**Citizens’ Advisory Committee**

**Meeting Minutes**

**Washington, DC**

**Nov 29-30, 2018**

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

***Speakers/Guests Present:***  Katherine Antos, Jim Edward, Brandon Flora, Nicki Kasi, Rachel Felver, Kate Fritz, Tommy Lawrence, Vaughn Perry, Kristen Schlyer, Randy Stotts, Neil Wilkie

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

<https://www.chesapeakebay.net/what/event/citizens_advisory_committee_quarterly_meeting_november_2018>

**Thursday, Nov 29, 2018 – Earth Conservation Corp – Monique Johnson Pumphouse**

The CAC Chair, Paula Jasinski, called the meeting to order at 11:10 AM. Paula introduced the theme of the meeting: “A Tale of Two Cities: How the use and restoration of the Anacostia River divide or unify communities with each other and with nature." The DC Delegation welcomed the group to DC and shared their perspectives about living in DC and the importance of the “Year of the Anacostia” which celebrates the 100th anniversary of the park along the Anacostia River. DC members shared their pride in the remarkable turnaround of the Anacostia and how the city is making the river’s transformation a priority.

**The Story of the Anacostia**

*Krista Schlyer, Conservation Photographer and Writer*

Krista, a multimedia journalist and artist, has captured over 10,000 images and stories of the Anacostia River throughout the years. River restoration advocates can use her collection of images and stories for free to tell the story of the river and help people engage by promoting recreation, restoration, wildlife and water quality. She shared with CAC two of her projects: *River of Resilience* and *River of Redemption*. [*River of Resilience*](https://storymaps.esri.com/stories/2018/anacostia/index.html) is a multimedia web-story map, funded by DOEE and the Anacostia Waterfront Trust, which shares the history and restoration of the river watershed. [*The River of Redemption*](https://kristaschlyer.com/2018/03/27/river-of-redemption-coming-fall-2018/) is a book that incorporates Krista’s photography and research to portray life along the Anacostia. Inspired by Aldo Leopold’s, *A Sand County Almanac*, the book dives into the natural history, centuries of destruction and decades of restoration efforts.

Discussion: CAC asked Krista what she hopes the Anacostia will look like in 10 years. She described a watershed with more wetlands, more living shorelines and increased buffers. CAC discussed the challenge of new people moving to the area and the adverse impacts that population increase will have on conservation and restoration work. Population increase and increases in land value along the river are displacing lower income residents. CAC discussed the considerable impact the CSO tunnel is having on the Anacostia and applauded Krista for improving the public’s understanding of these issues.

**Welcome from the Earth Conservation Corps**

*Tommy Lawrence, Managing Director, and Rodney Stotts, Raptor Program Coordinator*

Tommy welcomed CAC to the Earth Conservation Corps (ECC) building and described the group’s history. ECC started in 1992 to activate youth in DC to clean up the Anacostia. Today, the program boasts over 1,000 alumni. Earth Conservation Corp is now part of AmeriCorps and members work in semester increments. Rodney Stotts, one of the original members of the ECC and who is now the Raptor Program Coordinator, shared his personal story of how the ECC helped him away from negative influences in his life and make a difference in nature. Rodney told CAC about *Wings Over America*, their program run on a farm in Laurel, MD. The program offers transformative opportunities for at-risk youth by healing sick or injured birds of prey. Youth are responsible for the bird’s health, daily care and reconditioning before they are released back into the wild.

Discussion: ECC differs from other river organizations because it focuses on workforce training for youth in green infrastructure and how that experience can help lead to a college education, which is essential for finding livable salaries in DC. CAC discussed the challenges of DC residents who are being displaced from the Navy Yard area because of development along the river and associated gentrification. While it may bring positive change for some, it makes the neighborhood unaffordable for many others.

**Updates on the District’s Watershed Implementation Plan**

*Katherine Antos, Chief Partnering and Environmental Conservation Branch, DOEE*

Katherine briefed CAC on D.C.’s Phase III WIP and how the city is incorporating climate resilience, local engagement and restoration targeting. Climate change is impeding water quality goals because of increased extreme precipitation events. DC is leading by example in addressing climate change qualitatively in describing how to integrate climate resiliency with other priorities and also quantitatively by committing to additional pollutant reductions to address climate change impacts. DC’s newly established resiliency office is creating a climate resiliency strategy. Mayor Bowser committed to make the city climate neutral by 2050. DC has made a lot of progress reducing wastewater pollution, but it will continue to be a problem as the city faces population growth. For the Phase III WIP, DOEE is working with DC Water to ensure it is consistent with the Bay TMDL and wastewater permits, evaluating their flow and load projections, and improving their reporting as the CSO tunnels come online. DOEE is also working with federal facilities by giving each agency a planning goal to meet.

A Chesapeake Partner Advisory Group, consisting of organizations involved in DOEE programs, are giving feedback through a series of roundtables and are being incorporated into the Phase III WIP. Katherine updated CAC on the targeted stream restoration areas to meet local TMDLs and support residents and communities vulnerable to extreme weather events. She also shared that DC will benefit from the 2018 Executive Council’s Agricultural Directive because reduced agriculture pollution upstream will help DC’s rivers and there will be an enhanced job climate for Green Workforce Development Training. DOEE is seeking resources to advance environmental education in the public school system and increase awareness of DOEE programs that can be integrated into curriculums. The demand for the Overnight Meaningful Watershed Experience program is already exceeding resources. Lastly, Katherine shared that DOEE is supporting the partnership’s approach to addressing the Conowingo loads. Even though the District is not within the effective basins and will not have related implementation in the city, they will be part of the process in developing the Conowingo WIP.

Discussion: CAC discussed the qualitative and quantitative approach to addressing climate resiliency in the Phase III WIP and also learned that West Virginia is the only other state taking this same approach.

**DC Water Clean Rivers Project**

*Brandon Flora, Project Manager for DC Water’s DC Clean River Project.*

Brandon gave an overview of DC Water’s *Clean River’s Project* and briefed CAC on the ongoing and future work. Its purpose is to control combined sewer overflow to the Potomac, Anacostia and Rock Creek and to relieve flooding in DC’s Northwest quadrant. Brandon showed the history of the CSO overflow. In 1996 the average annual total was over 3 billion gallons of overflow with 2/3rds going into the Anacostia. Flooding became a problem in certain areas of the District because of undersized sewers. The project was implemented under a Federal Consent Decree among the EPA, DOJ, DC and DC Water. The project has evolved over time but now consists of 13 miles of tunnels along the Anacostia and green infrastructure to help mitigate runoff into the Potomac. It is a 25-year program that will cost $2.7 billion. So far, they have built 7 miles of tunnel along the Anacostia. Since March 2018, one of the wettest years on record, these tunnels have kept 4 million pounds of CSO from getting into the Anacostia.

Discussion: CAC asked Brandon what 2030 will look like for theproject. He said the entire tunnel system, as well as green infrastructure or tunnels along the Potomac, should be completed by 2023. Climate change was not built into the model for the project because it is based on the historical average of rainfall. CAC discussed the designated water quality standards and Brandon informed them that they are class A – suitable for primary recreation, fishing and swimming.

**Equitable Development in DC**

*Vaughn Perry, 11th Street Bridge Park*

Vaughn introduced the [11th Street Bridge Park](https://bbardc.org/project/11th-street-bridge-park/) project to CAC. The park is a project of *Building Bridges Across the River*, a 501c3 nonprofit. The goal of the bridge is to make a park that will connect two communities. The idea was inspired by similar parks in other cities, like the Highline in NYC, that are reclaiming more green space in response to an influx of new residents. Vaughn explained the unintended consequences of the Highline driving housing prices up and displacing poorer residents. Because of this, a network was created so other cities would not make the same mistake. The 11th Street Bridge Park goals are fourfold – to reconnect communities, to improve public health disparities, to re-engage residents with the river, and to serve as an anchor for inclusive economic opportunity. The park’s design incorporates community-driven ideas like public art, performance spaces, urban agriculture, canoe launches and a restaurant. Their Equitable Development Plan contains a strategy that matches every dollar spent on the bridge park with a dollar invested in the community. Investments have been made in workforce training, housing, arts and cultural equity. A homebuyer’s club with over 400 people participating has led to 70 people buying homes in Ward 8. Community Land Trusts are creating permanent affordable housing and technical assistance loans are supporting small businesses in the community. They are investing in the arts through the Anacostia River Festival and Bridge Park Porch, a place to share and collect community stories. They are also building raised garden beds at partnering faith community facilities to teach urban agriculture. Vaughn stressed the importance of partnerships to making this work a success.

Discussion: Vaughn explained funding has been largely through philanthropic grants focusing on a 1-mile radius from where the bridge will be built, especially in the East where the community has been historically marginalized. CAC discussed the importance of involving the community. Vaughn said it is more important to not only focus on the final product of the bridge park but to focus on the process, making sure the community is involved and supportive.

**Chesapeake Bay Program Updates**

*Jim Edward, Acting Director, EPA Chesapeake Bay Program*

Jim offered some background on the Conowingo WIP Request for Application. The separate WIP will allow the EPA to approach pollution from the Conowingo Dam as an 8th jurisdiction. The final draft Conowingo WIP is due in July 2019. States are in favor of this timing because it allows them to put BMPs in the best spots for their own jurisdictional goals before focusing on the Conowingo WIP. Jim updated CAC on the new CBPO Director and lease of the Chesapeake Bay Program location. He said he has been told that there will be a new director in the New Year. The current location of the Bay Program office is on a 2-year extension through February 2021. They have put out solicitations for a new place but that takes a year and a half. Regardless of where they move, the office will continue to remain in Annapolis.

Discussion: CAC discussed dredging as an option for Conowingo. Jim said that dredging could be considered as part of the finance strategy and that Governor Hogan says it is still on the table. CAC discussed Exelon and the need for more funding for practices in the Conowingo basin. CAC discussed the local and federal planning goals. PA was praised as a state that has a good process in place. MD is putting a lot of resources to make sure voluntary practices by farmers are being counted. Because PA has so much Ag land, they do not have the capacity to do the same. Voluntary practices not being counted is a concern for CAC.

**Friday, Nov 30, 2018**

The CAC Chair called to order the meeting at 8:50 AM.

**Working Breakfast / Business Meeting**

CAC reviewed the minutes of September’s meeting. Joe motioned to change a sentence on Page 4 to read “2% of the state’s total *general fund* budget”. The minutes were adopted with the suggested edits. On behalf of CAC’s Nominations Committee, Charlie presented CAC the slate of officers for next year, Matt Ehrhart for CAC Chair and Julie Lawson CAC Vice-Chair. The CAC unanimously approved the officers. CAC then presented Paula Jasinski, the outgoing chair, with a gift for her service. Members reflected on the previous day highlighting the 11th Street Bridge Park Project and the amount of community objectives it has already accomplished. CAC applauded the goal of bringing people together. Members were encouraged by DC’s presentation and their progress. The presentation by ECC exposed the lack of job opportunities in DC and how environmental education and workforce development in green infrastructure is so important. CAC expressed concern about how well states are closing the gaps for the Phase III WIPs and whether practices are being reported. CAC suggested having a presentation during February’s meeting on the Farm Bill and how it relates to the Chesapeake Bay. Possible speakers recommended include Sonny Perdue, the Secretary of Agriculture, and representatives from the states. Other recommendations included involving Greg Evans, a field trip to David Hula’s farm, and a stormwater tour of Williamsburg. CAC members reflected on the downward trend of agency funding said they were concerned by the cuts across the federal agencies.

**Panel Discussion on the Conowingo Dam**

*Nicki Kasi, PA DEP Co-Chair, Conowingo Steering Committee (via conference line); Betsy Nicholas, Executive Director, Waterkeepers Chesapeake; Beth McGee, Chesapeake Bay Foundation; Ted Evgeniadis, Lower Susquehanna Riverkeeper*

The panelists briefed CAC on the policy, legal process, decisions and potential solutions of the Conowingo Dam sediment infill. Nicki Kasi began by explaining the framework for the Conowingo Phase III WIP. The Steering Committee, created by the Principles’ Staff Committee, is comprised of representatives from all the jurisdictions and the Chesapeake Bay Commission, with the EPA serving an oversight role. They have completed their guiding principles and their draft outline, but are still determining the funding and timing. Betsy Nicholas provided updates on the legal developments between Exelon and Maryland. The state demanded a reduction of millions of pounds of nitrogen and phosphorus pollution that flows through the dam or an annual payment for practices to reduce sediment as a part of the 401 Water Quality Certificate from MDE. Exelon argued during the court hearing that they are responsible for zero pollution. A judge dismissed Exelon’s first legal challenge to these requirements because Exelon had not exhausted administrative appeal over the permit. Beth McGee explained some of the science involved. The Lower Susquehanna River Watershed Report from 2016, and a STAC workshop, confirmed the understanding of dynamic equilibrium. The science shows that the Conowingo Dam impacts the form and timing of the release of nutrients compared to what would flow down naturally without a dam. Lastly, Ted Evgeniadis shared the findings of a 3rd party, Flow West, who has studied the problem. Exelon has said that there is no evidence, just speculation, that they are causing any problems to the Bay. The 3rd party analysis, however, determined that the potential sediment impacts have been underrepresented because larger storms associated with climate change have not been taken into account. There is a good chance that high flow events will happen more frequently and will lead to massive sediment scouring.

Discussion: CAC discussed whether the river could assimilate some of the nutrients if a dam were not there. Beth said that the models show the river would fare better with a dam that allowed for pulses of release. Betsy added that the models do not account for the nutrient uptake by mussels that would be upstream if eels could get beyond the dam. Ted recommended putting eels in Lancaster and York where most of the pollution is coming from. CAC wanted to know why Exelon was not included as a partner on the WIP. Nicki said that the PSC did not send the invitation letter and they cannot be added now due to the litigation. The WIP is focused on how to finance, track, verify and credit. The WIP will figure out how to target and assign to implementation. Nicki added that it will be challenging to not double count practices already in the jurisdictions’ WIPs. CAC discussed whether Exelon would leave if they do not get their way with the lawsuit. Betsy explained that Exelon needs the dam in order to cool their nuclear power plant, Peach Bottom, so they have a huge incentive to stay.

**CAC Discussion:**

CAC discussed options for responding to what they had learned. CAC decided to send a letter to Ben Grumbles asking that climate change be addressed in the 401 certification related to the Conowingo Dam. Another suggestion was to send a letter to the PSC and the Conowingo Steering Committee to include climate change. A letter to the EPA on the RFA delay was also suggested, as well as expressing concern over the various open positions at the Chesapeake Bay Program Office.

CAC discussed the subcommittees and heard updates. The Conowingo Dam Workgroup will regroup after the meeting and will help draft letters regarding Conowingo. Bill Fink volunteered to pull together a workgroup to focus on the Farm Bill, how the USDA fits into the new program, and to learn where dysfunctions exist and what suggestions to make for improvement. Matt and Joe volunteered to join this group, and the Dale and Kendall will be asked to join as well. Jess said that she would like to get the other subcommittees together before the next meeting and have a conversation in February about 2019 priorities. CAC can also evaluate whether the subcommittees are continuing to serve CAC well.

Paula asked CAC members if they had any updates that they would like to share. Charlie updated the group about the first Natural Marine Sanctuary for the Chesapeake on the Potomac. The sanctuary ran into conflict with the watermen and has caused delays. Charlie also shared his concern about the National Park Service and the plan to move the John Smith Trail out of the CBP office. He is worried that there is a systematic effort to dismantle the CBP partnership and wanted to bring awareness to the group. CAC members discussed meeting with other advisory groups and water organizations around climate resiliency. Jess suggested getting the Executive Committees of all three advisory committees together to share and coordinate. There were suggestions for future meeting topics including harmful algae outbreaks, fisheries, blue catfish as an invasive species, and a presentation about water quality monitoring from the Chesapeake Commons.

With no additional business, the CAC adjourned at 12:00pm.