Bay Restoration Progress

The Bay Restoration Plan

- The U.S. Environmental Protection Agency (EPA) established a Chesapeake Bay Total Maximum Daily Load (TMDL), as required under the federal Clean Water Act and in response to consent decrees in the District of Columbia and Virginia. This TMDL sets the maximum amount of nutrient and sediment pollution the bay can receive and still attain water quality standards. The TMDL also identifies specific pollution reduction requirements that must be in place by 2025, with at least 60% of the actions established by 2017.

- Maryland's Phase III Watershed Implementation Plan (WIP) builds on the Phase I and Phase II WIPs and details how and when the State will achieve its 2025 TMDL nutrient and sediment pollution reduction goals. The preliminary estimate of overall annual State costs of implementing the Phase III WIP was $273 million, which excluded $1.6 billion estimated to be paid by local governments to meet stormwater permits through 2025. The fiscal 2024 State budget funding for all Chesapeake Bay restoration activities, which includes more than nutrient and sediment pollution reduction, is $953.5 million.

- The State's Phase III WIP incorporates a variety of strategies to comply with the TMDL, including enforcing farmer nutrient management plan compliance, upgrading failing septic systems, and retrofitting existing infrastructure with better stormwater controls.

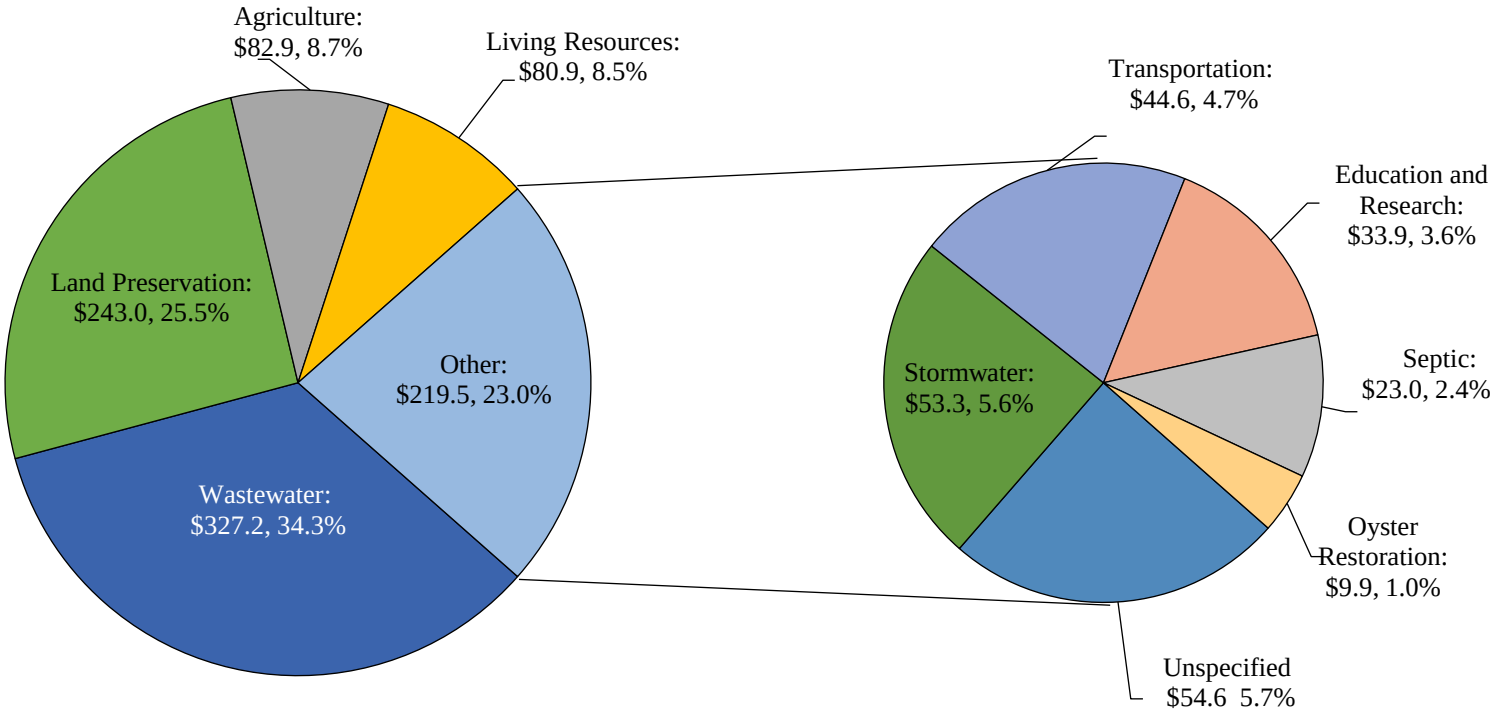
- In the agricultural source sector, farmers are required to develop and implement nutrient management plans. While the goal is to achieve full compliance with nutrient management plans, since fiscal 2009, actual initial compliance has ranged between 61% and 76%. Expired nutrient management plans account for most violations. Compliance rates from initial on-farm audits increased from 74% to 76% between fiscal 2022 and 2023, while compliance rates from follow-up audits increased from 79% in fiscal 2021 to 80% in fiscal 2023.

- In the stormwater source sector, the cumulative acres of existing infrastructure retrofitted with better stormwater controls generally decreased between 2009 and 2022, but increased in 2023 mostly due to increases in the stormwater treatment and bioretention/raingarden best management practices. Despite the apparent lack of progress in stormwater acres retrofitted, the most recent loading data reflects that the State has already met its overall stormwater pollution reduction goal for 2025. This achievement is likely due to an increase in other stormwater practices that are not measured in acres, stormwater acres being converted to the natural or forest sector as a result of urban tree planting, and Maryland's stormwater sector not growing as much as had been expected when the stormwater sector's pollution reduction goal was calculated.

- In the septic source sector, the cumulative denitrifications and connections for septic systems in the State have slowed through 2023. Therefore, the State does not appear to be on track to meet its 2025 goal. However, the nitrogen load reduction estimated from the septic sector is not expected to have an appreciable impact on the State's overall ability to meet the 2025 goal.

- According to 2023 data, the stormwater and wastewater sectors have met their nitrogen load reduction goals. However, the State's reliance on the agricultural sector for approximately 95% of the remaining 2023-2025 nitrogen load reductions (once the loads for the stormwater and wastewater sectors are removed) will be a challenge. The State will also face the challenge of (1) constraining growth to areas with infrastructure to mitigate the need for additional nutrient and sediment reductions from sprawling development and (2) maintaining wastewater gains despite population growth.

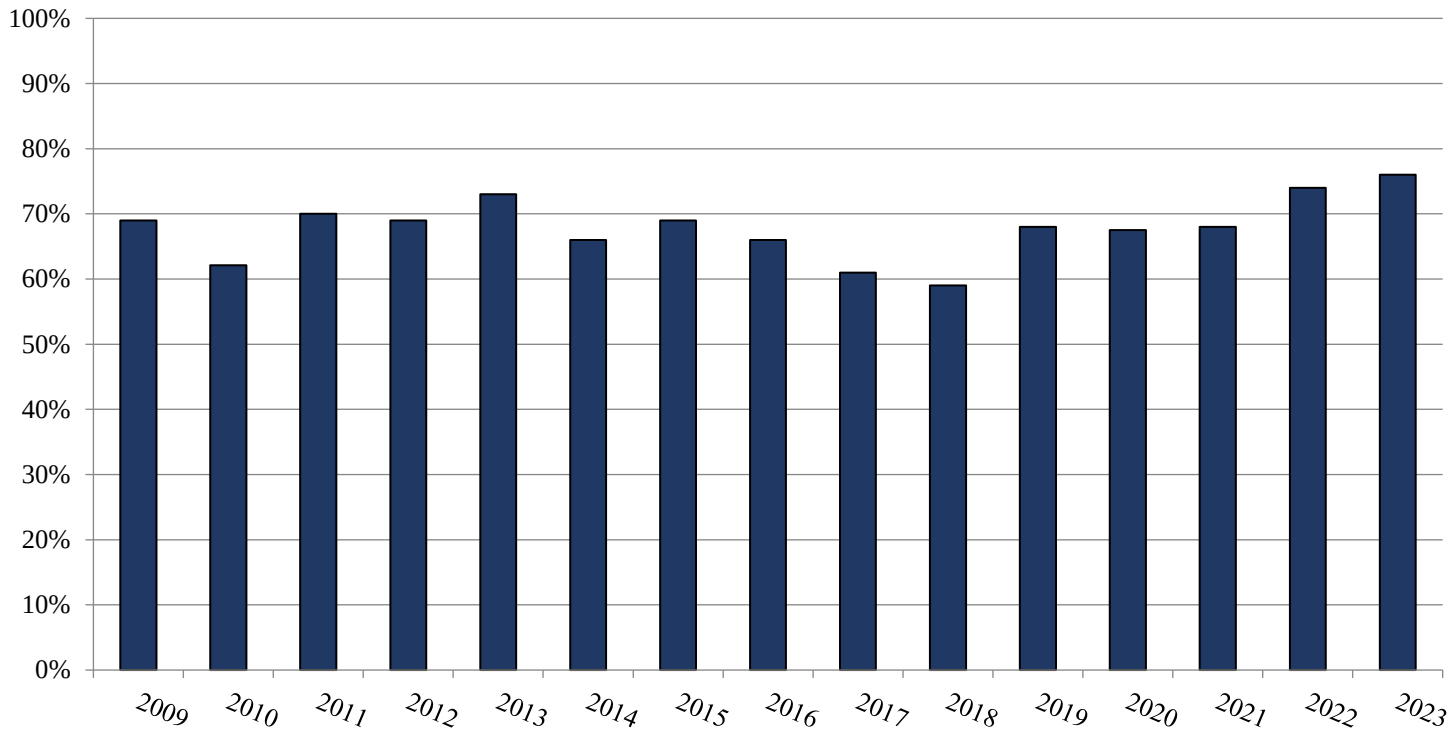
Fiscal 2024 Chesapeake Bay Restoration Activities
($ in Millions)



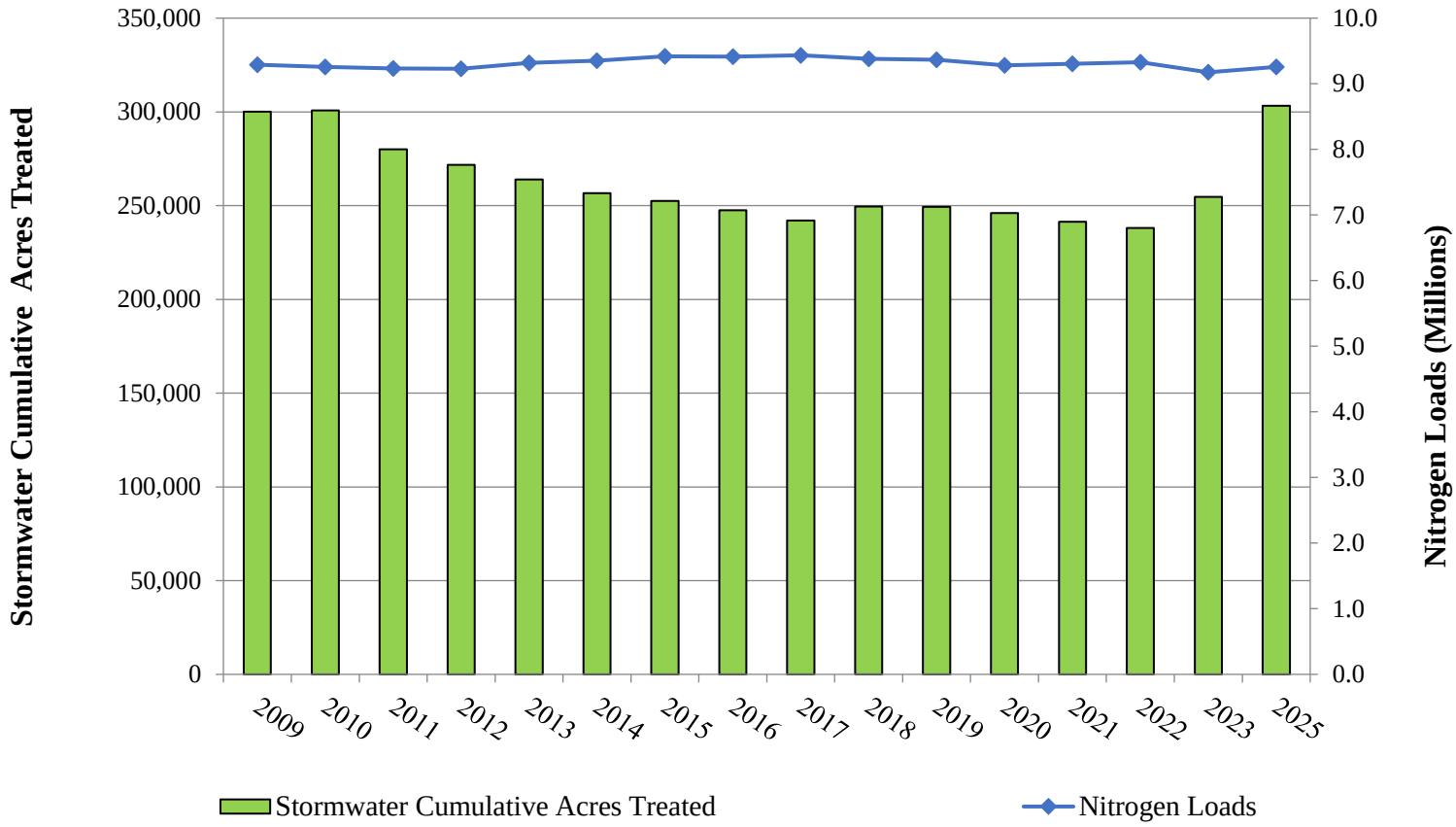
Total Funded in the State Budget – $953.5 Million

Compliance with Initial Farm Nutrient Management Plan Audit
Fiscal 2009-2023

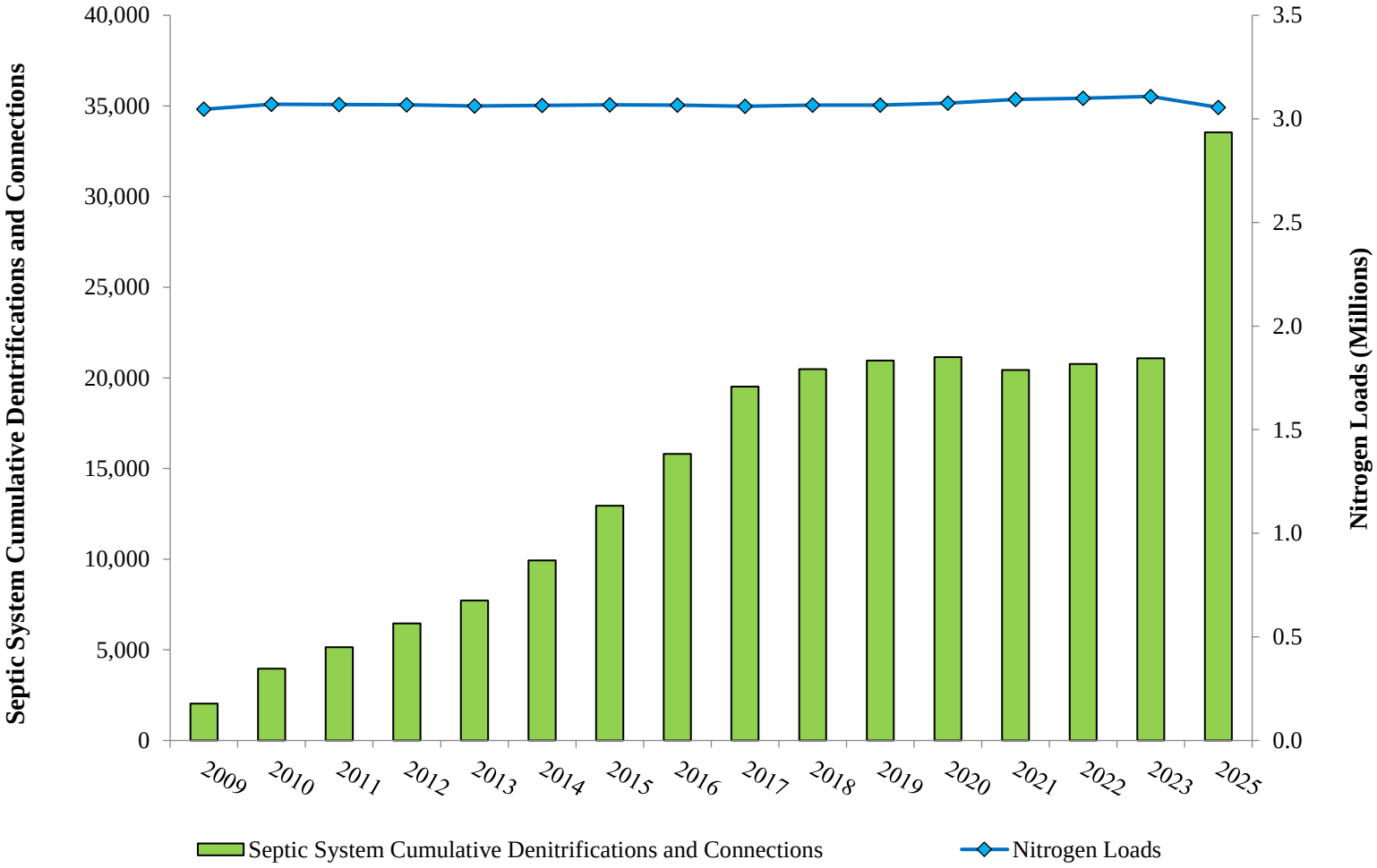
2023 Target Goal = 100% compliance



Nitrogen Pollution Reduction Due to Stormwater Management Retrofitting Calendar 2009-2025



Septic System Pollution Reduction Due to Septic System Upgrades Calendar 2009-2025



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