residents from increased flooding and toxic algae blooms. Unfortunately, some have fallen way behind, especially Pennsylvania, which has done too little to combat the impact of agriculture along the Susquehanna river.

Climate change is an emerging problem layered on top of all of the other sources of nutrient pollution. Over the last year, Bay state regulators developed a proposal to adopt a "comprehensive, straight-forward approach" to pollution attributable to climate change that

“demonstrates [the] Partnership’s commitment to [the] Chesapeake Bay Agreement Climate Resiliency Goal.” Yet, when it came time to incorporate those anticipated increases into the respective state watershed improvement plans designed to restore the Bay, New York balked at the mention of climate-attributable pollution loads and the other Bay states ultimately acquiesced, kicking the very heavy can of climate change disruption down the road and into the middle of the next decade.

By signaling the lack of will and intent to address these pollution loads as soon as possible, Bay jurisdictions are ignoring what the experts know it will take to clean up the Bay. They are repudiating rigorous, peer-reviewed science and promoting a lighter – but no less significant – form of climate denialism, despite their approval of modeling that demonstrates the climate-related pollution rates. No state has voiced any technical objection to the rigor of the modeling.

Maryland Gov. Larry Hogan and his Environment Secretary Benjamin Grumbles have talked a good game on climate change but, as in all things, talk is cheap. Marylanders rightly expect him to translate rhetoric into action. The need for Hogan’s leadership is especially acute because he chairs the Chesapeake Executive Council, which oversees the Bay cleanup effort.

Thanks to the hostile takeover of the U.S. Environmental Protection Agency by the Trump administration’s Scott Pruitt, the states cannot rely on the unifying influence of the civil servants who have pushed for cleanup through the Chesapeake Bay Total Maximum Daily Load, or “pollution diet,” over the last decade.

The Chesapeake Bay Program’s funding is threatened, and doing anything other than releasing polluters from environmental rules is a very low priority. In the meantime, the states are on their own with respect to cross-boundary pollution. Without the leadership of governors who understand the harm caused by those transfers from one state to another, we’ll lose ground quite rapidly.

As the Executive Council chair, Hogan must get personally involved in turning around other states on this issue. Horse trading – “I’ll acknowledge and act on this transboundary problem if you help me on this other, similar problem” – is one useful argument. One can hope that, during the course of these governor-to-governor conversations, Cuomo, Northam and Wolf will realize that having a moderate Republican outdo them on the most important environmental issue ever to confront us is a bad place to be, substantively and politically.

Grumbles can and should reach out to environmental advocates in the other states, urging them to see the impact of climate change on the Bay as a precursor of life-threatening problems that are closer to home.

Hogan finds himself in the awkward position of presiding over the state with the most skin in the game on Bay restoration, while other states with far less to lose resist paying for badly needed pollution reductions. Like too many of his predecessors, he has gone along to get along on environmental issues. Hogan has tried to distinguish himself from the climate denier-in-chief, Trump. But the threats to effective Bay restoration have grown so dire that only active, visible governor-to-governor lobbying has any hope of turning around the other Bay states. Hogan has his work cut out for him and it can't start soon enough.

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