



## Stakeholders' Advisory Committee

TO THE CHESAPEAKE EXECUTIVE COUNCIL

## Stakeholders' Advisory Committee Meeting Minutes December 12-13, 2024 Silver Spring, MD

**Stakeholders' Members Present:** John Dawes (remote), Matt Ehrhart, Bill Fink, Donna Harris-Aikens (Vice-Chair), Verna Harrison, Chuck Herrick (Chair), Hamid Karimi, Julie Patton Lawson, David Lillard, Joe Maroon, Bill Noftsinger, Abel Olivo, Kate Patton, Daphne Pee, Vaughn Perry (remote), Alisonya Poole (remote), Sara Ramotnik, Tim Rupli (remote), BeKura Shabazz, Charlie Stek (remote), Dana Wiggins, and Staff Jess Blackburn & Alex LoCurto

**Speakers/Guests Present:** Kate Fritz, Amy Handen, Kristin Saunders, Bobby Hughes, Rachel Felter, Meg Cole, Laura Cattell Noll, Kathy Stecker, Breck Sullivan, Peter Marx, Autumn Rose, Lee McDonnell, Wendy O'Sullivan, Kevin Schabow, Katie Brownson, Chris Guy, Ken Hyer

### Meeting presentations and materials are located at:

[Stakeholders' Advisory Committee Quarterly Meeting \(December 2024\) | Chesapeake Bay Program](#)

### Thursday, December 12, 2024

The Stakeholders' Advisory Committee Chair, Chuck Herrick, called the meeting to order at 11:00 AM. The meeting objectives are to (1) Finalize key points of 2024 recommendations for the annual Executive council meeting; (2) Receive a briefing on the Beyond 2025 public feedback and the latest guidance from the Principals' Staff Committee on their recommendations to the Executive Council; and (3) Part 2: Stakeholders' Conservation & Land Use Subcommittee priority on land use and land conservation at the Chesapeake Bay Program.

### Business Meeting

- The September 2024 Quarterly Meeting minutes were approved as submitted with the addition of the Conservation and Land Use subcommittee request for a training on the CBP land use tools.
- Chuck Herrick reported on the Dec. 10th CBP Executive Council meeting, highlighting the participation of three Bay state Governors, who all appeared unified in their support for the partnership. Key meeting actions included:
  - Governor Youngkin nominated Governor Moore to another term as Executive Council Chair.
  - The EC approved the development of an Agricultural Advisory Committee.
  - The EC approved the charge for Beyond 2025, which includes:
    - Revision of the *Watershed Agreement*, which will include a critical review outcome assessment focused on consolidating and/or reducing the number of goals within one year.
    - Simplification and streamlining of the CBP organization and governance structures.

### Member Observations

- ❖ WV DEP Deputy Secretary reported that West Virginia is on track to meet targets, crediting the success of targeted tributary strategies.
- ❖ All three governors mentioned the value that the new Agricultural Advisory Committee would bring for farmers; however the committee alone will not solve Ag sector issues.
- ❖ Questions about details on the EC's intention to engage communities, how realistic the expectations should be and how the Advisory Committees can help address it. While engagement was frequently mentioned the discussion lacked depth. The Advisory Committee could further define it for the CBP.

### CBP Budget Briefing Part One: Congressional Authorizations & Appropriations

*Peter Marx, Federal Affairs, Choose Clean Water Coalition*

Peter Marx relayed the Congressional Bay Delegation membership including newly elected House and Senate members from the jurisdictions in the Chesapeake Bay Watershed. Changes to Biden-era Executive actions should be expected.

Peter explained budget reconciliation, a procedural process requiring a simple majority to pass in the Senate and a budget or tax connection within a bill. Previous examples include reconciliation bills to pass the 2017 tax cut bill that allowed for Arctic National Wildlife refuge oil and gas exploration and the Inflation Reduction Act.

The outgoing 118th Congress passed the America's Conservation Enhancement Act (ACE Act), originally enacted in 2020. The Act contains 18 national conservation bills, including the reauthorization of the EPA Chesapeake Bay Program, the US Fish and Wildlife Service's Chesapeake WILDS program, and the National Park Services Chesapeake Gateways program. All are set to expire on September 30th, 2025. As of December 23, 2024, the ACE bill passed in the Senate and was signed into law. The act authorizes funding for these programs but doesn't guarantee it, although authorization simplifies the appropriations process.

### **CBP Budget Briefing Part Two: EPA CBP Office Budget Allocations**

*Autumn Rose, Administrative & Operations Team Lead, EPA CBP Office*

Autumn Rose reviewed the FY24 budget, noting no FY25 appropriations yet due to Congress' continuing resolution on the budget. She reviewed the program's historical funding which started at \$4.6M in 1984. Since FY22, the program has received historic levels of funding through the Infrastructure Investment and Jobs Act (IIJA), totaling \$238M over five years (\$47.6M annually) through FY26. For broader funding details, including state and federal contributions, [Chesapeake Progress](#) is a recommended resource.

In FY24, the total funding was \$139.6M, including \$92M from annual appropriations and \$47.6M from IIJA. EPA Headquarters, and Regional Offices 3 2 retain small portions for operating costs, legal support, and New York's watershed management. 93% (\$131M) went to the Chesapeake Bay Program Office. Most of this funding supports partnership activities via grants, contracts, and agreements, with only a small amount covering internal overhead like personnel, travel, and supplies. Additionally, the CBP EPA Office funds interagency agreements with four federal agency partners—USGS, National Park Service, NOAA, and Fish and Wildlife Service—to support activities like GIS mapping, water quality monitoring, and Goal Implementation Team (GIT) coordination. In FY24, EPA allocated \$54M in implementation funding to state jurisdictional partners; \$1.27M supports the Advisory Committees and Local Leadership Workgroup, with plans to fund the new Agricultural Advisory Committee.

Looking ahead, the CBP is planning for funding reductions post-IIJA, which ends in FY26. The additional investments from the past five years will significantly impact the program once funding decreases. The CBP is strategizing for a lower budget, scaling down, and considering how to continue supporting activities as well as absorbing the extra staff hired under IIJA.

### **CBP Federal Agency Partner Panel**

*Wendy O'Sullivan, Superintendent, National Park Service Chesapeake Gateways*

*Kevin Schabow, Director, NOAA CBP Office*

*Katie Brownson, U.S. Forest Service Liaison to the CBP*

*Chris Guy, Habitat Goal Implementation Team Coordinator Fish and Wildlife Service*

*Ken Hyer, Associate Chesapeake Bay Coordinator, USGS*

**Members introduced themselves, explained their agency's role in the Chesapeake Bay Program partnership including any Watershed Agreement Outcomes their agency champions or participates:**

Wendy O'Sullivan, the Superintendent of NPS Chesapeake Gateways, relayed that the Gateways program is a community assistance program that supports the entire 41 million acres of the Chesapeake Bay watershed. With one of the broadest authorities in the National Park system it partners with federal, state, and local governments, nonprofits, local communities, and the private sector. NPS supports three primary partnerships: Chesapeake Gateways, the Chesapeake Bay Program, and the Chesapeake Conservation Partnership- a landscape collaborative that works outside of the CBP structure.

Kevin Schabow, the Director of the NOAA CBP Office, explained that his office coordinates NOAA's role in the Chesapeake Bay Program, including leading the Environmental Literacy workgroup and managing the Bay Watershed Education and Training (BWET) grant program. NOAA focuses on oyster restoration, with 1,500 acres

restored since 2014, aiming to meet the 2025 goal. Additionally, NOAA works on blue crab management and coordinates climate resiliency outcomes across jurisdictions.

Katie Brownson, U.S. Forest Service Liaison to the CBP, noted that the USFS is the largest landowner in the watershed, managing 2 national forests in the region. The agency coordinates the CBP Forestry workgroup and stewards the riparian forest buffers and urban tree canopy outcomes, both of which have implicit conservation components. Through its State, Private, and Tribal Forestry program, the USFS partners with state agencies and other forestry partners to manage non-federal forests, support climate resiliency projects, and participate in the Chesapeake Conservation Partnership.

Chris Guy, U.S. Fish and Wildlife Service, emphasized the agency's involvement in all watershed outcomes, with a primary focus on coordinating with the Habitat GIT. He highlighted Chesapeake WILD, a highly effective funding program, that bridges the gap between water quality-driven Bay Program outcomes and the functional needs of wildlife habitats. Chris underscored the importance of maintaining habitat functionality through fish and wildlife projects.

Ken Hyer relayed that USGS's role at the CBP is to bring unbiased science to inform management policy decisions in the watershed. Initially centered on water quality monitoring and trends in non-tidal areas, USGS now emphasizes living resources and habitat. Ken is the chair of the Science, Technical Assessment, and Reporting (STAR) team, connecting science providers with science users and represents about 100 scientists who are active in Bay research. USGS participates in or coordinates 17 of the workgroups to ensure that science is integrated into the outcomes.

Reflections on revising the *Watershed Agreement* Outcomes by the end of 2025 including recommendations, opportunities or challenges, and the Beyond 2025 (B25) Steering Committee report:

Wendy shared that NPS submitted formal comments on the Beyond 2025 report, applauding its focus on centering people and elevating conservation, both key priorities for NPS. She emphasized the need to retain the 10 goals of the *Watershed Agreement*, noting their unique inclusion of four people-focused goals alongside water quality efforts. While some goals may be refreshed with minor language changes, NPS strongly advocates maintaining them to build on successes and set new milestones rather than treating achievements as completed tasks. NPS is the lead on four goals and seven outcomes, underscoring their importance in future efforts.

Kevin noted NOAA's active role in drafting and endorsing the Beyond 2025 Steering Committee report as a vision for the Bay Program's next phase. He acknowledged the ambitious process, complicated by many new participants in state programs and EPA leadership. Kevin highlighted the report's recommendation for external evaluation of the governance structure, emphasizing the need for professional guidance. He also advocated for greater focus on shallow water habitats, which are vital to communities, living resources, and species like crabs and striped bass. Targeting high-value areas with comprehensive resources, including BMPs, forest buffers, and public access, could enhance both environmental and community outcomes.

Katie reflected on some promising recommendations from Phase 1 of the Beyond 2025 work, including elevating conservation as a key pillar of the program in order to meet goals. She also supported broader climate resilience and adaptation projects, particularly upstream flooding concerns and linking water quality efforts with climate and community benefits. Additionally, she noted interest in integrating carbon stewardship into water quality investments. Despite the program's hesitations about expanding into new areas like climate mitigation, Katie argued for maximizing current investments to achieve multiple goals and foster cross-silo collaboration for greater strategic impact.

Chris stated that we need to go beyond following established processes and to expand and adapt to new challenges. By breaking free from outdated structures and silos, such as with the GITs and Management Board, the program can be better aligned with community, local government, and scientific needs. He suggested redefining a healthy watershed to include both healthy environments and the communities interacting with them, not just focusing on water quality and the TMDL which are important but not the only critical areas.

Ken reflected on B25, praising the approach of stepping back to assess what's working and better connecting outcomes to move away from siloed goals. He emphasized the importance of working locally and integrating science at the parcel level. While climate and centering people are positive themes, he noted that Phase 1 was the easier part.

Phase 2 will be more challenging as it involves redesigning outcomes while simplifying the *Agreement* without reducing its scope. He encouraged the Advisory Committee to engage fully, as individual participation can have a significant impact, and warned against making the "tent" smaller by excluding partners or outcomes.

**Panelists offered additional comments during Q&A and this advice to the Stakeholders' Advisory Committee:**

There may be ways to continue efforts if an issue is not in the revised *Watershed Agreement*, but the CBP partnership leverages funding, capacity, and knowledge. The Federal Officer Directors (FOD) will soon explore how to return to a more cooperative model when the federal family worked better together. There is a need for cultural change at the CBP. There may be the right documents and right language, but there is no infrastructure to keep community voices at the table. The people-centered approach is still undefined and vague. The Stakeholders' Advisory Committee is encouraged to be very engaged in the revision process this year; keep elevating the importance of living resources and non-regulatory issues alongside water quality.

**Beyond 2025 Phase 2 - Outcome Assessment & Watershed Agreement Revision**

*Lee McDonnell, Chief, Science, Analysis, and Implementation Branch, EPA CBP Office*

The outcome review process for the *Watershed Agreement* is split into two parts: the Principals' Staff Committee (PSC) will focus on higher-level issues and the Management Board (MB) will review the outcomes. The MB retreat in November set the stage for evaluating outcomes, with goal teams and outcome leads now addressing the "big question": what advice would you provide the MB in reviewing this outcome as we move forward?

There will be several public meetings for gathering input; in February and March, three meetings will review individual outcomes, with a final meeting in March for a disposition of outcomes—whether they will be updated, consolidated, reduced, replaced, removed, or new outcomes added. A meeting with all advisory committees is planned for April to present progress and gather feedback. By early May, a final list of outcomes will be presented to the PSC. Public engagement for the final draft will begin in July and is expected to last 45 days, with time reserved for revisions before presenting the final draft to the PSC for submission to the Executive Council for their December meeting. The expectation is to complete the process by the end of 2025.

**Member Discussion on Beyond 2025 Phase 2**

*Julie Patton Lawson*

Julie continues to serve as the Stakeholders' Committee B25 representative and attended the MB meeting that morning. She reported on key points: Secretary Kurtz's letter to the PSC and MB emphasized three key items: (1) The EC charge is the guiding document that must be addressed; (2) The PSC will make process decisions at their December 20th meeting; and (3) External engagement is crucial, highlighting the need to connect with all people in the watershed. The meeting also included a review of the process for evaluating the 29 outcomes over three meetings across six weeks.

Julie raised two points at the MB meeting: (1) The inclusion of SMARTIE goals (strategic, measurable, ambitious, realistic, time-bound, inclusive, and equitable) which was well received and further discussed in the meeting; (2) Concerns about the signatories evaluation of outcomes based only on their jurisdiction's administrative goals and legislative mandates. There was debate over whether outcomes already covered by state regulations should be included in revised CBP outcomes. Do state priorities like farmland preservation and dam removal require inclusion in the *Watershed Agreement*? Signatories will decide whether to include or remove outcomes.

There will be a summer public engagement period but significant changes from public feedback are unlikely unless already agreed upon by the Steering Committee. The focus will be on clarifying content, not making major revisions. Due to time and resource constraints, the outreach plan will primarily target already engaged stakeholders.

**Friday, December 13, 2024**

The meeting was reconvened at 8:30AM.

**Member Reflections from the Previous Day**

The Executive Council meeting left members feeling optimistic, but there are concerns about how the signatories will decide what outcomes remain in the revised *Watershed Agreement*, whether the engagement and

feedback the CBP is seeking will be effective/improved, and if the partnership is truly prepared to take and enact upon the feedback

BeKura stated that she views the values of NPS are different from that of CBP and could see a potential NPS withdrawal from the partnership. She believes that the Stakeholders' Committee is well-behaved and follows rules, but needs to learn to push back if their advice is routinely disregarded. She reiterated that the new committee leadership needs to do something different.

### **Stakeholders' Committee Officer Elections**

Julie, as the chair of the Nominations subcommittee, offered the nominations memo with Abel Olivo and David Lillard as chair and vice-chair respectively. The Stakeholders' Advisory Committee unanimously voted to confirm the nominations.

### **Subcommittee Reports and Committee Discussion**

- *Stewardship and Engagement Subcommittee:* The subcommittee re-elected BeKura as chair but plans to explore a co-chairing arrangement once more members are present. They expressed frustration with slow progress on past priorities, such as needs-based honorariums and grant equity, but agreed to focus on environmental literacy and green jobs while continuing to advocate for stipends and grant equity. The subcommittee also aims to work with the CBP to better define community engagement within the Bay Program, and seek to build a coalition with state and federal agencies to help address gaps in outreach. They would also like to collaborate with the Membership & Governance subcommittee to develop a process for repairing trust within the full committee.
- *Conservation and Land Use Subcommittee:* The subcommittee re-elected Kate as chair and will discuss a potential co-chair role with Tim or Ann. One priority for the upcoming year is collaborating with the LGAC to examine how conservation currently fits into CBP goals, including planning a joint winter session. They aim to understand the accessibility of conservation areas and the balance between federal lands and private easements. The subcommittee seeks assistance from NGO partners like the Chesapeake Conservancy to explore mapping tools and would like to invite mapping experts to a future meeting. Their ultimate goal is to formulate a recommendation on how to make mapping tools more accessible and user-friendly or whether the 2 million-acre land conservation goal should be adjusted to focus more on water-protective land conservation.
- *Water Quality Subcommittee:* The subcommittee elected Matt and Sara as co-chairs and stated that their priorities for the upcoming year are to better understand pay-for-performance, sandboxing, and tiered implementation. They plan to organize a discussion involving jurisdictional players to clarify these concepts and explore their role in advancing work. Acknowledging the complexity of these topics, the subcommittee is considering virtual discussions to distill the issues before incorporating them into a larger meeting. They also discussed addressing other topics, such as the Conowingo Dam (CWIP), microplastics, emerging contaminants, and acid mine drainage; possibly through shorter presentations or online discussions.

### **Action Items:**

- Jess will follow up with the Maryland delegation to prep for the MD Watershed Council meeting on January 7th and will explore coordination with the other Advisory Committees
- Send a letter to PSC by 12/19 weighing in on the outcome review process- "the big question"
  - ◆ PSC is meeting next week 12/20; Chuck will review Verna's draft language and get some thoughts together on centering people in the work which is not reflected at all in the modified SRS process
- Staff will email the full committee requesting volunteers for Membership and Governance subcommittee
- Staff will solicit additional thoughts for the new leadership: What they should 'know', 'understand', and the Committee's 'superpower'
- The Coordinator's report will be revisited at either the subcommittee meetings or at the Feb 2025 meeting
- Jess will connect CLU subcommittee with the public access and public lands outcomes workgroups
- Jess will share the MB Meeting Schedule of outcome presentations at the three upcoming MB meetings
- Follow up with CBP leadership on need-based honorariums