

**CAC Members Present:** John Dawes, Andrew Der, Bill Fink, Brenna Goggin, Donna Harris-Aikens, Verna Harrison, Charles Herrick (Vice-Chair), Ann Jurczyk, Julie Patton Lawson (Chair), David Lillard, Mike Lovegreen, Bill Matuszeski, Abel Olivo, Kate Patton, Daphne Pee, BeKura Shabazz, Charlie Stek, Dana Wiggins, and CAC Staff Jessica Blackburn and Alexa Maione

**Speakers/Guests Present:** Jamie Baxter, Dr. Kandis Boyd, Nicole Christ, ecoLatinos, Rachel Felter, Dave Goshorn, Amy Handen, Jeremy Hanson, Isabel Hardesty, Matt Pluta, Martha Shimkin, Britt Slattery, Jennifer Starr, Kathy Stecker, Ruby Stemmler, Joe Toolan, Sophie Waterman, Kacey Wetzel

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

[Citizens Advisory Committee Quarterly Meeting \(Feb 2023\) | Chesapeake Bay Program](#)

**A recording of the meeting is located at:** <https://www.youtube.com/watch?v=r-YPtdhvc6E>

Minute marks for topics are referenced in the meeting minutes below.

### **Thursday, February 23, 2023**

The CAC Chair, Julie Patton Lawson, called the meeting to order at 11:00 AM. Chesapeake Bay Program Director, Dr. Kandis Boyd, gave a brief remote welcome.

#### **CAC Business Meeting** (minute mark 00:11:38)

CAC approved the draft December 2022 meeting minutes.

CAC voted to approve Chuck Herrick as CAC vice-chair.

CAC voted to approve the updated bylaws revisions on member qualifications and made the following grammarly changes:

*Has strong interest, knowledge or experience in improving the health of the Chesapeake Bay watershed ~~through advocacy~~ **by advocating** for policies, programs and management practices in water quality, habitat and living resources, land conservation ~~or~~ **and/or** community engagement.*

This meeting will inform the CAC letter to the new governors of MD and PA. Julie thanked Chuck, Ann, and Verna for their comments on the 2021-2022 CBP Bay Barometer which will go to CBP communications staff.

**Member Spotlight** highlighted Kate Patton, Executive Director of the Lower Shore Land Trust.

#### **CAC Member Announcements** (minute mark 00:49:00)

- Ann Jurczyk shared that the Emerging Issues Subcommittee has changed its name to the Conservation and Land Use Subcommittee.
- John Dawes gave a briefing on the Conowingo Dam court findings. In Dec 2022 the US Court of Appeals for the District of Columbia agreed with environmental groups that FERC exceeded its authority when it approved a 50 yr license last year without including the water quality certification that

MD issued in 2018. Depending on MD's reconsideration of the settlement, up to \$700 million could be paid by Constellation Energy Generation, LLC to operate fish passage, in-stream restoration, implementation of BMPs, research on dredging, etc.. Money might be given to state, non-profit entities, and conservation districts.

### **Local Watershed Context by ShoreRivers- presentation link** (minute mark 01:05:42)

*Isabel Hardesty, Executive Director, ShoreRivers*

*Matt Pluta, Choptank Riverkeeper, ShoreRivers*

Isabel and Matt gave an overview of ShoreRiver's pillars of science, advocacy, restoration, education and the role of Riverkeepers. The dominant land uses of Maryland's eastern shore are industrial scale row crop agriculture grown for animal feed, primarily poultry. Challenges include meeting the nutrient reductions of the Bay TMDL in the ag sector, manure and ammonia produced from large scale poultry operations, and housing development threatening forests. A priority for the organization is community engagement with a goal to increase public access to waterways through physical, informational, and regulatory means.

They offered these topics for CAC consideration: diversify farming practices and operations by incentivising local markets and boosting small-scale farmers. Increase incentives and technical assistance for soil health practices by paying for the performance of BMPs. Create an education pipeline for the farming industry. Increase public access in rural areas. Support a 401 Water Quality Certification that adequately addresses water quality challenges of Conowingo Dam and sufficient funding for its CWIP.

### **CAC Stewardship and Engagement Priority: Equitable Access to Grants** (minute mark 01:53:00)

*Kacey Wetzel, Vice President of Programs and Outreach, Chesapeake Bay Trust (CBT)*

*Joe Toolan, Manager, Chesapeake Bay Programs, National Fish and Wildlife Foundation (NFWF)*

*Jamie Baxter, Program Director, Chesapeake Bay Funders Network (CBFN)*

The panel objective is to learn from Chesapeake Bay funders how they address DEIJ in their grantmaking and discuss key topics of proposal design, grant review and capacity building identified by community organizations and CAC members in the September 2022 Panel on Equitable Access to Grants and the subsequent report of findings and recommendations. Panel was moderated by BeKura Shabazz, Stewardship and Engagement Subcommittee Chair.

For more details and the full panel transcript, visit this [link](#).

### **Part 1: Opening Remarks and Proposal Design**

*Discuss your approach to connect with and support small community organizations in:*

- a. designing funding proposals*
- b. building community awareness of funding opportunities*
- c. assist in determining the needs and resources for grant management (insurance, accounting, etc...)*

The funders responded with a variety of methods including the use of field liaisons, a connector group model, and cross-sector networks to build community awareness of funding opportunities. They receive feedback from the field liaisons, a DEIJ workgroup, listening sessions, and surveys from applicants, grant reviewers, and an external advisory committee.

*Do you meet with prospective grantees to honestly discuss the viability of their proposal concepts prior to submission? Are requests like these viewed favorably?*

- a. assisting with grant writing*
- b. building community ownership in local projects*

*c. assisting with project design*

The panelists responded that some grants do require prospective applicants to meet with their staff prior to applying and if it is not required, it is highly encouraged. This ensures that the applicant and grant are a good fit and provides the applicant with feedback on their draft proposal. If the applicant is not a strong candidate for the program, they often are connected with a different program where their project is better aligned. Other support includes webinars and training to assist in the grant writing process.

## **Part Two: Proposal Review and Capacity Building**

*From your perspective, how do you define capacity building? How do you help build and support the capacity of small community organizations? How do you measure the community benefit and impact of grants?*

The funders had different definitions of capacity building. One interpretation is a resilient organization with the resources to sustain itself. Another interpretation was to view capacity building as a community organizing model, because not all organizations want to change and grow larger. Efforts to promote capacity building include indirect funding of award money that can be used towards whatever the organization needs. Another effort is to allocate money within networks to decide how money will be distributed. This is a form of participatory grant making that supports collaboration, builds relationships, and broadens who is involved.

*Discuss your process for grant proposal reviews. Are members of the community where projects are proposed included in the review process? How do you prepare or train your review teams? Do your review teams represent a diversity of perspectives?*

The panelists responded that the review process involves staff, field liaisons, technical experts, and an external equitable review committee. A goal is for the reviewers to represent the demographic makeup and be from the same geography of where the grant is to take place. There is also a push for a participatory grant fund to promote transparency and shift the power of decision making to the communities being impacted.

## **Subcommittee Break-out Sessions**

Subcommittees met to continue planning their priority topic panel.

Meeting recessed at 5:00pm.

## **Friday, February 24, 2023**

**Meeting Reconvenes** (minute mark 03:55:15)

The CAC Chair called the meeting to order at 8:30am.

Subcommittees provided brief report-outs on their conversations from the day prior.

Ann Jurczyk, Conservation and Land Use Subcommittee Chair, shared that they are focusing on wetland and forested land that the Bay Program is supposed to conserve, and why they are not meeting conservation goals. The panel aims to identify the drivers, rate, and impacts of conversion, current protections on land, and what mitigation measures exist when protections are not enforced. They also seek to learn what recommendations CAC can make that will inform the electorate about how development happens and have a positive impact on where development occurs.

Bill Fink spoke on behalf of the Water Quality Subcommittee and shared that they will continue to hear from jurisdictional representatives on their status of reaching state WIPs and what needs to be accelerated to get to 2025 targets. The subcommittee requested that in CAC's letter to the new MD and PA governors, they endorse Conowingo having a minimal 401 certification and endorse the recommendation made by the oyster expert panel that states receive credit for sustaining oysters in sanctuaries.

BeKura Shabazz, Stewardship and Engagement Subcommittee Chair, shared that the subcommittee will respond to the CBT's response to the CAC [Report of Findings from the Sep 2022 Panel Discussion](#). An action item is to create a model equitable grant tool to ensure that identified barriers, such as a procurement process, insurance, and good governance, are met before an organization applies to a grant.

### **Member Reflections on Day 1 discussion** (minute mark 04:08:56)

BeKura shared that she doesn't see an intentional effort by funders to understand communities and stated that the current model suggests serving communities but not partnering with them. Kate agreed, she notices a lot of "talk" but sees a disconnect because her organization cannot get funded to perform outreach. BeKura added that funders tend to skip funding outreach needed to talk to folks and build relationships.

Abel found it shocking this panel was the first time funders were convened for this conversation. It is difficult to change systems engrained in law, but there's an opportunity to influence the 2025 agreement.

Verna stated that an action item should be to follow up on the Chesapeake Bay Funders Network's participatory grantmaking. She also would like for the CBT and NFWF to provide examples and benchmarks for what they are doing to address inequities in grant making.

David shared that in West Virginia grassroots organizing is very common. Small organizations are familiar with large national/regional orgs inviting them to a meeting for a "new" program that the small orgs have already been working towards for years. "If we are to speak for people, we need to hear from people." David also reminded the room that 60-70% of all grant money goes to or through 5 or 6 large organizations.

Chuck was surprised that the letter CAC sent in August to the EC on volunteer compensation had not been responded to. How can CAC make systemic fixes in the EPA/CBP when they can't even get an answer to a simple question? Abel said it is not unprecedented for gubernatorial appointed boards/trustees to be compensated. CAC members shared examples of groups that offer volunteer stipends: Small Family Foundation, Foundation for Pennsylvania Watersheds, and the Delaware Nutrient Management Commission.

Martha Shimkin, Deputy Director, EPA Chesapeake Bay Program, apologized for not having a response to the committee's letter and that the EPA does not have a mechanism for funding stipends. She reminded CAC that they advise the partnership, not just the EPA and suggested they consider other sources to fund stipends.

Daphne stated that all she hears from funders and the EPA is that "it's a process, we don't know how long it will take." Daphne reminded the room that most folks do not have the time to wait around without an answer. She said "how can we meaningfully engage people when all these barriers prevent them from serving?"

John offered that the Foundation for PA Watersheds has a small convening grant that could help.

Verna said that the letter was a request from a committee to the EPA as chair of the Executive Council and that the EPA is responsible for helping to find an answer.

BMAT suggested CAC determine who is responsible for the engagement of others at each level of the CBP. How much money is in place for engagement, grant recipients, and for engaging orgs that aren't receiving grants.

Donna said to authentically engage the community, you have to go to them.

Mike said each jurisdiction has a WIP that includes community engagement. He asks why this aspect is hollow and that the committee should put the states in the hot seat. BeKura responded that environmental justice is not valued enough, if it were, there'd be a line item in the budget.

### **[Chesapeake Bay Program Update- Presentation Link](#)** (minute mark 04:50:29)

*Martha Shimkin, Deputy Director, Chesapeake Bay Program*

Martha presented the current CBP proposals on the structures of an ad hoc group that will focus on Science, Restoration and Partnership beyond 2025. They will assess what worked, what didn't, and what should be done next. Recommendations will be finalized by 2025.

Discussion: CAC members thought the ad hoc group will need to be more inclusive than the existing CBP structure. Ann asked how likely it is that all governors will sign a new agreement.

#### **Maryland's Progress on Chesapeake Watershed Agreement- Presentation Link** (minute mark 05:10:42)

*Dave Goshorn, Senior Bay Restoration Coordinator, MD Department of Natural Resources*

Dave color-coded all 31 outcomes from the *Chesapeake Bay Watershed Agreement* in red/yellow/green to represent Maryland's progress in meeting the *Agreement* outcomes. Red means off-course/far behind/not accomplished; Yellow- on course/progress made, but not completed; Green- accomplished. He highlighted 8 of the 31 Outcomes:

Off-course are: wetlands due to inadequate reporting and analysis; forest buffer and tree canopy due to losses of trees largely outpacing plantings; toxic contaminants research; and toxic contaminants policy and prevention. Dave identified one of the greatest challenges to achieving these outcomes is Maryland's primary funding source, the Chesapeake and Atlantic Coastal Bays Trust Fund, that awards grants based on the greatest reduction of N/P/S. This structure ignores other co-benefits.

Progress made, but not completed: Maryland 2025 WIP outcome due to recent issues at Back River and Patapsco Wastewater Treatment Plants (WWTP) that resulted in significant setbacks to progress. He believes Maryland may come close to achieving this target if the WWTPs operate as intended. The Stewardship outcome was also labeled yellow due to information received from a 2017 citizen stewardship survey.

On-Course: oyster outcome due to Maryland initially restoring four out of five tributaries.

Discussion: What accelerations to progress exist? Dave has hope for enhanced mussel restoration and the DNR "Grants Gateways" program, a simplified grant process intended for everyone's use.

#### **CAC Discussion** (minute mark 06:20:17)

The Stewardship & Engagement subcommittee will follow-up with funders to hear examples of participatory grantmaking and benchmarks of specific actions funders are taking and when. They'd like more details and examples around cross-sector networks - who is getting funding, how are they distributing it?

CAC will collect examples of groups that provide volunteer stipends.

Charlie asked if Dr. Kandis Boyd will convene a meeting with funders. Martha responded that she will bring this up to Kandis. Julie suggested CAC review the CBP DEIJ Implementation Plan.

CAC will respond to the open public comment in support of crediting oysters as pollution BMPs when in designated oyster sanctuaries and not harvested.

In a letter to the new governors of MD and PA, it will be mentioned that CAC is interested in continuing dialogue around the Conowingo Dam and community engagement.

Follow up with Dave Goshorn to get the baseline data of available acreage for riparian buffers in MD and a link to the DNR grants gateways program.

Action item for Chuck to give an overview of the CBT response to the whole CAC.

CAC would like to follow up with federal agencies to continue the conversation on grant inequities.

CAC will have a briefing on the STAC Comprehensive Evaluation of System Response (CESR) report once it becomes available. This report identifies gaps and uncertainties in system response —physical, chemical, biological, and socioeconomic— that impact efforts designed to attain Water Quality Standards.

The Alliance will research and likely submit a proposal to the Foundation for Pennsylvania Watersheds to provide temporary volunteer stipends.

Time will be allocated in the next CAC meeting to discuss the next bay agreement and CAC's role in it.

There was confusion as to why MD had to make an interpretation over whether they hit their benchmarks. Some viewed the color coding in the presentation as subjective.

With no further business, Julie Patton Lawson, CAC Chair, adjourned the meeting at 12:00 PM.