



### A MESSAGE FROM THE EXECUTIVE DIRECTOR



Our coalition of 18 Waterkeepers, Riverkeepers, and Coastkeepers has never been stronger. Together, this network patrols thousands of miles of tributaries and shorelines throughout the Chesapeake and Coastal Bays regions, and are at the forefront of water quality related enforcement and advocacy efforts on behalf of their residents. Our goal is simple - to protect clean water for our families and communities.

Over 2017-2018, we successfully mobilized our member Waterkeepers to fight pollution and champion clean water as a collective force. Waterkeepers across the region are out in front working locally to prevent new pollution threats and deal with the repercussions of existing ones. With increased rollbacks to environmental protections from the federal government, we are more unified than ever in our fight to preserve our waterways.

We hope you find this Biennial Report informative and helpful. Whether you live, work, or play in the Chesapeake Bay and Coastal Bay regions, our Waterkeepers are working for you.

Thank you for helping us grow, inclusively and responsibly, to protect your water!

Betsy Nicholas, Executive Director

WATERKEEPERS® Chesapeake is a coalition of eighteen independent Waterkeeper programs working to make the local waterways of the Chesapeake and Coastal Bays swimmable, fishable and drinkable.



### @WaterkeepersChesapeake



@WaterkeepersChes



@WaterkeepersCP



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### MEMBER WATERKEEPERS

Waterkeepers are the heart of our organization. The scope of our work centers on the rivers, streams, creeks and bays of the Chesapeake and Coastal Bays Watersheds that are protected by our 18 Waterkeeper programs. This 64,000 square mile watershed has a population of more than 18 million people throughout the states of Virginia, West Virginia, Maryland, Pennsylvania, Delaware and the District of Columbia.

Trey Sherard
Anacostia (Acting) RIVERKEEPER®
Washington, DC

Kathy Phillips Assateague COASTKEEPER® Ocean City, MD

Angela Haren
Baltimore Harbor WATERKEEPER®
Baltimore, MD

Tim Trumbauer Chester RIVERKEEPER® Chestertown, MD

Matt Pluta Choptank RIVERKEEPER® Easton, MD

Theaux Le Gardeur Gunpowder RIVERKEEPER® Monkton, MD

Jaimie Brunkow James RIVERKEEPER® Richmond, VA

Ted Evgeniadis Lower Susquehanna RIVERKEEPER® Wrightsville, PA

Carol Parenzan Middle Susquehanna RIVERKEEPER® Sunbury, PA Elle Bassett Miles-Wye RIVERKEEPER® Georgetown, MD

Fred Tutman
Patuxent RIVERKEEPER®
Upper Marlboro, MD

Dean Naujoks
Potomac RIVERKEEPER®
Washington, DC

Emmett Duke Sassafras RIVERKEEPER® Georgetown, MD

Sara Caldes
Severn RIVERKEEPER®
Annapolis, MD

Mark Frondorf Shenandoah RIVERKEEPER® Berryville, VA

> Jesse Illiff South RIVERKEEPER Edgewater, MD

Brent Walls
Upper Potomac RIVERKEEPER®
Williamsport, MD

Jeff Holland West/Rhode RIVERKEEPER® West River, MD

### WHAT WE DO

Waterkeepers Chesapeake and our 18 Waterkeeper members are committed to achieving swimmable, fishable and drinkable waters in the Chesapeake Bay and Coastal Bay regions. Our member Riverkeepers and Waterkeepers work locally, using grassroots action, advocacy, and legal action to protect their communities and their waters.

Waterkeepers Chesapeake expands the impact of each member organization to reduce pollution by promoting peer learning, sharing successful strategies and providing technical and legal expertise. We amplify the voices of individual Waterkeepers and uplift their programs and successes to show their collective impact in the region. We galvanize our members to work on legal and advocacy campaigns that focus on long-term systemic change and pollution reduction. Overall, Waterkeepers Chesapeake gives all of our members – and the entire Waterkeeper movement – more influence in the Chesapeake and Coastal Bays restoration efforts.



Waterkeepers Chesapeake recognizes that the Chesapeake Bay watershed is a region of vibrant diversity. It is our policy to be inclusive and mindful of this diversity in our organizational policies, programs, and interactions with others. As an organization, we affirm all people regardless of their age, culture, disabilities, ethnic origin, gender, gender identity, marital status, nationality, race, religion, sexual orientation, and socioeconomic status.

### **STAFF**

Betsy Nicholas, Executive Director
Katlyn Schmitt, Staff Attorney
Lacey Gaetcher, Development and Communications Associate
Alicia LaPorte, Fair Farms Campaign Manager
Shelby Kalm, Outreach Coordinator
Cindy Wallace, Administrative Manager

#### **BOARD OF DIRECTORS**

Jeff Horstman, Chair Chair, Miles - Wye Riverkeeper

> Jesse Iliff, Vice Chair Severn Riverkeeper

Jamie Brunkow, Secretary Lower James Riverkeeper

Robin Broder, Treasurer Clean Water Advocate; Former Vice President, Potomac Riverkeeper

Robert Gallagher Clean Water Advocate; Former West/Rhode Riverkeeper Kathy Phillips Assateague Coastkeeper

Dean Naujoks Potomac Riverkeeper

Adam Van Grack
Partner, Longman & Van Grack

David Flores
Policy Analyst, Center for
Progressive Reform; Former
Baltimore Harbor Waterkeeper



### Thank You to Supporters

Town Creek Foundation
Keith Campbell Foundation
for the Environment
Chesapeake Bay Trust
Curtis & Edith Munson
Foundation
Abell Foundation
Rouse Foundation

Farm Aid





### **2017-2018 KEY MILESTONES**

# Passage of Groundbreaking Laws & Policies in Maryland that Protect Water

- Banned the toxic practice of fracking
- Eliminated the use of antibiotics in farm animals that are not sick
- Established the Healthy Soils program
- Created tax credits for farmers who donate surplus food

### **Voice for Water Quality**

- Leading advocate for a fair and effective Conowingo Dam cleanup
- Commented on key state permits and policies that affect local water quality
- Submitted Public Information Act requests based on water quality enforcement concerns
- Represented local water quality concerns to federal legislators and agencies

### Support to Member Waterkeepers

- Provided legal and communications support to the Upper Potomac Riverkeeper in the fight against the Potomac Pipeline
- Intervened in a federal action to ensure that the Conowingo Dam owner pays a fair share of the Susquehanna River cleanup efforts
- Held various trainings and presentations on legal and policy advocacy

### **BUILT POWERFUL MOVEMENTS**

Through our Fair Farms campaign, we developed relationships with farmers, businesses and our consumer base to garner public support for food system reform policies that also improve the health of our waterways. At the end of 2018, the Fair Farms campaign had over 37,000 activated consumers and 180 partners – with 46 independent farms, 60 restaurants, and businesses, and 48 nonprofits.



Waterkeepers Chesapeake helped launch the Don't Frack Maryland Coalition in 2015 to push for a long-term moratorium on fracking for natural gas in Maryland. A two-year moratorium on fracking passed in 2015, and Don't Frack Maryland continued on and called for a statewide ban. In March 2017, a statewide fracking ban passed, the result of a massive grassroots movement across Maryland, especially in Western Maryland, that demanded the legislature protect families, livelihoods, and clean water and air from the irreversible damage caused by fracking.



Our Fair Farms campaign has begun to transform the food system in the region through movement building and civic engagement which has resulted in the reduction of pollution to our local waterways and the restoration of our agricultural lands. The campaign achieved policy goals in Maryland that:

- Limit the use of human antibiotics in routine livestock feed
- Increase transparency on Maryland farms
- Increase subsidies for healthy, sustainable farming practices
- Protect communities from encroaching factory farms whose proximity threatens public health and quality of life



## ADDRESSING AGRICULTURAL **POLLUTION**

As the largest source of pollution, reducing runoff from agricultural lands is essential to meeting the restoration goals of the Chesapeake Bay Cleanup Plan (TMDL). The main priority of Waterkeepers Chesapeake and our members has been to improve the health of local waterways of the Chesapeake and Coastal Bays regions through reductions in agricultural pollution, especially from industrial agricultural businesses.

Our achievements include:

- Secured a role on the Healthy Soils consortium to ensure that the program has adequate policies in place.
- Pushed for monitoring and reporting to help us better understand the public health threat in communities (i.e., ammonia emissions), and lead to a broader universe of protective regulations, such as zoning and air permitting.
- Increased transparency and accountability in the agriculture industry, while promoting safe and healthy waterways, through the implementation of Nutrient Management Plans (NMPs), manure transport, Phosphorus Management Tool (PMT), and limits on the use of antibiotics in livestock feed.



# REDUCING STORMWATER RUNOFF

Polluted stormwater runoff in suburban and urban areas remains the fastest growing sector of pollution. In many areas, polluted runoff causes high bacteria levels that close our swimming areas, creates algae blooms that choke our waterways, and carries toxic contaminants that harm fish, crabs and oysters. Controlling runoff is necessary for meeting the Chesapeake Bay Cleanup Plan (TMDL) requirements for the amount of pollutants allowed to enter the Chesapeake Bay. Waterkeepers around the watershed work in urban and suburban environments to ensure that runoff is controlled. They monitor water quality, analyze stormwater public policy and permits, and use the courts to ensure that permits and Best Available Technology (BAT) are in place in both urban and suburban communities. Our member Waterkeepers watchdog individual facilities to ensure compliance with permit terms and to evaluate enforcement efforts under each program.

Waterkeepers Chesapeake and our members encourage citizen action through the use of the Water Reporter app that allows individuals to report directly to their local Waterkeeper when they see polluted runoff. (Go to waterreporter.org to download the app.)



# Coming Soon! Clear Choices Clean Water Campaign

Waterkeepers Chesapeake will rollout our Clear Choices Clean Water campaign in 2019. This campaign is designed to increase awareness about the choices we make and the impact they have on our rivers and streams. Individuals, adults and kids, are encouraged to pledge to either start, or continue, good behaviors that reduce polluted stormwater from entering local waterways. Individuals take small pledges (e.g. install a rain garden, pick up pet waste, refrain from using harmful pesticides) and an online map demonstrates the collective amount of pollution prevented from entering our local waterways. This program has the potential to prevent millions of pounds of nitrogen and phosphorus pollution.



WATERKEEPERS CHESAPEAKE 2017-2018 BIENNIAL REPORT

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This is our only opportunity in the next 50 years to get meaningful pollution reductions at Conowingo Dam – we have to hold Exelon accountable for its fair share of the cleanup.

- Betsy Nicholas Executive Director Waterkeepers Chesapeake



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From the start of the dam relicensing process back in 2012, Exelon has demonstrated that they would rather pay lawyers to fight to avoid responsibility, rather than investing in protecting the Susquehanna River and the nation's largest estuary — the Chesapeake Bay. Exelon has profited billions from this public resource and has a guaranteed profit as long as the Susquehanna River flows for the next 50 years.

– Katlyn Schmitt Staff Attorney Waterkeepers Chesapeake

# SEEKING FAIR SOLUTION TO CONOWINGO DAM CLEANUP

Waterkeepers Chesapeake remains the leading advocate in holding Exelon, who owns and profits from the Conowingo Dam, accountable for any pollution build-up behind the dam. Exelon's permit expired in 2014 and since then, Waterkeepers Chesapeake has been working with Lower Susquehanna Riverkeeper and Earthjustice to hold Exelon accountable for its fair share of the dam cleanup.

Exelon is seeking a new 50-year license from the Federal Energy Regulatory Commission (FERC). Under Section 401 of the Clean Water Act, the State of Maryland must issue a Water Quality Certification, certifying that the project will meet state water quality standards before FERC can grant a new license. The State of Maryland issued its certification on April 27, 2018, and Exelon sued the State on May 25 in federal district court, challenging the state's authority to require any pollution reduction from upstream sources. On July 20, 2018, Waterkeepers Chesapeake and Lower Susquehanna Riverkeeper, represented by Earthjustice, filed a motion to intervene in a federal court action regarding the relicensing of the Conowingo Dam, supporting the State's authority under the Clean Water Act. This lawsuit could set a national precedent on the scope of a state's authority on 401 certifications for all federal actions, not just hydropower licenses.

In addition, Waterkeepers Chesapeake and Lower Susquehanna Riverkeeper filed an administrative appeal on June 8, 2018, urging the Maryland Department of the Environment to reconsider its water quality certification for the Conowingo Dam. It could take years for all of these various legal cases to work their way through the court system.



### FIGHTING FOSSIL FUELS THREATS

Waterkeepers Chesapeake participates in a number of campaigns to mitigate and stop the expansion of natural gas infrastructure in the region through participation on steering committees, providing legal research, drafting legal documents, and boosting communications and outreach to give a voice to the communities impacted by this growth. In addition, we support our Waterkeepers' campaigns to guarantee the safe disposal of toxic coal ash stored in leaking ponds on the banks of the James, Potomac, Patuxent, and Susquehanna rivers, and fight the rollback of federal regulations on coal ash.

Some of our past (and ongoing) work in the fossil fuels realm includes:

- Participated in the leadership of the Don't Frack Maryland Campaign, a massive, statewide grassroots movement that resulted in the passage of the fracking ban in Maryland in 2017
- Participation in the Community of Communities coalition, a movement of organizations and individuals passionate about stopping natural gas infrastructure expansion and pushing for more protective laws and regulations
- Provided legal and legislative support to the No Potomac Pipeline coalition to stop a fracked gas pipeline that would tunnel under the Potomac River near Hancock, Maryland.
- Provided comments, outreach, and education on various checkpoints for other natural gas infrastructure throughout the region.
- Provided communications and legal support to Potomac and James Riverkeeper campaigns for the safe disposal of toxic coal ash in Virginia.
- Participation in the Allegheny-Blue Ridge
  Alliance to stop the massive fracked gas
  Atlantic Coast Pipeline that is being built
  through West Virginia, Virginia and North
  Carolina. Traversing steep, forested mountain
  slopes and porous karst topography, this
  pipeline presents a significant hazard to the
  Shenandoah and James Rivers.
- Provided communications and legal support to Choptank Riverkeeper in addressing emerging threat of a gas pipeline on Maryland's Eastern Shore that would threaten wetlands and farm lands.



# FOCUSING ON WHAT THE BAY TMDL MEANS FOR LOCAL WATERWAYS

The Chesapeake Bay TMDL (or Cleanup Plan) set limits on the amount of phosphorous, nitrogen and sediment that can enter the Bay and its tidal rivers. While the Bay TMDL sets the targets, it's still up to the states to decide how to get there by developing Watershed Implementation Plans (WIPs), with the tools and best management practices that will reduce the pollution load to meet the Bay TMDL pollution reductions by 2025. In light of the TMDL Midpoint Assessment, Bay state squabbling has increased over new pollution load totals and the correct path forward towards meeting 2025 clean water goals.

Throughout this process, our focus has been on the cleanup and restoration of our local waterways, including taking actions to guarantee effective local TMDLs and to guarantee WIPs that are accountable, funded and meet restoration goals. We hosted meetings with the EPA and our Waterkeepers on the development of local watershed cleanup plans that will lead to healthier waterways for families and individuals living across the region. In addition, we challenged Maryland's delisting of local streams and rivers suffering impaired water quality.

In addition to participating in the Bay TMDL processes, we also work directly on various important regional and state level policy permits and checkpoints:

- States' Integrated Reports on Water Quality and 303(d) lists of impaired waters
- States' Triennial Reviews on Water Quality
- Financial Assurance Plans
- States' Clean Water Act 401 Water Quality Certifications for various large infrastructure projects such as pipelines and dams
- States' and municipalities' stormwater permits

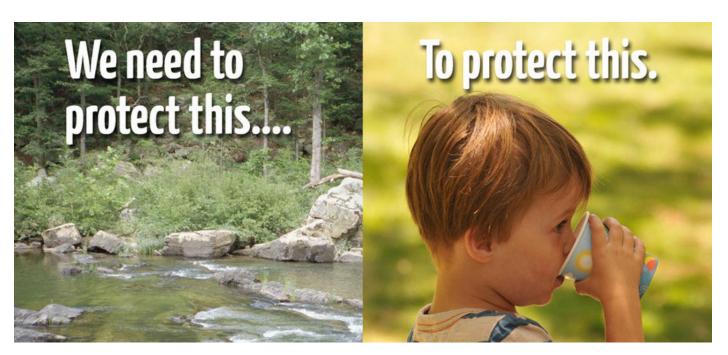


# FIGHTING FEDERAL ROLLBACKS OF CLEAN WATER PROTECTIONS

The need to fight regulatory rollbacks at the federal level has reached a new level of urgency and we have made this a high priority to fight attacks on the Clean Water Act and other environmental laws, and to stop the erosion of transparency and public participation. There has been a clear takeover by polluting industries of the agencies that are supposed to be protecting our health, environment and communities.

Waterkeepers Chesapeake mobilized thousands of action takers through various communications campaigns on federal issues such as rejecting Scott Pruitt as EPA Administrator and the severely reduced EPA budget, preventing the rollback of coal ash regulations and the repeal of the Clean Water Rule, stopping FERC's rubber stamping of the Atlantic Coast Pipeline permit, and demanding accountability in the Conowingo Dam relicensing. Unfortunately, the list is long.

Over the past year, we have drafted, coordinated and urged support for various comment letters to EPA and federal legislators (i.e. rollback of regulations on coal ash, Phase III WIPs, removing public health and waterway protections in the Resource Conservation and Recovery Act, limiting the scope of the Waters of the United States rule, and giving FERC more authority over natural gas pipelines). We have also worked in broad coalitions to coordinate on action alerts and other advocacy measures, such as meetings with members of the U.S. Senate and House of Representatives.



### SUPPORTING OUR WATERKEEPERS

Waterkeepers Chesapeake is a leading coalition in the fight for clean water in the Chesapeake Bay and Coastal Bay regions. Our member Waterkeepers have never been more united on a multitude of issues, campaigns, and advocacy efforts. During 2017 - 2018, Waterkeepers Chesapeake successfully provided legal, advocacy, communications, technical, network, program and other types of support for our member Waterkeepers. A few highlights include:

- Drafted legal memorandum for Sassafras Riverkeeper on interpretation of Submerged Aquatic Vegetation (SAV) protection law.
- Identified legislative priorities and coordinated with member Waterkeepers to pass and prevent laws in state legislatures.
- Supported the Middle Susquehanna Riverkeeper in communications around Loyalsock Creek becoming the 2018 River of the Year.
- Drafted rapid response news release for Middle Susquehanna Riverkeeper on the 55,000 gallon oil spill in Lycoming County threatening drinking water.
- Helped draft Public Information Act request regarding Eastern Shore pipeline for the Choptank Riverkeeper.
- Served as the umbrella organization for funding of a SAV monitoring project with James, Severn, Choptank, and Miles-Wye Riverkeepers.
- Supported Potomac and James Riverkeepers with communications and legal assistance in the campaign to remove toxic coal ash from leaking storage ponds on the banks of rivers.





### SUPPORTING OUR WATERKEEPERS

- Provided legal and communications support to the Upper Potomac Riverkeeper in fight against Potomac Pipeline
- Intervened in federal action to ensure that Conowingo Dam owner pays fair share of Susquehanna River cleanup efforts.
- Connected Waterkeepers with their peers to help them move forward their goals and share technical expertise.
- Lifted up member Waterkeepers to funders and pointing Waterkeeper programs towards new potential funding opportunities.
- Hosted our Annual Retreat, cost-free to members, for strategic planning, networking, education and training.
- Provided communications and take action toolkits to fight federal rollbacks of clean water protections.
- Provided consolidated events calendar on our website, as well as opportunities for guest blogs.
- Drafted testimony and provided lobbying support on a number of state bills.
- Represent our region on the Waterkeeper Alliance Council.

Waterkeepers Chesapeake hosted a wide array of trainings for our Waterkeepers on topics such as "Using Water Quality Standards and Listing Decisions for Advocacy," "How to use CAST," "Water Quality Monitoring: Tools, Uses and Coordination," "Citizen Advocacy Guides," "Accessing and Analyzing County Data for Enforcement," "Diversity, Equity, Inclusion & Justice," and the "The Importance of Healthy Soils for Water Quality and Climate Change."

Upper Potomac Riverkeeper Brent Walls demonstrating aerial monitoring using a drone.





### **2017 FINANCIALS**

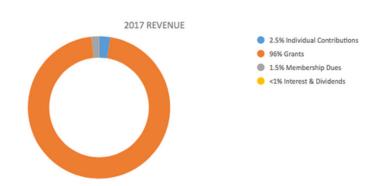
#### **REVENUE**

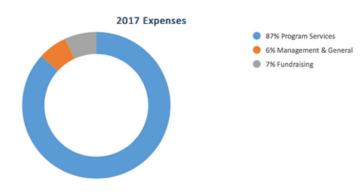
Total 2017 Revenue	\$691,234
Interest	\$173
Membership Dues	\$11,930
Grants	\$661,388
Individual Contributions	\$17,743



Program Expenses	\$424,999
Management & General	\$31,283
Fundraising	\$34,035

**Total 2017 Expenses** \$490,317 Net assets, end of year \$647,399





### **2018 FINANCIALS**

#### **REVENUE**

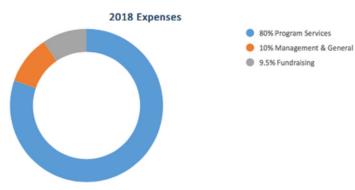
Total 2018 Revenue	\$659,279
Interest	\$216
Membership Dues	\$6,400
Grants	\$597,417
Individual Contributions	\$55,246

#### **EXPENSES**

Program Services	\$447,916
Management & General	\$57,393
Fundraising	\$52,741
Total 2018 Expenses	\$558,050
Net assets, end of year	\$744,465







Complete financial reports are available upon request.