

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

**Speakers/Guests Present:** Shawn Ralston, Grace LeRose, Jennifer Hatchett, Ann Jennings, James Davis Martin, Jeff Corbin, Nissa Dean, Kate Fritz

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

[https://www.chesapeakebay.net/what/event/citizens\\_advisory\\_committee\\_quarterly\\_meeting\\_september\\_20181](https://www.chesapeakebay.net/what/event/citizens_advisory_committee_quarterly_meeting_september_20181)

**Wednesday, Sept 5th, 2018 – Quirk Hotel**

The CAC Chair, Paula Jasinski, called the meeting to order at 11:00AM. Paula described the afternoon tour of Richmond, announced agenda changes, and introduced the themes and topics of the meeting: to learn and discuss innovative approaches to address urban stormwater, combined sewage overflow systems, and watershed restoration partnerships. Paula then opened the floor to CAC members for announcements.

Kendall Tyree announced that Joe Maroon was recently inducted into the [National Association of Conservation Districts \(NACD's\) Southeast Region Conservation Hall of Fame](#).

Paula and Kendall spoke with VA Secretary of Natural Resources, Matt Strickler, about CAC's recommendations leading up to the Executive Council meeting.

Paula shared her experience representing CAC at the Executive Council meeting on August 7<sup>th</sup> in Baltimore and updated the group on the actions made by the Council: they signed the Agricultural Technical Assistance Directive; they announced that the Bay Program set a target to increase diversity of participants and leaders in the partnership; and they signed letters to Congress that outlined elements of the House and Senate versions of the Farm Bill that would benefit farmers and water quality in the watershed.

Charlie Stek talked about the MD Bay Cabinet meeting that he and Jorge Ribas attended. John Dawes shared that Pennsylvania had received funding for mine reclamation through the 2019 federal budget.

Discussion: CAC discussed the improvements made in the Agricultural Directive and how important it will be for farmers. They talked about the Diversity Goal and how organizations need to start taking it more seriously to move the numbers from 3% people of color in leadership positions to 13%. And, members briefly updated one another on the status of the Goodlatte Bill.

**The James River Watershed**

*Shawn Ralston, Program Director, James River Association*

Shawn Ralston talked about the James River Association (JRA) and the [State of the James Report](#). JRA started as an advocacy group in the 1970's but has expanded to include a large education program, monitoring, clean-up and outreach to get more people to experience the river. The State of the James report, which they release every two years and was last released in 2017, gives the James a B-. The report uses four indicators derived

from VA Dept of Environmental Quality data – fish and wildlife, habitat, pollution reductions and restoration actions. It shows improvements in wildlife, like Brook Trout and Oysters. American Shad populations have not improved likely because dams impede the species from spawning. Oxygen levels and algae levels continue to be good but water clarity is low because of a large sediment problem. Poor clarity has resulted in a decrease in underwater grasses. Macroinvertebrates are at 59% of the goal. Pollution reduction has improved for nitrogen and phosphorus, but not for sediment. New in the 2017 report is a bacteria indicator so the report can track changes to bacteria levels over time. Shawn shared how JRA uses the report to educate the public on the importance of a healthy river – 2.7 million people rely on it for their drinking water, the seafood industry catches 6.5 million pounds of seafood, over 200 public access sites, and an estimated economic value of \$18.9 billion per year that could rise to \$22.1 billion as the river health improves.

Discussion: CAC discussed the bacteria issue in the James and learned that the vast amount is from CSO, stormwater runoff and Ag runoff. Shawn said that JRA posts data to the James River Watch to alert the public whether the water is safe for swimming. When asked about JRA's position on blue catfish, Shawn said that it is a contentious issue and that they are currently not involved. Shawn also answered questions from CAC about the effect of power plants along the James. The sediments near the plants are contaminated with heavy metals and there is also thermal pollution affects mussels and fish populations. Shawn was asked how JRA is connecting the health of the river to human health. She said that this is a new area for them but they are working to bring water quality practices to communities and focusing on eco-therapy and connecting nature and mental health. It was suggested that coal ash is an issue that disproportionately affects low income communities and that the Environmental Integrity Project is a great resource.

### **The City of Richmond Environmental Priorities**

*The Honorable Levar Stoney, Mayor of Richmond City*

The Mayor of Richmond City, Levar Stoney, shared his environmental vision and top priorities for the James River. He believes that the James is the lifeblood of the city. Richmond has invested \$300 million in CSO improvements and \$125 million in wastewater improvements and has the highest performing wastewater plant in the Commonwealth. The riverfront plan is one of his top priorities. It started before he was elected and he wants to make sure progress continues towards completion. The plan includes access to the river for more people and connecting walking and biking trails on both sides of the river. The goal is to have a livable, swimmable, fishable river.

### **Richmond City Integrated Watershed Planning and Permitting**

*Grace LeRose and Jennifer Hatchett, Richmond Department of Public Utilities*

Jennifer Hatchett presented on Richmond's RVA H2O, an initiative to educate the community about ways to keep its waterways pollution-free and to achieve cleaner water faster. They also debuted a brand [new video](#) about the city's combined sewer overflow system. She shared with CAC that there are 20+ small watersheds in Richmond and that 2/3<sup>rd</sup> of the population is connected to the CSO. Richmond is unique in that the city is treating fresh water creeks every day and that they will never be able to get rid of CSO because the city is built on top of it. Jennifer briefed CAC on Richmond's integrated watershed planning and permitting. The RVA H2O Clean Water Plan creates an integrated approach to wastewater, stormwater, and drinking water- bringing them together in one watershed management program. Integration of these three utilities creates a coordinated approach that aims to eliminate redundant activities, increase efficiencies, and improve water resources overall. It is currently out for public comment, but when adopted it will be the only entity in the state with an integrated permit. Jennifer described some of the projects that DPU has been working on including stream restorations,



greening of public libraries, the 29<sup>th</sup> Street Green Path, the greening of Jefferson Ave, and the Gillies Creek Greenway.

Discussion: CAC inquired whether it was possible to daylight old streams. Jennifer said that it is not possible for the projects she previously mentioned. CAC asked about the demographics of Richmond. Grace LeRose explained how Richmond is very diverse, both racially and economically with close to 30% of the citizens living below the poverty level. CAC discussed Richmond's stormwater utility and learned that the cost is based on impervious square footage, Virginia stormwater local assistance funds, DEQ grants and other loans from the State.

At 2pm, CAC toured Richmond's Wastewater Treatment Plant, the "Low Line" Restoration Project with Capital Trees, and green infrastructure practices at Binford Middle School.







## **Thursday, Sept 5, 2018**

The CAC Chair called the meeting to order at 8:34 AM. CAC members began by sharing reflections from the day before. Bill Dickinson suggested that utility bills are an under-utilized way to educate and communicate to the public about the Bay Program and local programs addressing clean water. Bill Matuszeski added that the MD and VA Sea Grants are other underused avenues for outreach. Ann Jurczyk applauded the projects at Binford Middle School and how they successfully pulled together math, science and art.

The CAC May meeting minutes were approved with the date correction.

CAC agreed to write a letter of support for Chesapeake Monitoring Cooperative Memorandum of Understanding slated for Principal Staff Committee in October. Elements of the letter should include how monitoring is one of the first things to go when budgets are cut so it is important to support the use of citizen monitoring, language incorporating job skills, education and workforce development, and how monitoring is also a way that connects people to their local streams.

## **Virginia Environmental Priorities**

*Ann Jennings, Commonwealth of Virginia Secretary of Natural Resources*

Ann Jennings explained how we are at a pivotal point in bay restoration as we begin WIP III planning and detailed Northam's strong record on natural resources and his connection to the Chesapeake Bay. Northam's five major environmental priorities include: (1) Rebuilding VA Natural Resource agencies- he has issued an Executive Order to have DEQ tell him what they need to best do their job; (2) Land Conservation – lead a metrics and values-based approach to land conservation and conserve 1/5th of the highest valued lands in the Commonwealth; (3) Climate Change – Northam wants to tackle carbon emissions with a cap. He is about to make a major announcement about greenhouse in the coming weeks; (4) Resilience – Virginia to take a leadership role in resilience and pre-disaster mitigation planning; and (5) Bay restoration – Virginia to meet the TMDL goals as quickly as possible.

Discussion: CAC asked Ann where environmental education fits into the priorities. Ann shared that the First Lady is an environmental educator and is making environmental education a priority. The General Assembly did not provide funding for environmental education so they will need to do a better job of convincing members of the importance, to collaborate across agencies, and establish a position at the Department of Education. Ann also described Governor Northam's goal of increasing the environmental budget to 2% of the State's total



general fund budget. It is currently .6% of the budget ranking Virginia 46<sup>th</sup> for environmental funding. She said that 2% would help build capacity at DEQ, help infrastructure needs at State Parks, and the Bay. More funding would also support technical assistance for the agricultural community, soil and conservation districts, workforce development and environmental education.

### **VA Local Area Planning Goals**

*James Davis-Martin, Chesapeake Bay Program Manager, VA Department of Environmental Quality*

James Davis-Martin presented on the next steps for Virginia's Chesapeake Bay Local Area Planning Goals and explained how planning targets are reported on a river basin level. The local area planning goals are derived from the Phase 2 WIP. The Phase 3 WIP, due in June 2019, will build upon the previous two WIPs and include the local area planning goals and input from local entities. James described the process in Virginia in which phosphorus and nitrogen can be traded between basins in order to meet goals. He also mentioned how federal agencies are responsible for 10% of the land in Virginia and will create their own planning goals.

Discussion: CAC asked James whether the local area planning goals relate to the bay goals. James explained that they do since they seek to reduce Nitrogen, Phosphorus and Sediment (they will not address bacteria). CAC also discussed verification and whether it was included in the cost effectiveness. James said that it was not but that costs for verification, implementation and maintenance should be part of the consideration as counties choose their BMPs. James described how Virginia's planning happens at the local level and each county has their own master plan. This can raise questions about personal property rights and how a county or property is developed. CAC brought up how co-benefits are key. Accomplishing multiple goals for a locality with one practice is the type of targeting that should be taking place.

### **Water Quality and Wetland Mitigation Banking**

*Jeff Corbin, Senior Vice President for Water Quality Markets and Mitigation, Restoration Systems, LLC*

Jeff Corbin described the work he has done with stream restoration and nutrient trading through his company, Restoration Systems, LLC. In 2005, a bill was passed that allowed for "market-based incentives to help achieve the Chesapeake Bay Program's nonpoint source reduction goals." Jeff explained how there were good intentions, but the demand was out of balance with the supply. The "save" for nonpoint source trading was in 2009 when the VA Stormwater Management Act was passed. It created a much more successful market as the supply/demand became in balance and resulted in 92 banks approved, 5748 credits released, 3374 credits sold and over \$40 million in the market. Virginia and North Carolina are the only states that have a working trading program. He shared details on the Cranston's Mill Pond restoration, which was the 2<sup>nd</sup> mitigation bank created in Virginia. He offered suggestions on how to improve VA's trading program and increase trades.

Discussion: CAC compared and contrasted Virginia's nutrient trading program with DC's stormwater retention credits. Jeff said that the stumbling block is getting the information out to the development community but that he believes DC's program will be very successful. Jeff said that about 90% of trading customers are private developers. They talked about why programs like this do not exist in Maryland and Pennsylvania. The Farm Bureau is against the idea even though some farmers have expressed interest. CAC asked Jeff about the possibility of interstate trading/verification and expressed how even though it could be less expensive it could also be less verifiable. Jeff said that has not seen a demand for it yet and said that Virginia should be very cautious about expanding the program out of state.

## **CAC Member Discussion**

Paula opened the floor to CAC members for additional updates. Andrew Der and John Dawes provided updates and suggestions on dealing with the Conowingo Dam and the separate WIP III that will be written for it. CAC agreed to start a working group to look at the dredge issues and using abandoned mines and quarry pits for dredge material, and get updated information on the Conowingo WIP and RFP. John Dawes, Andrew Der, Matt Ehrhart and Verna Harrison agreed to be part of the workgroup and to have updates for the CAC at the next meeting in November.

CAC approved the following dates for the 2019 Meetings: February 20-21 in VA; May 22-23 in Baltimore; September 18-19 in PA; and November 21-22 in DC.

Possible agenda items for the upcoming meeting in Washington, DC in November included: climate change, stormwater retention credits, DEI through the lens of environmental justice, touring the Anacostia Tunnel during construction, the pros and cons of much of DC's waterfront land being federally owned land, how stewardship is defined in the Bay community, discussion of federal funding post midterm election by bringing in House/Senate staff, a boat ride on the Anacostia to celebrate the Year of the Anacostia, the 11<sup>th</sup> Street Bridge Project, sediment and dredging issues in the Anacostia, workforce training, what Phase III WIPs will look like in D.C., and the problems with blue catfish. Jess will work with the DC delegation on formatting the agenda and bring it to the CAC Executive Committee for discussion and approval.

In addition to these topics, Jess reminded CAC that there would be elections for Chair and Vice Chair at the next meeting and that a request had been made for a year-in-review of CAC meetings to help set priorities for 2019.

For future meetings, CAC will develop a uniform set of questions for each jurisdiction to answer that will include environmental education, local engagement in WIP III, what the EC Directives means for that State/DC; DEI and how the jurisdiction is targeting to meet the TMDL.

With no further business the meeting adjourned at 12:14PM.