



THE COMMONWEALTH OF VIRGINIA'S 1998 BAY PROGRAM HIGHLIGHTS

INTRODUCTION

With Governor Gilmore's commitment to improve water quality, unprecedented funding and continuing efforts to develop tributary strategies, 1998 has been a banner year in Virginia's cooperative efforts as part of the [Chesapeake Bay Program](#), to improve the water quality and living resource habitats of the Chesapeake Bay and its lower tributaries. Here is a brief listing of 1997-98 successes.

ACCOMPLISHMENTS

Water Quality Improvement Act of 1997

The driving force behind creating the [WQIA](#) and Water Quality Improvement Funds is Virginia's commitment to reach the CBP goal of a 40% reduction in nitrogen and phosphorus entering the Bay from 1985 levels during the year 2000. Currently much of the funding created through the WQIA is used to implement the Shenandoah-Potomac Nutrient Reduction Tributary Strategy completed by the state in 1996. While Virginia's commitment to the Bay was the impetus for the WQIA, it is a statewide program that provides funds to reduce point and nonpoint sources of nutrient enrichment.

In 1997, \$15 million was committed to the WQIA with \$10 million directed to point sources and \$5 million to nonpoint sources. In the 1999-2000 biennium budget, Governor Gilmore and the General Assembly appropriated \$53.85 in WQIA funding, allocating \$37.1 million for point sources and \$16.75 million for nonpoint sources. The following represent recent accomplishments made under the WQIA.

- In December 1997, the [Department of Conservation and Recreation \(DCR\)](#) issued 16 water quality improvement project grants totaling \$1,037,458 in WQIF funds. These projects ranged from septic tank pump out cost-share to experimental projects using the enzyme Phytase to reduce phosphorus in poultry and hog waste. Special projects for 1998 are now being considered, with 61 projects vying for \$2.35 million in Virginia's Bay basin. In 1997 a total of \$1.5 million was directed to the Agricultural Cost- Share Program. This year, \$5.2 million was made available to Soil and Water Conservation Districts (SWCD) for cost-share in the Bay basin.
- Outside the Chesapeake Bay basin, in 1997 DCR funded \$1 million in agricultural cost-share and

\$1,527,975 for 18 different water quality projects across the state. This year, \$500,000 is available for Virginia cost-share outside the Bay basin and 13 projects are being considered for \$1.5 million in special project funding.

- Using \$10 million in WQIA funds as the initial cost-share, the Department of Environmental Quality (DEQ) signed eleven grant agreements for point source WQIF funding, totaling \$50,054,461. These projects will achieve about three quarters of the Strategy's point source nitrogen reduction goal.
- The [Chesapeake Local Assistance Department \(CBLAD\)](#) provided four staff to support, among other things, the implementation of the WQIA grants through the management of eight grants totaling \$467,479.
- DEQ is negotiating to purchase additional nutrient reduction from the Blue Plains facility in the District of Columbia pursuant to authorization contained in the budget legislation. Increased removals at Blue Plains, made possible by this contractual agreement, will enhance Virginia's chance of meeting the 40% nutrient reduction goal. Point source reductions from 1985 to 1997 -- nitrogen (-4%) and phosphorus (-38%), despite a 28 percent increase in wastewater flow -- illustrate the progress being made.
- DCR provided more than \$500,000 to SWCDs to hire twelve additional technical assistance staff. They will work with farmers in the design and installation of hundreds of best management practices (BMPs). In addition, four new practices have been added to the BMP cost-share program to provide farmers with added motivation to obtain and implement a nutrient management plan.
- In recognizing nutrient management planning as a significant means to reduce nonpoint nutrient loading, DCR has taken three steps to make it more available to farmers: establishing soil testing as a cost-share BMP, paying certified nutrient management planners by the acre to write plans for Shenandoah-Potomac farmers, and providing cost-share for split application of nitrogen to corn and small grains.

Development of Virginia's Lower Chesapeake Bay Tributary Strategies

Staff from Virginia's natural resource agencies worked closely with local governments and other stakeholders in the watershed to develop the Shenandoah-Potomac Tributary Strategy. This very public process has served as the model in developing strategies for the Rappahannock, York, and James rivers and the Bayside tributaries on Virginia's Eastern Shore.

The strategies for the lower tributaries differ from the Shenandoah-Potomac's in that predetermined nutrient reduction goals did not exist. Thus, part of [developing the strategies](#) involves working with CBP modeling data and local stakeholders to develop nutrient reduction goals.

Interim strategies for the York and James were finalized in July. Using the recently upgraded Chesapeake

Bay Water Quality Model, the tributary teams are working to develop goals and complete all four strategies in early 1999.

Significant reductions in nutrient loadings to Virginia's lower tributary basins have been achieved even while strategy development proceeds. The most recently available data show that since 1985 nitrogen has been reduced by approximately 15 percent and that phosphorus has been reduced by approximately 40 percent in these lower Bay tributaries.

The Chesapeake Bay Preservation Act

Those implementing Virginia's first state land use management program, the Chesapeake Bay Preservation Act ("Bay Act"), continue to work with Tidewater Virginia localities, soil and water conservation districts (SWCD), and planning district commissions (PDC) to protect the water quality of the Chesapeake Bay and its tributaries by managing impacts from the use and development of land. The goal of the Bay Act is to achieve a no-net increase in nonpoint source pollution. Eighty-four units of local government, with land draining to the Chesapeake Bay, are subject to the provisions of the Bay Act. During 1998 the following was accomplished:

- Fifteen additional local government comprehensive plans were reviewed for compliance with the Bay Act. *All 84 local governments now have ordinances incorporating Bay Act requirements into local law, and 57 have had comprehensive plans that provide protection to environmentally sensitive areas reviewed by the Chesapeake Bay Local Assistance Department (CBLAD.)*
- In fiscal year 1998, CBLAD began evaluating local government implementation of water quality performance standards through the investigation of complaints. Over 140 complaints have been reviewed.
- In fiscal years 1997 and 1998, CBLAD provided 36 grants totaling \$896,233 to local governments and PDCs within Virginia's lower tributary basins and an additional \$269,280 to local governments and PDCs within the Shenandoah-Potomac Tributary basins for land use and water quality planning projects.
- During 1998, CBLAD commented upon approximately 70 state agency and local site plans, assuring compliance with the Bay Act.
- In FY 1998, CBLAD provided \$395,000 in grants to 11 Tidewater Virginia SWCDs. This resulted in bringing over 33,800 acres of farmland under conservation plans and added an additional 71 miles of buffer areas to Virginia's waterways.

Virginia Pollution Prevention Efforts

In 1998, Governor Gilmore reorganized the central office of the Department of Environmental Quality and created the Office of Pollution Prevention (OPP), which provides a number of outreach services, ranging from broad informational materials such as the program newsletter to industry-specific workshops to pollution prevention opportunity assessments at individual facilities. Participation in the program is voluntary and includes businesses, industry, government agencies and individuals.

The program also has a number of pollution prevention initiatives underway, including promoting "[Businesses for the Bay](#)", integrating pollution prevention into DEQ's environmental programs, implementing the Tangier Island consumer pollution prevention project, developing the Virginia Environmental Services Network, providing grants to businesses and local governments, and seeking partnerships with other organizations. With 155 participants to date in the Businesses for the Bay program and the highest level of participation among the Bay states, Virginia is leading by example in this innovative means to help protect and restore the Chesapeake Bay.

Virginia's Citizen Volunteer Water Quality Monitoring Initiative

In 1998, DCR and DEQ formalized an initiative that will benefit citizens -- and streams -- across the Commonwealth, by extending the network that collects data on water quality. In separate ceremonies the directors of DCR and DEQ signed agreements with Virginia SOS ("Save Our Streams"), a project of the Izaak Walton League of America, to harness citizen commitment to local water quality, and provide the tools to allow them to work as a team. These agreements mark the first time Virginia has sought to develop consistent standards for citizen water quality monitoring. The result will be a wealth of reliable, usable data statewide.

Other Accomplishments That Benefit Virginia Waterways and the Chesapeake Bay

The Agricultural BMP Tax Credit is a statewide incentive that gives farmers a monetary break for voluntarily using Best Management Practices (BMPs) on their farmland. The tax credit, to be claimed when preparing 1998 state income tax forms, is 25 percent of BMP installation costs. For every \$1,000 spent on conservation practices, a farmer can claim a \$250 tax credit. The maximum credit an individual can receive in a tax year is \$17,500. In many cases, the tax credit can be used on BMPs installed using cost-share. So, a farmer can install a BMP with the state paying 75 percent of the cost through cost-share and then get a tax credit for the 25 percent that he invested, resulting in the farmer paying just over 10 percent of the actual cost.

The Adopt-A-Stream Program is another Gilmore Administration supported water quality initiative to come out of the 1998 Virginia General Assembly. The legislation introduced by Virginia Delegate Harvey B. Morgan was a recommendation of the Governor's Commission on Environmental Stewardship chaired by then-Attorney General Jim Gilmore. DCR, working with an advisory group made up of interested citizens and representatives from leading water quality groups, has developed a program manual and has started to accept stream adoptions from groups across the state.

On July 22, 1997, a ground-breaking ceremony was held in Richmond for the Bosher's Dam Fish Passage. Bosher's Dam is the last of five dams on the James River in Richmond to be breached. Once completed, the vertical slat fish passage will open over 137 miles of James River and 168 miles of tributaries between Richmond and Lynchburg to spawning shad and river herring. It is estimated that this project in concert with water quality improvements, fishing restrictions and restocking will not only restore species populations, but will also result in commercial and recreational fisheries valued at \$5 million - \$7 million per year. This project is the result of partnerships between state and local governments, foundations, corporations, and fishing, hunting, and conservation organizations.

Four new Oyster Reef Broodstock Areas were constructed in June and July 1997 in the Coan, Yecomico and Lynnhaven rivers and in the Pungoteague Creek on Virginia's Eastern Shore. With these new reefs, the number of reefs constructed in Virginia since 1993 increases to thirteen. In addition, an artificial reef permit has been obtained for a new near-shore reef at Chincoteague, off Virginia's Eastern Shore, and additional permits have been submitted to establish new reefs in Hampton Roads and in the Chesapeake Bay near Cape Charles and Nassawadox.

As part of the American Shad Restoration Program, the Commonwealth of Virginia annually stocks 5 to 7 million shad in the James and Pamunkey rivers. This is accomplished with the help of 12 commercial fishermen who have participated in the program since 1995. In 1997, the results of the first stockings were realized with the return of hatchery issued adult shad in the Pamunkey. In addition, the Pamunkey Indian Tribe has operated a shad hatchery on the Pamunkey River since 1918. On April 13, 1998, renovations to this hatchery, made possible through a CBP grant in partnership with the Virginia Department of Game and Inland Fisheries, were dedicated.

CONCLUSION

The Commonwealth of Virginia and its citizens have achieved significant progress in meeting our shared commitment to reduce nutrient loadings to the Chesapeake Bay through development and implementation of the Shenandoah-Potomac strategy, and are now following that same tested approach in developing final strategies for the lower tributaries. In addition, much progress has been made in other areas of improving the water quality and living resource habitat of Virginia's waterways through the cooperative efforts of state and local government, industry, farmers and citizen conservation groups. Governor Gilmore and the Commonwealth are committed to continuing in this spirit of cooperation as we move forward with the many programs and initiatives highlighted here today on behalf of a cleaner, healthier and more resilient Chesapeake Bay system.

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