

CAC Members Present: Paul Bruder, John Dawes, Matt Ehrhart, Greg Evans, Christy Everett, Dale Gardner, Verna Harrison, Jeff Holland, Paula Jasinski, Chris Karakul, Julie Lawson, Pat Levin, Bill Martin, Bill Matuszeski, Charlie Stek (CAC Chair), Victor Ukpolo, Bob Wayland, and CAC Staff Jessica Blackburn.

Speakers/Guests Present: Russ Baxter (Deputy Secretary of VA Natural Resources for the Chesapeake Bay), Jim Cummins (Interstate Commission on the Potomac River Basin), Jim Edward (EPA CBP), Mayor Jacqueline Goodall (Forest Heights, MD), Anne Little (Tree Fredericksburg), Julie Mawhorter (CBP, US Forest Serv), Lucinda Power (EPA CBP), Jake Reilly (NFWF), Doug Siglin (Anacostia Waterfront Trust), Julie Winters (EPA CBP), and Alliance for the Chesapeake Bay Staff—Allison Campbell, Liz Chudoba, Nissa Dean, Al Todd.

Meeting presentations and materials are located at: <http://www.chesapeakebay.net/calendar/event/23296/>

Wednesday, February 17, 2016

The CAC Chair, Charlie Stek, called the meeting to order at 11 a.m. The CAC members and guests introduced themselves. New member Bill Matuszeski was welcomed to the committee.

Anacostia Waterfront Trust (Doug Siglin, Anacostia Waterfront Trust)

Doug described the three goals of the Anacostia Waterfront Trust (1) Improve the 1200 acres of public land on the Anacostia River, (2) Improve the local water quality, and (3) Improve and Strengthen the Community in the surrounding area. For this to be successful they need the political will and the buy-in of the community. The Urban Institute is one of the 14 partners working with Trust and is helping to facilitate the discussion. There are concerns about gentrification and displacement of the current community members and they are exploring ways to make sure that the people who want to stay, can stay.

Doug described the Rain-Pay Initiative stormwater retention trading program. Doug described a chart to evaluate the two main negative impacts of stormwater: pollution and erosion. When considering water quality, not all stormwater is the same. The Trust is talking with software companies to develop a tool that helps target the worst areas based on these impacts, so the program can target the highest pollution reduction.

Victor encouraged the Trust to incorporate redevelopment in their discussions and work on the Anacostia. Doug's vision for the Anacostia in 2025 is: Wards 5, 7 and 8 are greener because of Rain Pay program; there is a Master Vision for public lands developed through a community process which includes improved recreation and water access; and there are investments to implement the Master Vision.

Working Lunch

History and Restoration Updates from the Interstate Commission on the Potomac River Basin

Jim Cummins, Director of Living Resources, ICPRB

Jim provided an historical overview of the Commission, which was formed in 1940 and is an advisory, non-regulatory authority. Most of the Commission's budget comes from federal and state grants; it also received federal appropriation until 1996.

Jim discussed the history of the Potomac River and its land use. High rates of tree loss since European settlers arrived have led to high erosion levels, causing the shorelines of D.C. to fill in over the past few centuries. The health of the Potomac deteriorated due to pollution and sedimentation from the watershed as a whole.

Jim provided a historical overview of the American shad. Shad used to be incredibly abundant, but began to disappear due to overfishing, pollution, habitat loss, and acid mine drainage. Today, due to persistent restoration

efforts, shad numbers are recovering in the Potomac and shad have returned to Great Falls. The Commission engages in educational programs where they bring students out on the river, have students hatch shad in their classrooms, and teach them to plant shadbush.

When asked about shad migration through the Conowingo Dam, Jim noted that the Susquehanna is far behind on its shad recovery goals because its 4 dams create pools, and shad are drawn to current. Charlie noted that CAC submitted a recommendation last year that each river should have its own annual report card, and asked if the Potomac has one. Jim replied that it does not, as most of the Commission's data is 4-5 years old before being made available to the public. There is a map showing general health of the tributaries, but fine resolution data showing the health of individual streams is not available.

CAC Priority: Urban Tree Canopy

Julie Mawhorter, Mid-Atlantic Urban and Community Forestry Coordinator, CBP, U.S. Forest Service

Julie presented on Urban Tree Canopy (UTC) as a BMP, which has been a Chesapeake Bay Program goal since 2003. The Bay Program is excited for the watershed-wide, high resolution land cover data coming in summer 2016 from the Chesapeake Conservancy. However, good data on UTC implementation is lacking. Christy asked why communities have chosen to do UTC assessments. Julie gave credit to the Bay Partnership UTC goal, the TMDL, and the Bay Program putting some funding towards these assessments. She also noted that the tree canopy outcome in the 2014 Bay Agreement is a **net** goal, and that UTC is essentially defined as trees on any land that isn't agriculture.

With the arrival of high resolution data, the credit for UTC plantings towards TMDL requirements will be re-evaluated and likely reduced from the current "forest" credit. The new data will allow the Bay Program to refine the definition of "forest" and its true water quality benefit. Julie added that they will need to work closely with stormwater programs in the future, as trees aren't often prioritized in these programs. Greg asked about actionable items the CAC can take. Julie indicated that better data collection is needed in local communities to get information on tree plantings to the states, so that it can be reported to the Bay Program. Communities also need assistance determining the best places to plant trees for water quality.

Reaching UTC goals requires this equation: current UTC + plantings + growth/maintenance – losses. Key issues include funding and partnerships, integrating UTC into stormwater plans, tree canopy protection (which often comes down to local ordinances), and community engagement. Julie also noted that the Chesapeake Tree Canopy Network website will be coming out this spring.

Discussion: Christy inquired whether the reduction in UTC credit will give communities less of an incentive to increase their UTC, but Julie doubts many will notice the change, since most are not focusing on UTC right now. Matt Ehrhart suggested that outreach materials make it clear that communities will gain credit for protecting their existing forest/UTC. Members discussed the fact that local ordinances must be strong enough to prevent trees from coming down unnecessarily, but also allow for the maintenance and removal of dangerous trees.

The Honorable Mayor Jacqueline Goodall, Forest Heights, MD

Mayor Goodall described the water issues in her town of Forest Heights, and how she pursued green infrastructure as a solution with a low municipal budget. Many of the town's streams were captured in concrete culverts that are now breaking loose, and the town is in the 100 year floodplain. Mayor Goodall has received funding from NFWF, the Chesapeake Bay Trust, and the Prince George's County stormwater fee to install green infrastructure. The town now has a green roof, rain gardens, 2000 new trees, pervious pavement, and rain barrels. The town is also getting ready to break ground on a green street. While they can't afford to daylight streams right now, the Mayor knows that this will need to be done eventually. The town also hired high school

students, community elders, and grad students to assess UTC and convince property owners to “adopt” the trees in front of their property.

Anne Little, Founder and President, Tree Fredericksburg

Anne described the founding of Tree Fredericksburg and the progress that’s been made with tree plantings. Many Fredericksburg streets were bare of trees when Anne first moved there in 2007. Since then, they have planted 400 street trees and 700 trees in downtown restoration, and have a survival rate of 93%. Anne has found that volunteers become very engaged and passionate about the trees they plant. She also works closely with the Mayor, City Manager and staff to generate support. The group reports its tree planting data to the city, but doesn’t believe reporting goes further than that. Challenges include trees previously planted under wires, convincing people to want trees on their lawns, increased development, and getting trees planted in schoolyards (schools often defer to their maintenance crews). Charlie asked what CAC could do to help, and Anne suggested calling for grants that take volunteer efforts into account. Volunteer plantings are a bargain and critical to community engagement—but these often get overshadowed by larger-scale plantings installed by businesses. Dale asked whether Tree Fredericksburg engages with landscape architects, who often don’t know much about trees. Anne replied that they work with them to avoid planting certain species. Designs must also pass through the Department of Public Works.

EJ Screen and Diversity Across Agreement Outcomes (Jim Edward, Associate Director, CBP)

Jim presented the first version of the EJ Screen online tool using GIS overlays of demographic indicators, but technological difficulties prevented it from showing up fully. Jess will send the link to CAC members so they can test it, and noted that Urban Tree Canopy is one of the layers. Victor explained that EJ Screen is a great tool, but expressed concern about the lack of economic and health-related data. Jim noted that economic and toxic contaminant overlays have been added, and EPA will add additional data over the coming year. Mayor Goodall indicated that the tool requires some training and could be more user-friendly.

Virginia Report and Legislative Updates

Russ Baxter, Deputy Secretary of Natural Resources for the Chesapeake Bay

Russ presented an update on Virginia’s state budget and agricultural programs. The final budget will be passed by the General Assembly in March. The Governor’s introduced budget reveals that VA is almost done upgrading its municipal wastewater plants, and the \$59 million in this year’s budget will cover most of the remaining plants. The budget also contains the largest amount proposed for agricultural BMPs in VA history. The delivery mechanism for these funds will be the Soil & Water Conservation Districts. VA expects to meet its 2017 agriculture goals. The livestock stream exclusion practice saw success with 2,900 farmers applying, including 1,600 in the Bay watershed. Additionally, the voluntary Resource Management Plan program was much more successful than expected. Once enrolled, farmers must follow the regulations and can’t be certified until the Soil & Water Conservation Districts confirm all requirements have been met. In exchange, farmers get safe harbor from new state requirements. The state discovered 1,100 previously undocumented practices through the program’s compliance visits.

Discussion: Members discussed the states’ and EPA’s roles in communicating with local governments about MS4 and Bay requirements, and emphasized the importance of getting messages to the local level. Russ indicated that VA has mapped out a strategy to reach local elected officials regarding MS4 requirements. Lucinda Power added that the EPA is working on providing the states with guiding principles about meeting 2017 and 2025 Bay goals. Dale suggested that if the EPA developed a program similar to VA’s Resource Management Plan program (offering voluntary participation that protects states from future regulations), they might see a good response from the states.

CAC Priority: Oysters as a BMP, continued discussion from the November meeting

Led by Paula Jasinski and Christy Everett, CAC Members

Updates provided by Lucinda Power, Water Quality GIT Coordinator

CAC members resumed their discussion regarding oysters being reviewed as a possible BMP. The Expert Panel expects to release draft efficiency estimates in late April, and its overall report for partnership review this summer. The panel is examining different types of actions, including traditional oyster restoration and aquaculture.

CAC members questioned how to weigh-in on the public policy process. They indicated a strong need to develop a framework for robust public policy discussion, and want to know when this dialogue should take place. Lucinda stated that this public policy dialogue can begin now. The panel recognizes the need for policy discussion but may not be the best group to lead it, since they are all scientists.

Members also expressed concern that oysters will be viewed as a “silver bullet” that can be used instead of implementing costly BMPs to prevent pollution. It is unlikely that jurisdictions will be able to add enough oysters to exclusively use them as a pollution reduction measure, but oyster companies are heavily marketing the benefits. CAC members also asked about verification and expressed hope that the panel will evaluate verification options before releasing its efficiency report. Russ and Lucinda noted that the panel is tasked with addressing a verification framework, but the states are mandated to come up with the actual verification protocols.

Paula suggested that EPA distribute a simple factsheet summarizing the Expert Panel findings. The two main conclusions of the discussion were that expectations must be lowered for oyster credits at the local level, and a forum must be organized for public policy discussion. Lucinda will follow up with the panel to determine where this fits in the timeline.

Trash Free Maryland Programs and Initiatives (*Julie Lawson, CAC Member*)

Julie provided an overview of Trash Free Maryland’s campaigns and recent grant work. She is currently working with a variety of groups on a social marketing campaign to motivate people who are bothered by litter, but don’t do anything about it. Trash traps in D.C. have shown that the plastic bag ban is working, so they are now campaigning to get a similar law passed in Maryland. They also worked on a Styrofoam take-out-container ban that will go into effect in several counties this year. One of the biggest victories has been getting plastic microbeads banned on a national level.

Legislators initially showed little interest in Julie’s jar of plastic pieces from the North Atlantic garbage patch, so she got money from the Chesapeake Bay Trust and then NFWF to do trawls in the Chesapeake Bay. Samples from all 60 sites contained microplastics. Half of the samples are being scientifically analyzed for chemical contamination and to determine plastic types. Julie is trying to use these results to convey that trash ends up in the water and then back on your dinner plate, but with more chemicals. She also wants to emphasize that trash getting caught in BMPs (such as rain gardens) is actually a benefit of the BMP, rather than a nuisance.

Debrief and Committee Discussion

Charlie asked for feedback on whether a Wednesday/Thursday schedule or Thursday/Friday schedule works better for meetings, since many members had to leave the current meeting for work obligations. Members indicated that they’d prefer to stick with a Wednesday/Thursday schedule, and that the present work conflicts were due to chance.

Charlie asked for takeaways from the day’s meeting. Verna elaborated that she’d like to see a presentation on how the upcoming high resolution land cover data can be used for this. Victor reiterated his concern from Doug Siglin’s presentation that many Anacostia communities will not receive funds for redevelopment. Bill Matuszeski suggested bringing in the architect responsible for the Anacostia affordable housing program. Verna suggested that CAC submit a letter to EPA, addressed to Nick DiPasquale, asking him to add a process step to the Oyster Expert Panel review to discuss public policy issues. Julie suggested that the CAC promote trash-free initiatives to funders. John called attention to the Reclaim Act legislation, which will help reclaim abandoned mine lands. Since the CAC cannot lobby, it cannot support the legislation directly.

Thursday, February 18, 2016

The CAC Chair called the meeting to order at approximately 8:30 a.m.

Business Meeting and CAC Member Updates

The Chair presented the November 2015 meeting minutes, which were approved by the committee.

Charlie asked for consensus to send a letter to the EPA administrator, urging the EPA to fill the vacant “Senior Advisor for the Chesapeake Watershed and Anacostia River” position as quickly as possible. So far there has been no movement to fill the position. Members agreed to send the letter; Christy will add a note explaining the urgency, due to the proximity of the 2017 mid-point assessments.

Charlie noted the lack of diversity on the committee and reminded each member to submit a name, contact number, and one sentence description to Jess so they can begin vetting future CAC members. Names are needed from every jurisdiction. Bill Martin noted that appointees are typically employed in the environmental field, and CAC could benefit from adding members in other fields that still care about the Bay.

Charlie noted that the CAC Stewardship subcommittee chair was vacated by Paula when she became Vice-President of CAC. The subcommittee chair also sits on the CAC Executive Committee. Ideally, the new chair will represent a state that isn’t already represented by another chair (for example, there is currently no D.C. representation on the Executive Committee). A conference call will be held to discuss this further.

Members discussed Jake Reilly’s upcoming presentation regarding NFWF RFPs. Charlie stated that serving on the grant proposal review team is an opportunity for CAC members to influence the flow of grant award money and to align this with CAC priorities. Dale noted that he’s served on the review team twice, and it’s easiest when NFWF handles the financial evaluation and CAC members just evaluate the narratives.

The floor was opened to updates from CAC members and staff. Christy called attention to the fact that PA received no funding from the USDA RCPP funding pool this year. Charlie noted that at the Executive Council meeting last year the governors raised the issue of the need to reinvigorate USDA involvement and the CAC may want to follow up on it.

Jess asked for topics for the May CAC meeting, which will take place May 17th-18th in Hampton Roads at the Chesapeake Bay Foundation’s Brock Environmental Center. Possible topics include environmental education, sea level rise, oysters, and local watershed group restoration efforts. Agricultural discussions will be postponed since there is not much agriculture in the area.

Chesapeake Bay Program Updates (*Jim Edward, Associate Director, EPA Chesapeake Bay Program*)

Jim provided an overview of the Chesapeake Bay Program’s BMP verification schedule. Each state has received approval or conditional approval for their BMP verification program plans. Beginning in 2018, the Bay Program will only credit BMPs that are verified by the jurisdictions. The new high-definition land cover data from the Chesapeake Conservancy will enable jurisdictions to see what practices are still there and if they’re being maintained.

Jim also gave an overview of the midpoint assessment calendar (including the Phase 6 Bay Model) and the 2-year milestones evaluation calendar. The new model incorporates lag times for BMP effectiveness. 19 BMP Expert Panels are working to determine the efficiency calculations that will go into the model. Additionally, 50 new monitoring stations were added to non-tidal areas of the Bay in 2011-2012, and that data is used to calibrate the model. The Bay Program is also evaluating how to address the Conowingo Dam and climate change in the Phase III WIPs. CAC members questioned whether Phase III WIP information should be conveyed to local governments by the EPA or the states. Jim noted that the EPA is considering doing another “road show” and that the states and EPA should coordinate to spread this information together.

Jim provided highlights of the EPA CBP 2015-2017 budget, updates to the CBP website, and the 2014-2015 Bay Barometer. He expects topics at the March 2016 PSC meeting will include the independent evaluator issue, the Phase III Stakeholder Action Plan, and some other midpoint assessment issues. He will also suggest that agenda topics for the Executive Council be discussed.

2016 RFP for Small Watershed and Innovative Nutrient and Sediment Reduction Grants

Jake Reilly, Chesapeake Bay Program Director, National Fish and Wildlife Foundation

Jake provided an overview of the NFWF Chesapeake Bay Stewardship Fund grant opportunities, funding sources, and timelines. Technical Assistance Grants fund project-specific assistance. Other technical assistance tools include the NFWF Field Liaison, Chesapeake Bay Funders Network Capacity Building Initiative, and the Municipal Online Stormwater Training (MOST) Center. NFWF also supports networking and information sharing through watershed forums, the Chesapeake Network, and Project Spotlight webinars. NFWF's restoration grants include the Small Watersheds Grant (SWG) and Innovative Nutrient and Sediment Reduction Grant (INSR); new RFPs are released every year.

Jake gave an overview of the grant review process and is looking for the most effective way to engage CAC in the process. He presented a table of CAC priorities and how they align with NFWF grant priorities. Green cells indicated priority overlap, while red cells indicated no current overlap. The table will be distributed to CAC members for review. Charlie noted that there won't be perfect alignment between CAC and NFWF goals, and some of CAC's priorities can be addressed through funding other than NFWF's. Jake noted that nitrogen and phosphorous removal is still a major focus, but NFWF is also interested in projects that offer additional benefits beyond nutrient removal, such as providing habitat.

Members agreed to provide CAC volunteers to discussion summaries of the NFWF applications and provide NFWF with feedback on applications that CAC thinks should receive funding. The reviews will happen around mid-late June.

Discussion, Action Items, and Meeting Wrap-Up

Members discussed state WIPs, targets at the county level and allocations at the state level. Bill Matuszeski suggested that CAC should work to minimize surprises at the local level and work with the states to ensure localities are getting the information they need. Bill also asked Jake how many NFWF grants are awarded to farmers' unions; Jake replied that a significant number go to Conservation Districts, and many grantees form partnerships with unions and granges.

Jess followed up on the oyster discussion by noting that the CAC will send a letter to EPA with 3 main ideas: a forum is needed for policy discussion, a strong verification framework should come out of the process, and a simple communication plan that conveys the Expert Panel findings is needed to help manage expectations at the state and local levels.

Members were reminded to send in names to increase CAC diversity. Follow-up emails will be sent to fill the vacant subcommittee chair and recruit volunteers for the NFWF grant review team.

The CAC will write a letter asking the EPA and states to coordinate their "road show" schedule to convey information about Phase III WIPs to counties and local governments.

Chris will circulate a report on the rain-pay program. Currently, it's unclear how to proceed with recommending nutrient trading to the Chesapeake Executive Council.

John expressed recognition and remembrance of Andy Zemba, former Director of PA DEP's Interstate Waters Office.

With no additional business, the meeting was adjourned at approximately 12:00 p.m.