

Chesapeake Bay Public Hearing Testimony

December 10, 2009

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The health of the Chesapeake Bay is a complex issue with many co-dependent inputs, outflows and processes occurring that must be completely understood in order to avoid unintended consequences from further regulation. I am representing the Homebuilders Association of Delaware today as a Board Member at the State and National level as well as a member of the National Environmental Issues Committee. I am also a scientist with a Master's degree in Biology and over twenty years of experience in the environmental sciences.

Over the last twenty years, Builders, Developers, Engineers, Architects and Designers have steadily increased the environmental quality of their projects, especially with regard to environmental sensitivity, most notably land use cover, historic and endangered resources, floodplain, wetlands, riparian buffers, as well as for storm water, in both quantity and quality control, as well as for enhanced sediment and erosion control. All of these elements have been heavily regulated at the Federal, State and local level for decades. The scope of these regulations as well as our collective deeper understanding due to better science and a general concern for our environment have steadily increased.

Today, new development in and surrounding the Bay watershed is already mandated to implement their projects in accordance with existing laws and regulations to address or encompass the previously mentioned items which already include state-of-the-art storm water management facilities and practices. It must be acknowledged that there is no other group of stakeholders doing more at the present time to protect water quality in the watershed and achieve compliance with said laws and regulations.

This does not mean that there is not room for improvement, and as we achieved gains over the last twenty years I am confident that new technology and science will allow all stakeholders to pursue continued improvement. However, given the level of improvement that the industry has already achieved in the past and the limitations of current technology and our understanding, the anticipated immediate future gains will likely continue, albeit in small but steady progression.

Let us state with emphasis that urban pollution does not come solely from new construction sites, in fact, because of the practices discussed above; new construction is a very small portion of the urban run-off pollution component and one whose contribution is steadily decreasing.

The much larger component of the urban run-off category consists of existing communities that were built over the last 200 years. These older developments; planned, designed, constructed and habitated under a previous period of enlightenment utilize the least amount of technology and science as was then employed to reduce pollution in run-off and protect related valuable resources. We believe that proper planning and application of current BMP technology in retrofits of existing infrastructure would yield far more measurable and real quantifiable gains with regard to protecting the resources of the Chesapeake Bay.

Fertilizer use in the United States has increased by 300% since 1960. These fertilizers are typically applied in suburban land uses without soil testing and without regard for downstream impacts. These fertilizers are readily available and inexpensive. Additionally, Nitrogen and Phosphorus enter the watershed and the ecosystem from a variety of other sources associated with this older portion of the urban/suburban land uses, including septic systems, detergents, inefficient heating equipment, pet waste and other sources.

There are tremendous opportunities for modernization of these older portions of the urban/suburban land use component, such as: septic upgrade/elimination, fertilizer restrictions, energy efficiency upgrades and the implementation of other technologies to improve the water quality run-off from this component of the landscape to try to bring it more in line with the newest developments.

Since both Nitrogen and Phosphorus are chemical elements, which means that they cannot be created or destroyed (ie. There is a finite quantity on earth), we need to look at a mass balance equation that realistically identifies and quantifies all of the contributors of these elements within the watershed in order to determine where we can realize quantifiable reductions. We need to collectively understand the impact of future population pressures and demands upon these very resources and services while integrating appropriate planning, science and technology to advance this cause to achieve *REAL* gains.