

August 7, 2012 Baltimore City MS4 Permit Hearing  
Maryland Department of the Environment  
Testimony of Tina Meyers, Baltimore Harbor WATERKEEPER, Blue Water Baltimore

**I. INTRO**

- My name is Tina Meyers and I am the Baltimore Harbor Waterkeeper with the organization Blue Water Baltimore. My comments are on behalf of myself individually as well as on behalf of our organization as a whole.
- First I'd like to thank MDE for listening to and considering our comments, and also thank you to both MDE and the City for the hard work and resources that they've already put into developing this permit. I know that everyone involved has the best of intentions for cleaning up Baltimore's waterways and the Bay itself, and I have high hopes that we will get this permit to the place where it does that effectively.

**II. BACKGROUND**

- I began my current position only six months ago. In that short period of time I have seen a lot of things in Baltimore's waterways that I never thought or hoped I'd see. I have been over to one of Baltimore's largest, most persistently contaminated outfalls at Gwynn's Run—literally just down the street from MDE in Carroll Park. When I saw and smelled this outfall, I was literally stunned into silence. There is trash strewn throughout the trees and stream banks everywhere you look. As you get closer to the outfall, the smell of sewage overwhelms you, and the water discharging from the outfall is a cloudy, cement grey. This outfall, similar to many throughout Baltimore, has elevated bacteria levels, and sewage discharges even during dry weather. I was shocked to find out that there are children and adults that still swim in this stream. They are not wealthy and they are not white, but this permit is *imperative* to their health and safety.
- Also since I've been at this job, I've seen things floating in the Harbor that I never wished to see. I've seen every type of trash, used tampons and condoms, and solidified balls of grease from the sewer system that ended up in the Harbor through the stormwater outfalls. These items were floating only feet away from where little kids get sailing lessons.
- I've also seen the Harbor change into every color of the rainbow and smell all sorts of unpleasant smells. I've seen algal blooms and fish kills and crabs scurrying onto the shoreline. This is all within the past 6 months. This permit is *imperative* to addressing root pollution causes of these disturbing events.

**Now with that background, I'd like to address two specific points regarding the permit:**

### III. WQS

- First, MDE is *required* to issue a permit that ensures compliance with water quality standards—Currently this permit does not do so. We are well aware that these waterways are currently out of compliance with water quality standards, unsafe for human contact and recreation, and unsupportive of a healthy ecosystem.
- If there is any hope of reducing pollution to healthy levels, this permit must explicitly prohibit any discharges from the stormwater system that contribute to exceedances of water quality standards. This will provide the City the necessary discretion in deciding how to meet that requirement, and will be easy to monitor to determine compliance with the permit. This will also ensure that the permit not only *intends* to meet water quality standards, but it actually results in real attainment of those standards.
- This permit should also include enforceable and specific requirements and deadlines in order to get us to where we need to be. It also must include checkpoints for determining whether the City's actions are actually resulting in improvements to the water quality, and if they are not, it must contain requirements for what to do then.
- Otherwise we will be in the same place 5 years from now as we are today—not understanding why all the work and resources we expended does not result in actual improvements in the waterway.

### IV. TMDLs/ WLAs

- Similarly, this permit must *require* compliance with waste load allocations for the Bay TMDL and local TMDLs. An enormous amount of resources (both time and money) have gone into developing the Chesapeake Bay TMDL, with the intention of making this different that all the past Chesapeake Bay Agreements and other plans which utilized millions of taxpayer dollars, and then resulted in no noticeable changes to water quality.
- The key to making the Bay TMDL different is making it enforceable, and as MDE has made clear, the key to making the Bay TMDL enforceable is through the MS4 permits. If this permit does not contain enforceable, specific requirements, then all that well-intentioned time and money going into the Bay TMDL and WIPs has been utterly wasted.
- We appreciate that MDE included a list of all the TMDLs applicable to Baltimore's waterways as an attachment to the permit. Now we need the next step of *requiring* compliance with the applicable waste load allocations. We also need specific and enforceable benchmarks and deadlines for attainment of those allocations.

**V. CONCLUSION**

- There is a lot riding on the stringency and effectiveness of this permit. It is VITAL that we bridge the gap between theory and reality by making this permit enforceable, and ensuring that it results in *real* attainment of water quality standards and waste load allocations.
- It is well worth the additional time and effort to get this permit right.
- Next I'd like to introduce my Water Quality Manager, David Flores, to discuss the monitoring, IDDE, and ESC requirements in the permit. Thank you for your attention.