**Citizens Advisory Committee**

**Meeting Minutes**

**February 20-21, 2019**

**Williamsburg, VA**

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***CAC Members Present:*** Chanté Coleman, John Dawes, Andrew Der, Bill Dickinson, Matt Ehrhart (CAC Chair), Bill Fink, Verna Harrison, Charles Herrick, Ann Jurczyk, Joe Maroon, Bill Matuszeski, Jorge Ribas, Charlie Stek, and CAC Staff Jessica Blackburn and Adam Bray

***Speakers/Guests Present:***  Keith Boyd, John Dawes Jr, Nissa Dean, Jim Edward, Greg Evans, Kristen Hughes Evans, Barry Frantz (via phone), Bettina Ring, and Jim Wallace.

**Meeting presentations and materials are located at:**

<https://www.chesapeakebay.net/what/event/citizens_advisory_committee_quarterly_meeting_february_2019>

**Wednesday, Feb 20, 2019**

The CAC Chair, Matt Ehrhart called the meeting to order at 11:08 AM. He gave an overview of the agenda and introduced the goals of the meeting – 1) to gain a broader and deeper understanding of what is working well and potential solutions to challenges with conservation practices on agricultural lands, and 2) to refresh and renew CAC priorities for 2019.

**Updates on Chesapeake Bay Program-** *Jim Edward, Deputy Director Chesapeake Bay Program*

Jim Edward briefed CAC on updates about the Chesapeake Bay Program’s budget and staffing. The Bay Program has a new director, Dana Aunkst. He has committed to attending CAC’s May meeting in Baltimore. One of Director Aunkst’s priorities is to fill open staff positions. The Associate Director for Science, Analysis and Implementation position, formerly held by Rich Batiuk, will be filled by the beginning of May.

The recently passed federal funding bill provided $73 million to the Chesapeake Bay Program. Two thirds of that funding will be distributed in grants to Bay jurisdictions. Jim discussed the EPA Grant Guidance for FY 2019. Highlights include 12 co-benefits and an emphasis on regional scale partnerships. Jim talked about the impact the government shutdown had on the Bay Program. Despite the setback, 30 non-federal staff continued to work with states on feedback, technical assistance and helping put together the draft WIPs. They are committed to maintain the deadlines for the draft and final Phase III WIP. In early February, EPA issued a Conowingo WIP Request for Applications (RFA) for support to develop, finance and implement the WIP, including a system for tracking, verifying and reporting implementation. The Conowingo WIP Steering Committee has representatives from all 7 jurisdictions. The EPA is not on the committee, but will participate in an oversight role. Jim also presented on potential BMP verification issues. The EPA will be looking closely at BMPs that have not been reported before and possible over-reporting of BMPs that do not include inspection dates.

Discussion: CAC asked what kind of discretion the Chesapeake Bay Program has on federal funding. Chesapeake Bay funding has to be spent on related-issues. They can change the budget between programs up to 10%, but above that needs EPA approval. The Bay Program cannot move any funding directed towards local governments. Chanté shared that the Choose Clean Water Coalition is advocating for an increase of $90 million to the Bay Program in the next fiscal budget. There has not been an increase since 2014. CAC expressed concern regarding Exelon’s role in the Conowingo WIP. Jim said that no one knows how long it will take for the lawsuits to resolve and jurisdictions cannot afford to delay implementation.

**Learning Session from CAC Water Quality and Agriculture Subcommittee**

The CAC Water Quality and Agriculture Subcommittee presented an “Ag 101” learning session to help members prepare for speakers and discussion. Matt Ehrhart began by describing the differences between Farm Service Agency (FSA), the Natural Resources Conservation Service (NRCS), and Soil Water Conservation Districts (SWCDs). Federal, state and local government agencies also play a role in Ag conservation practices, as well as nonprofit organizations, universities and extension agencies. Over the last 10 years, nonprofits are playing an increasingly pivotal role in planning and implementation. Matt described various programs in the Farm Bill that help farmers including the Regional Conservation Partnership Program (RCPP), the Environmental Quality Incentives Program (EQIP), the Conservation Stewardship Program (CSP), Agricultural Conservation Easement Program (ACEP), and the Conservation Reserve Program (CRP). The team discussed privacy issues related to Section 1619 of the Farm Bill. Section 1619 prohibits USDA from disclosing certain information that has been provided by agricultural landowners and producers in order to participate in USDA programs.

Discussion: CAC discussed the Ag Research Service (ARS), a part of USDA which partners with local county governments, and whether there is a role for CAC to help integrate ARS with Chesapeake Bay Program work. CAC members talked about the funding challenges and how every piece is an overstressed, under-funded system.

**NRCS Priorities and role in the Chesapeake Bay-** *Barry Frantz, Chesapeake Bay Coordinator, Natural Resources Conservation Service, USDA*

Barry Frantz presented (via phone) on the role that NRCS plays in the Chesapeake Bay watershed and some of the agency’s priorities. There are 87,000 privately operated farms in the watershed and farmers make decisions every day that impact the health of the Bay. Landowners voluntarily work with NRCS. NRCS also works in partnerships with other federal, state, local agencies and private organizations. The Farm Bill is the major source of NRCS funding that helps farmers and landowners implement conservation practices and protect agricultural and rural lands. NRCS’s *Chesapeake Bay Action Plan* identifies three natural resource priorities: (1) improve water quality, (2) improve soil health, and (3) restore and improve fish and wildlife habitat. NRCS provides conservation planning assistance and financial assistance to individual land users. They start with a conservation plan and as customers determine what their priorities are, they can help them apply for financial assistance for implementation. RCPP provides a way for non-federal partners to develop cooperative projects using eligible activities available under the covered conservation programs. NRCS also provides Technical Assistance to landowners participating in FSA’s Conservation Reserve Program and Conservation Reserve Enhancement Program (CREP). In the Bay watershed, there is a high demand for NRCS Conservation Technical Assistance. EQIP is the primary Farm Bill conservation program providing funding for implementation of conservation practices. ACEP is the primary Farm Bill conservation program that funds voluntary placement of conservation easements on agricultural lands, and for restoration and protection of wetlands. Section 1619 in the Farm Bill is the most commonly referenced law related to what information USDA can release. NFWF can fund both Technical Assistance and Financial Assistance (practice cost-sharing) projects. Priorities for each year’s grants are identified in the funding announcement.

Discussion: CAC asked whether NRCS funding is administered on a first come, first serve basis. Barry explained that they accept applications during a given time period and then determine priority based on what projects can make the most impact. CAC also wanted to know how many farms participate in NRCS practices. Barry said that based on acreage, 3% are actively participating with up to 10% over a multi-year period. CAC asked what else can be done to make sure farmers participate in these programs. Barry said the biggest obstacle is getting the word out and making sure farmers are aware of the programs. John Dawes shared that there are 323 EQIP practices per county in PA.

**Discussion on VA Agriculture and Forestry-** *Secretary Bettina Ring*

Secretary Ring briefed CAC on Virginia’s Agriculture and Forestry Priorities and how they relate to water quality and the Chesapeake Bay. Agriculture is Virginia’s top industry and Forestry is third (behind tourism, in second). The administration recently created a Conservation Cabinet to integrate environmental protection into related agencies. It is made up of the Secretaries of Commerce and Trade, Health, Education and Transportation. She discussed economic development initiatives including agricultural products for international export and how they are connecting tourism to forestry and Ag through outdoor recreation in areas that have historically depended economically on coal. Virginia’s winery and brewery industry is also increasing tourism to the state, and because of the new Farm Bill, Virginia will soon start growing hemp as a replacement crop for tobacco.

Secretary Ring explained various incentives and programs to promote healthy forests in Virginia. The Hardwood Incentive Program gives landowners tax breaks for growing hardwood instead of pine; the AFID program (the Agriculture and Forestry Industries Development Fund) attracts new and expanding agriculture and forestry businesses to the state; and Generation Next is focused on intergenerational land transfer and designed to help landowners keep forested land intact and in the family. Secretary Ring shared that Virginia’s Forest BMP program has 96-97% compliance in the watershed. There is more work to be done with riparian buffers and because of grant funding there will be more targeted work on the James River and in the Shenandoah Valley. She said that they are working to make sure BMPs are tracked and credited and that they are working with local soil and water districts to get info to landowners and to make sure they are getting the technical assistance that they need. Virginia has also introduced a new Century Forest Program to recognize families whose properties have been in the same family for 100 years or more and a Farm to School Program to help schools source food locally. The Healthy Watershed Program helps retain forestland in order to help meet TMDL goals for local governments. The program relies on private investments to keep agriculture and forests in place and to receive credit for carbon harvesting from trees. Pending legislation would allow economic development authorities to participate.

Discussion: CAC discussed how Virginia programs are holding up and moving forward during current political controversies. Secretary Ring assured CAC that the Governor and his cabinet remain committed to the Bay and focused on their agency missions. They have requested a large amount of funds in the budget towards environmental work and they are using this opportunity to learn and increase the work of racial equality and environmental justice.

**Panel Discussion – Challenges and Opportunities with Agricultural Conservation Practices**

*Kristen Hughes Evans, Executive Director, Sustainable Chesapeake; Jim Wallace, District Manager, Colonial Soil and Water District; Keith Boyd, Assistant State Conservationist, VA NRCS; James Davis Martin, VA DEQ.*

Joe Maroon moderated the panel and asked the panelists for comments on things they had heard so far in the meeting. Kristen raised the concern about a staffing bottleneck at NRCS. There needs to be more staff to deliver more practices. Jim added that it is important to keep things simple and explain programs so that farmers can easily understand. Keith raised the importance and successes of partnerships.The panelists took turns presenting on the challenges and opportunities with Ag conservation practices.

Kristen spoke about economic depression in the dairy industry. Even though there are hundreds of small dairy farms going out of business, dairy farmers are committed to conservation even though practices can be expensive. She is also concerned with verification and making sure farmers get credit for implementing BMPs and applauded CAC for its attention to the issue. Kristen talked about soil health and the opportunities of precision agriculture. Healthy soils help protect farmers from climate change by helping with compaction and improving drought resiliency. Having good soil health also requires less nitrogen application and can save farmers money. She also brought up examples of great regional partnerships.

Jim spoke about the Colonial Soil and Water District and highlighted David Hula, who has the record for the most amount of corn per acre because of precision agriculture practices. He said that an obstacle to expanding this is inconsistent funding. He said there is a disparity between political will and technology and county governments need to step up and support.

Keith shared that rebuilding soil health can be done faster than originally thought. Heavier than average rainfall has been a huge obstacle and has led to blown-out gullies and erosion. Parts of the middle peninsula received over 80 inches of rain in 2018. Focusing on soil health will help because it will increase rain infiltration.

James briefed CAC on the Phase III WIP engagement with local Soil & Water Conservation Districts and how they looked at local area planning goals based on the Phase II WIP. He shared that in the Phase II WIP, 25% of all Ag land in watershed was being retired to conservation and 15% retired to development. This is not what farmers want and does not help keep farmers in business. Phase III brought new practices to the table. Districts said they could achieve 60% of the reductions. DEQ is working to fill the gap by incorporating more nutrient management, including precision Ag, more cover crops, and focusing on animal BMP’s waste practices and manure transport.

Jim described Nitrogen-reducing Bio Reactors that are being used to treat legacy water in springs and ground water that have nitrogen problems. These bio reactors divert water from springs into trenches filled with woodchips that clean the water. Jim raised the challenges of inconsistent and inadequate funding to administer the State’s cost-share program. It is difficult to build capacity or grow programs when funding goes up and down. He also listed the need for tracking, reporting and verification as challenges.

Discussion: CAC discussed funding issues and need for more staffing. Panelists agreed that there are a lot of bureaucratic roadblocks in the way of being able to hire the amount of people needed. CAC members asked about farmers using bio-solids and learned that smell and cost prevent many farmers from using them, and for pelletized sludge, the nitrogen release is unpredictable. Joe asked the panelists to state 1 or 2 things that they would recommend that CAC could support. Kristen said that funding technical assistance and being conscious about language that portrays farmers as “bad actors”. Jim also said funding for technical assistance and support for precision agriculture. Keith also recommended technical assistance. James recommended being good advocates and smart consumers, supporting businesses and farms that demand high levels of conservation.

**Thursday, Feb 21, 2019**

The CAC Chair called to order the meeting at 8:40 AM.

**Working Breakfast / Business Meeting**

CAC began the day by watching a short film called [Supporting Virginia Farmers](https://youtu.be/9FlYje5Ju7Y) produced by the Choose Clean Water Coalition. CAC members then reflected about the previous day. Members, particularly those who live in urban areas, appreciated how much they learned about agricultural issues. The need for “boots on the ground” and technical assistance was clear and members were curious about whether more current funding could be used for staffing. Members talked about the pros and cons around the idea of CAC having less agenda items per meeting and instead doing a deeper dive on fewer issues. There was desire to hear from more farmers and fisherman and less bureaucrats. CAC discussed what to do about farmers needing to understand their connection to the watershed. Ann shared info about the Chesapeake Bay Foundation programs that bring farmers fishing and bring fishermen to the valley. And, the Grazer Network that promotes peer-to-peer farmer mentoring. John Dawes shared that in the new budget there is funding for a pilot program for mine reclamation and how that is an opportunity for those in the Bay watershed. He suggested a presentation from the Bureau of Mine Reclamation for September’s meeting in Pennsylvania.

**Chesapeake Commons-** *John Dawes, Jr., Executive Director*

John Dawes, Jr. gave a brief organizational overview of the nonprofit, [Chesapeake Commons](https://www.chesapeakecommons.org). Chesapeake Commons provides digital services and uses data to help communities and other organizations improve the environment. They develop software that can collect and report data to tell the story of watershed restoration. Their product, Field Doc, is software designed to help practitioners set goals, track progress, and map grant-funded restoration projects. Currently, the primary users are NFWF, MD Department of Natural Resources, and William Penn Foundation. Because Field Doc can calculate nutrient load reductions, these foundations can know up to the minute how their investments are being used. For NFWF and MD DNR grant recipients, it is a mandatory reporting tool. Chesapeake Commons also has a tool called Water Reporter, a social network of organizations that engage in water quality monitoring. Using a smartphone, users can report threats to local water quality that can alert local government, volunteers and environmental NGOs to the problem.

**CAC Business Meeting and Discussion**

Charlie motioned to adopt the November 2018 meeting minutes, Bill Matuszeski seconded and the minutes were adopted as submitted. Matt updated CAC on the status of previous CAC actions. The letter to Maryland about Conowingo has not been sent yet. The letter to the EPA about releasing the Conowingo RFA will not be sent. It was delayed because of the government shutdown and they released the RFA after the shutdown ended. Jessica updated CAC on the formation of a Governance and Membership Subcommittee that Joe Maroon has agreed to chair. It will be a standing subcommittee that will only meet as needed and will draft guidelines, codes of conduct regarding how CAC works together and how we represent CAC in other venues. It will also lead CAC in talking to prospective members and creating a consistent way of onboarding new members.

CAC discussed a process for determining priorities and how it relates to CAC’s purpose and function as an advising group of the Executive Council. Members discussed CAC’s role at Executive Council meetings and how it has changed over the years. CAC agreed to advocate for CAC having both public and private conversation time with the Council during the annual Executive Council meetings. Because of unexpected member absences, CAC agreed to hold subcommittee conference calls in order to set priorities for 2019.

CAC agreed to the following actions:

* CAC will review Phase III WIPs by forming jurisdictional teams and having members volunteer to review headwater state WIPs.
* Staff will send the link to federal funding report to OMB as required by CBARA (the Chesapeake Bay Accountability and Recovery Act) and the Bay Program organizational chart will be circulated electronically. John Dawes will provide a report on PA conservation to be added to CAC’s CBP webpage.
* Jess will reach out to CAC members for suggestions for potential headwater state members.
* Ann will share information from the Soil and Water Conservation District annual report regarding how they prioritize.
* The subcommittees will convene via conference call to determine their top 3 priorities before the May meeting.

For future meetings, CAC expressed interest in learning about the priorities of the other advisory committees and spend more attention to the privacy issues of the Farm Bill. Matt, Chuck and Bill Fink agreed to form a small group to list out the issues, limitations and possible actions for CAC to take. Items raised for future conversation and meeting topics include inviting members of the Corn Growers, Pork Board and Farm Bureau to DC if we are able to have Sonny Perdue there; a focus on Land Trusts; finding out from the Bay Program what the language says in the budget regarding how local governments can use money; how much RCPP program money can be leveraged into the watershed and how to advocate for technical assistance in the context of the Farm Bill; and conferring with LGAC on programmatic recommendations to the Bay Program if local governments get a funding increase.

The CAC adjourned at 12:08 pm.