



February 3, 2016

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*By First Class Mail and Electronic Mail*

The Honorable Jack Markell  
State of Delaware  
Governor Executive Office  
150 Martin Luther King Boulevard  
Dover, DE 19901

Dear Governor Markell,

**Advisory Council**

Patricia Bauman  
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As one of seven jurisdictions within the Chesapeake Bay watershed, Delaware has an important role to play in restoring the Chesapeake Bay. We are approaching the midpoint of the groundbreaking 16-year plan to reduce nitrogen, phosphorus, and sediment loads to the Bay and the state has a long way to go to ensure that the ultimate goals are met. The recent water crises in Flint, Toledo, Des Moines, and many other communities around the country are calls to action, reminders of the costs of ignoring our nation's many impaired waterways. Meeting your commitments under the Chesapeake Bay Total Maximum Daily Load (Bay TMDL) will help restore the many local streams and other waters that the Department of Natural Resources and Environmental Control have declared are impaired.

The Center for Progressive Reform ([www.progressivereform.org](http://www.progressivereform.org)), a non-partisan network of working academics at graduate schools across the country who specialize in the design and implementation of programs to protect public health, worker and consumer safety, and the environment, has just released the report *Countdown to 2017: Five Years In, Chesapeake Bay TMDL at Risk Without EPA Enforcement*. The report concludes that without substantial improvement in the performance of the seven Bay states, this latest effort to restore water quality in the Chesapeake Bay will fail. The report is based on the most recent data from the Chesapeake Bay Program's watershed model, which is released each year to track progress made by each state and each pollution source sector.

Specifically, the report shows that more than three-quarters of nitrogen pollution in Delaware's portion of the Chesapeake Bay watershed comes from agriculture. As of 2014, the state had reduced nitrogen pollution from the agriculture sector by a little more than 10% from 2009 levels, which is slightly more than halfway toward its 2017 goal. Improved performance by the agriculture sector is crucial to the state's compliance with the Bay TMDL. Without greater effort to reduce nutrient pollution from poultry litter and agricultural runoff, the state may fail to meet its commitments to the Bay TMDL as the 2017 midpoint assessment approaches.

We urge you as Governor to take a greater role in overseeing the state's efforts to meet its obligations under the Bay TMDL. Only when all seven jurisdictions share equally in the responsibility for restoring their local waters can the Chesapeake Bay be restored. We thank you for your attention to this important matter.

Sincerely,



Rena Steinzor  
Past President and Member Scholar, Center for  
Progressive Reform



Evan Isaacson  
Chesapeake Bay Policy Analyst  
Center for Progressive Reform

cc: David Small, Secretary of the Department of Natural Resources and Environmental Control