



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB1470**  
**State Finance and Procurement-Chesapeake Bay Watershed States**  
**Quit Polluting My Bay Act of 2022**

Testimony by Delegate David Fraser-Hidalgo  
March 15, 2022- The Environment and Transportation Committee

HB1470-the Quit Polluting My Bay Act of 2022 would prohibit any reimbursement for travel expenses related to traveling in a state that has been identified by the U.S. Environmental Protection Agency (EPA) to have used “Backstop Level Actions”<sup>1</sup> in connection with the implementation of the Chesapeake Bay’s Total Maximum Daily Load (TMDL).<sup>2</sup>

TMDL monitoring was established in 2010 by the Chesapeake Bay Foundation (CBF) and the seven watershed jurisdictions, comprised of Maryland, Delaware, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia. It serves as a planning tool that provides a calculation of the maximum amount of a particular pollutant that a body of water can receive and still meet applicable water quality standards.<sup>3</sup> The TMDL set for the Bay watershed limits nitrogen to 185.9 million pounds, phosphorus to 12.5 million pounds, and sediment to 6.45 billion pounds (all per year).<sup>4</sup>

This bill would also prohibit a procurement contract for goods and services from businesses that reside within states that have implemented Backstop Level Actions. Currently, the only state that the EPA has identified as meeting this criteria is Pennsylvania.

Unfortunately, Pennsylvania has fallen far behind the other watershed members in meeting the 2025 pollution reduction goals spelled out in the

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<sup>1</sup> Backstop Level Actions means that the EPA has identified substantial concerns within a jurisdiction’s strategy to implement the TMDL goals.

<sup>2</sup> [Chesapeake Bay Total Maximum Daily Load \(TMDL\) | US EPA](#)

<sup>3</sup> [Chesapeake Bay TMDL Fact Sheet | US EPA](#)

<sup>4</sup> [Chesapeake Bay TMDL Fact Sheet | US EPA](#)

Chesapeake Clean Water Blueprint. While the Susquehanna River supplies 55% of the freshwater flowing into the Bay, Pennsylvania also contributes to 44% of the nitrogen load and 24% of the phosphorus load to the Bay.<sup>5</sup>

In 2020, CBF president Will Baker said, “If Pennsylvania does not meet its goals by 2025...there is no doubt that the Chesapeake Bay will never be saved.”<sup>6</sup>

It is the responsibility of all the members of the watershed to work toward a cleaner Bay, and Pennsylvania is no exception. This bill sends a clear message to any state that does not prioritize the Bay’s health. For the above reasons, I urge a favorable vote on HB1470.



<sup>5</sup> [Pennsylvania and the Chesapeake Bay Watershed | U.S. Geological Survey \(usgs.gov\)](https://www.usgs.gov/press-release/2019/05/2019-05-20-pennsylvania-and-the-chesapeake-bay-watershed)

<sup>6</sup> [Why Pennsylvania is failing Chesapeake Bay — and how it affects you \(ydr.com\)](https://www.ydr.com/news/2020/07/20/why-pennsylvania-is-failing-chesapeake-bay/)