



February 3, 2016

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*By First Class Mail and Electronic Mail*

The Honorable Earl Ray Tomblin  
Office of the Governor  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

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Dear Governor Tomblin,

As one of seven jurisdictions within the Chesapeake Bay watershed, West Virginia 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, lakes, and other waters that the Department of Environmental Protection has 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 although West Virginia has made reasonable progress toward meeting the Bay TMDL 2017 interim goals for nitrogen, there are questions about how it will build upon this work. For example, the U.S. Environmental Protection Agency noted in its recent Animal Agriculture Assessment that West Virginia is far behind on issuing permits to concentrated animal feeding operations in the state and in implementing nutrient management plans. These are the cornerstones of any plan to comprehensively address agriculture pollution. If the state can address these basic issues and finish the upgrade of several more wastewater treatment plant upgrades on time, it may be in good position as we approach the 2017 midpoint assessment.

We urge you as Governor to take a greater role in overseeing your 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: Randy C. Huffman, Secretary of the Department of Environmental Protection