



Virginia Environmental Law

Is \$7 Billion Enough To Clean Up The Bay?

By: Ann Neil Cosby. *Monday, July 18th, 2011*



Image by eutrophication&hypoxia via Flickr

This month, the [Chesapeake Bay](#) Executive Council met in Richmond to discuss, among things, progress being made on [efforts to clean up the Chesapeake Bay](#). Data released that same day indicates that [Virginia is on target to meet interim cleanup goals](#) set in 2009. Virginia appears ahead of schedule or on schedule in planting pollution-limiting [cover crops](#), planting grasses that help keep pollution from running off farms, and restoring wetlands. At the same time, Virginia efforts to fence cattle from streams are falling behind, and discharges of phosphorus to Bay tributaries have increased due to the construction of sewage treatment plant improvements. Sounds like good news.

However, recently, 120 local government officials attended a [one-day seminar](#) in Hanover County on Chesapeake Bay Restoration, jointly hosted by the [Virginia Association of Counties](#) and [Virginia Municipal League](#). We were there to hear, among other things, what implementation of Phase II of the state's WIP would mean to and might cost, [local governments](#) throughout Virginia. The news was not so good.

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There seems to be consensus that the Chesapeake Bay's "[pollution diet](#)" will likely affect local budgets, land use policies, and other local programs. The question is, "how much?" The [approved Virginia WIP](#) cites the potential cost as \$7 billion for the state. However, engineers with the environmental consulting firm [Malcolm Pirnie](#), advised that urban stormwater retrofit costs alone could exceed this cost. Costs that might be around \$20,000 per impervious acre for ponds might soar to nearly \$300,000 per acre in small "ultra urban" areas where heavy infrastructure improvements will be necessary for compliance. Affected localities were cautioned that easier retrofit sites will be very limited and their density will vary by locality.

While implementation of Phase II will vary jurisdiction by jurisdiction, for those that must undertake them, urban retrofits are the least cost-effective solution. On the other hand, they are one of the few means through which the state can force local reductions in pollutant laden stormwater. While there may be other less costly ways to reduce pollution (like the fencing of cattle), will the Phase II process be able to recognize these strategies and is there enough political will to make them happen?

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