

Virginia Environmental Law

Can We Clean Up the Chesapeake Bay?

By: Ann Neil Cosby. *This was posted Tuesday, September 29th, 2009*

For twenty years, federal and state regulators, local governments, and citizen interest groups have been struggling with the issue of the declining health of the [Chesapeake Bay](#). Agreements have been made – and broken. Laws have been passed, [regulations promulgated](#), executive orders issued...and [to what result](#)? The Bay is apparently no worse off today, but no better.

Recently, the [Richmond Times Dispatch assembled a panel](#) to discuss what they considered to be Virginia's top environmental issues. While many agreed the cleanup of the Bay was one of, if not the most, important issue, how to correct what one panelist characterized as "400 years of development in Virginia," and other causes of degradation, was harder to pin down.

In evaluating the current condition of the Bay, a lack of meaningful standards and enforcement measures were articulated as a current problem, as were water usage practices that had not changed for decades. On the development side, local regulations that increase a development's impervious footprint were also listed as a root cause of the problem. Agricultural activities, municipal and residential usage, wastewater treatment plants, and an overall failure of political will to incorporate water quality mandates into daily living were also identified as problems. Clearly, consensus is hard to build, but without it, can Virginia do its part to up the Chesapeake Bay?

Virginia, and other states in the Bay Watershed may not have a choice. Earlier this spring President Obama issued [The Chesapeake Bay Protection and Restoration Executive Order](#) that established a Federal Leadership Committee to oversee and add accountability to Bay cleanup efforts. The EPA will chair the Committee, which will be comprised of representatives from the departments of Agriculture, Commerce, Defense, Homeland Security, the Interior, Transportation and a few others.

The Committee's job is to work with the seven states in the watershed to coordinate and publish an annual plan that describes how federal funding will be applied to Bay restoration in the next 12 months. We'll be watching closely to see if this new Committee can actually help improve the health of the Chesapeake Bay. What do you think? Are you optimistic? What would you suggest this group deal with first?

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