

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

Speakers/Guests Present: Jim Edward, Nicki Kasi, Rachel Felter, Kate Fritz, Ann Swanson

Meeting presentations and materials are located at:

https://www.chesapeakebay.net/what/event/citizens_advisory_cosmmittee_quarterly_meeting_may_20181

Wednesday, May 23, 2018 – Marriott Lancaster at Penn Square

The CAC Chair, Paula Jasinski, called the meeting to order at 11:03 AM, followed by introductions and welcoming new CAC members, Meg Bradshaw, Ronda Chapman and Chuck Herrick.

Paula introduced the themes and topics of the meeting: 1) to discuss CAC priority on forest buffers, 2) to expand members' learning on diversity equity and inclusion, 3) and to select three topics for CAC's Annual Report of Recommendation to the Executive Council.

Updates from PA DEP

Nicki Kasi, Chesapeake Bay Program Manager, PA Department of Environmental Protection

Nicki Kasi briefed CAC on Pennsylvania's local planning process for Phase 3 WIP development. In order to make the biggest impact, Pennsylvania is taking a local, bottoms-up approach to planning. This approach focuses on local partnerships and a Local Area Goals Workgroup determined the reduction goals should be broken down into local county-based goals to meet PA's overall water quality targets. . Each county will have a countywide action plan that identifies partnerships of local and watershed-wide initiatives. Part of the planning effort is to capture the local actions that are already happening but are not already being reported and to work with local leaders and stakeholders. To target restoration efforts, counties have been divided into 25% tiers. The first tier is made up of the counties of Lancaster, York and Adams. To assist counties in the creation of their action plans, a "County Planning Toolbox" with templates has been created and support teams with DEP staff are available to help.

Discussion: CAC members discussed issues regarding requirements and verification. Nicki said that these are customized partnerships. Since they do not have the authority to force counties to do anything, they will instead give counties goal numbers and ask if they can add to the work that they are already doing. CAC members applauded the plan that Nicki described and said it should be a model approach for the other jurisdictions.

Lunch

During lunch, CAC joined the Choose Clean Water Conference's keynote address on DEI (Diversity, Equity and Inclusion) led by Nicole Lee.

Chesapeake Bay Program Updates

Jim Edward, Acting Director, EPA Chesapeake Bay Program

Jim Edward updated CAC on the diversity management strategy and work plan for CBP, cultural competency and the DEI training that CAC members can take advantage of in the future. He then updated CAC on EPA's expectations for Phase 3 WIPs, BMP verification programs and plans for the upcoming Executive Council meeting in August. EPA has the expectation that the jurisdictions' restoration practices should be in place by 2025. The expectations document is currently in final draft, but the final version will be given to the jurisdictions by June to describe what they need to include in their WIPs. They will ask states to optimize their work to include new science and new land use info. This includes requiring states to create local planning goals, offsetting for growth, addressing climate change in new WIPs by adding additional reductions and addressing sea level rise. Jurisdictions are also being encouraged to consider the co-benefits of nutrient and sediment pollutant reduction practices beyond water quality. There will be a separate set of expectations for PA because significant effort remains for them to meet their goals and a separate set for federal agencies and federally owned land. Additionally, there will be a separate WIP just for the Conowingo Dam. The EPA is going to issue an RFP for a 3rd party to develop and coordinate this WIP.

Discussion: CAC members inquired whether a stronger resolution of land use data in the new Bay model will decrease costs in the long run because targeting will be more accurate. Jim said that states will be asked to target most effective basins and priority watersheds and that it should help with both costs and results. Members discussed how the new Bay model and verification of historic BMPs will require increased effort in Phase 3 for some states. CAC stated that all jurisdictions should adjust their WIPs for Phase 3 based on the more accurate accounting and science and expressed concern that there have been discussion that not all states will. Jim was asked about the lack of transparency in invitation-only regulatory meetings. He explained that there needed to be a venue for agency representatives to speak openly and honestly.

Achieving Equity across the Chesapeake Bay Watershed (Choose Clean Water Conference session)

Vernice Miller Travis

CAC joined a Choose Clean Water Conference session where participants learned about the results of a diversity and inclusion survey of Choose Clean Water Coalition members. The results will be the basis for developing a diversity, equity and inclusion framework with the Chesapeake Bay Funder Network.

Chesapeake Bay Program Updates, Cont'd

Jim Edward, Acting Director, EPA Chesapeake Bay Program

Jim continued his presentation by updating CAC members about the timeline and upcoming co-regulator and PSC meetings. On June 1st, regulators will go through the additional levels of effort for each state and discuss what they need to do and when, the timing of achieving reductions by 2025, how efforts will need to increase beyond the Phase 2 level, and how to make things realistic for Pennsylvania. The EPA Expectations for Phase 3 WIPs will be discussed at the PSC meeting on July 9th. The document will emphasize the importance of local goals. Local governments should know what their targets are but understand it is still the states' responsibility. BMP implementation letters were mailed to the jurisdictions explaining what States need to do. The Executive Council meeting will take place on either August 7th or 14th. Maryland will likely continue to chair the Council. There are two potential Directives for action at the EC meeting: Agriculture and Stormwater. NY, DE and WV will not sign the Environmental Literacy Directive and so it will not move forward for EC action.

Discussion: CAC discussed verification and wanted to know who does the verification on the ground. Jim shared that the EPA gives grants for verification and offers training. There is workforce support in D.C. with the RiverSmart program and the Chesapeake Bay Landscaping Professionals have done trainings as well. CAC wanted to know if the Executive Council would be upfront about not meeting their midpoint assessment goals. Jim said that the report being released in June will acknowledge this and that the talking point is that they successfully reached their goals on sediment and phosphorus but fell short on nitrogen. Nitrogen is where their biggest challenges are. CAC also discussed the draft of the Agricultural Directive and questioned some of the language. Jess said that CAC would have the opportunity to collect comments and make suggestions.

Forest Buffers 101

Matt Ehrhart, CAC Vice-Chair, Stroud Water Research Center

Matt Ehrhart gave a presentation to CAC on the many benefits of forest buffers. He showed states are far behind on reaching their forest buffer commitments – to reach the goal, we should be creating 900 miles of buffers per year and in 2017 there was only 70 created. Matt explained the science of sediment trapping efficiency and how buffers help with cryptosporidium spores, pesticides and other chemicals. He also shared ways that forested streams are important beyond what is reflected in the model: under trees, streams become wider and can handle more rainfall; shade from trees prevents algae; tree leaves decomposing in streams create a “watershed tea” that supports a variety of life; and, trees keep streams cooler in the summer and warmer in the winter. When streams get above 68 degrees, things start to die. Because of this, trees are key to a stream’s food web.

Discussion: CAC discussed the Conservation Reserve Enhancement Program (CREP) and how it only funds riparian buffers on Ag land. There are no similar USDA tools to put buffers on municipal, non-ag land. Members also discussed how CREP buffers are tracked. Even though very few successful buffers are taken out, only the contracts are tracked so it can be problematic for Bay modeling. Matt was asked whether farmers are looking at multifunction solutions, like planting fruit trees. He said that farmers in Lancaster are looking at fruit trees because of the instability of milk prices. CAC also discussed whether the CREP program would continue to be funded if the Farm Bill is not passed before it expires in September. . Matt said that extensions usually continue funding at the current levels.

Thursday, May 24, 2018

The CAC Chair called to order the meeting at 8:34 AM.

Working Breakfast / Business Meeting

CAC reviewed the minutes of February’s meeting. Charlie moved for adoption and Jorge seconded approval. The minutes were approved as submitted.

Paula reviewed CAC’s priorities set at the previous meeting in February (verification of practices, Federal Funding / TMDL Enforcement, Forest Buffers and Technical Assistance / Environmental Education. Jess added that priorities help create themes for agendas that leads to recommendations for Executive Council. CAC discussed whether any of the priorities should be changed or updated. Andrew asked about oyster BMPs and whether CAC was going to take a position on them. Paula said that we should wait until the Phase II report comes out and we can then engage with the issue again. Verna thought that CAC had done everything it can do on verification, other than to commend the CBP for being responsive. She also suggested that a new priority for CAC is to monitor whether all states accept the new loads and the science behind it. The framework of the letter

should be about meeting the 2025 goals, outlining the problems and showing the models that can get us there. CAC agreed to send an informal email resolution that states that this will be an issue CAC will continue to follow. The Executive Committee will wait to see what comes out of the Expectations document will convene to determine CAC's course of action. CAC wants to see all jurisdictions working at equitable levels.

Technical Assistance Chesapeake Bay and the Farm Bill

Ann Swanson, Executive Director, Chesapeake Bay Commission

Ann Swanson briefed CAC on the history and function of the Chesapeake Bay Commission (CBC) and technical assistance included in the Farm Bill. As a member of the CBP, one of the things that the Commission can uniquely provide is policy recommendations on technical assistance. There has been a lot of improvement with wastewater/CSO (Combined Sewage Overflow) but an increase Phosphorus and Nitrogen from agricultural practices. The Commission learned that many of the most common Ag practices that are central to the WIP implementation require Technical Assistance to help farmers with implementation. She cited the Commissions' 2017 Technical Assistance Report that explains how it is funded, and how farmers can access it. The National Resources Conservation Service (NRCS), which is part of USDA, provides the lion's share of technical assistance support. NRCS is funded through Congressional appropriations. The federal Farm Bill provides authorization for technical assistance dollars. For the most part, funding has remained stable, but it needs to increase because there is an increase of demands under the TMDL.

Ann explained what was happening with the current Farm Bill and what the CBC was recommending. The conservation title is hanging in this limbo because of what is happening in the House. The Senate is marking up a different bill and the House may take it up again in late June. Representatives in the House are trying to roll back the Clean Water Act. She also shared that Senator Casey was introducing a bill to modernize CREP to include native plants, native food production plants and pooling of resources.

Discussion: CAC Members wanted to know what the CBC was doing with regard to Congress. Ann said that they have met with both Republicans and Democrats, representatives from Virginia, Maryland and Pennsylvania, and sent letters to every member of the Bay delegation. They have also been working closely with the Great Lakes Coalition to have a unified voice. CAC discussed what was happening in the States. In Pennsylvania, PSU was creating a minor in Technical Assistance and Thaddeus was also starting a new program. Ann was asked who is working on quality-of-life issues for human beings and how that relates to the Farm Bill. She responded by saying that 90% of the Farm Bill focusing on nutrition.

CAC Member Discussion

CAC returned to their discussion over breakfast regarding the informal resolution. They agreed to send the email to Jim Edward and Ben Grumbles and ask them to send it to the entire PSC.

Members discussed the upcoming Executive Council (EC) meeting and topics and advice tied to the proposed EC directives. Since the Environmental Education directive was disappointing to some, members thought that it would be best to focus on other directives with stronger language. Members agreed to support the Agriculture Technical Assistance (TA) directive and suggest the EC members include support for increasing forest buffers, including multi-functional buffers, and wetland restoration. CAC discussed the EC audience and what they were interested in. It is a gubernatorial election year in Maryland so tying in messages about workforce development and economic incentives should also be considered.

CAC discussed the Environmental Education directive further and agreed to support it but to note that CAC would like to see additional steps taken as well to include a broader focus that includes workforce development and adult education. For the Storm Water Directive, there was a suggestion to focus on CSO in urban areas. It was agreed to pick this up later in a subcommittee conversation. Members discussed the Chesapeake Bay Program office location and thought it would be good to thank the EC for fighting for Bay federal money and to continue to support the co-location of partners at the CBP campus. The EPA is staying at the current location, but some of the other organizations have to move which is concerning because collaboration is key. The message to the EC would start with CAC's Executive Committee and then be sent around to all of CAC for comments and revisions. Ronda Chapman expressed interest in joining the Land use and Storm Water subcommittee. Chuck Herrick said that he would like to join the Stewardship subcommittee.

Paula updated CAC on the meeting Virginia CAC members had with Matt Strickler, the Virginia Secretary of Natural Resources and the Deputy Secretary, Ann Jennings. Verna suggested that CAC set up a similar MD delegation meeting and to request a separate meeting in advance of EC meeting, possibly before next PSC meeting on July 9th.

CAC discussed possible themes for the next meeting for Sept 5th and 6th. Members suggested looking into trends in energy production including pipelines, off shore drilling, off shore wind farms and solar on land. They also mentioned focusing on oysters, underwater grasses and clamming; market-based incentives for buffers, water utilities and the possibility of having a speaker on sequestration and an expert panel from VIMS. Possible locations for the next meeting included Richmond, Williamsburg, Fredericksburg and a state park at the mouth of the Chesapeake.

Charlie updated CAC on a proposed national marine sanctuary on the Potomac across from Quantico that is the largest shipwreck collection in the Western Hemisphere, and concerns about the John Smith Water Trail coordination moving and creating an unraveling of the CBP relationship. He offered to draft a general letter of concern for the Executive Committee to send out. CAC spoke briefly on diversity and inclusion and the importance of broadening the base and hearing voices from everyone.

With no further business the meeting adjourned at Noon.