

# Stakeholders' Advisory Committee to the Chesapeake Executive Council

May 22, 2024 [Merriweather Lakeside Hotel](#), Room Lakeside A

## Briefing and Advanced Questions

Excerpt from the agenda

**2-3:00 p.m. Conversation with EPA Regional 3 Administrator.....[Administrator Adam Ortiz](#)  
U.S. EPA Office of the Administrator**

Administrator Ortiz will share his thoughts on Beyond 2025 with a focus on the Bay TMDL and discuss the Stakeholders' Advisory Committee's priorities including DEIJ at the Chesapeake Bay Program at the role the partnership has in land use decision-making.

### **Questions collected from the Stakeholders' Subcommittees: Guidance for your remarks**

Pursuant to EPA's May 15, 2023 response to the Office of Inspector General letter, Stakeholders' Committee members remain confused about EPA's stated role in the CBP as a partner and not a regulator. As it relates to Bay TMDL accountability, is the Chesapeake Bay Program the "Partner" and Region 3 the "Regulator"? It seems that some components of EPA CBP must clearly retain Clean Water Act enforcement authority. There also seems to be a reluctance to rely on some tools under EPA's authority that it could use to enforce the Bay TMDL.

- Can you help members understand how the Bay TMDL accountability framework and EPA backstops will or will not be in effect beyond 2025?

The success of many clean water and living resources goals will depend on maintaining healthy habitats with conserved lands protected from future development, its associated harmful levels of impervious surfaces, and the prevention of forests and wetlands loss.

- What do you see as the role of the CBP in land conservation and land-use planning and what more can the CBP, federal agencies, and states do to meet the tremendous needs necessary for restoring the Bay Watershed?

The Chesapeake Bay Program DEIJ Strategy outlines recommendations to further incorporate environmental justice leaders and underrepresented groups into partnership decision-making and implementation activities. Especially the inclusion of BIPOC communities who feel intentionally excluded yet must suffer from unjust environmental hazards, policies, and practices that prevent access to the basic things needed to thrive.

- Is the Bay Program partnership really serious about DEIJ? Some members who represent community still continue to feel excluded and there seems to be reluctance to include, recognize and compensate marginalized individuals for their invaluable contributions to the Bay's priorities and objectives?

Relatedly, based on the conversations and research we've had since our 2022 recommendation on supporting equitable practice through volunteer honorariums, it seems like need-based honoraria is an allowable EPA grant expense, pending EPA leadership decision. We have created a pilot honorarium that was briefly funded by an outside organization; however, we have found that there is little appetite among funders to support this long-term since the CBP partnership is the recipient of the Stakeholders' Committee advice.

- What is your policy and position on EPA funding for need-based Stakeholders' Committee member honorariums?

### **Other questions that may be asked during Q&A**

What are your thoughts on reinstating the position of "EPA Senior Adviser for the Chesapeake Bay and Anacostia River" (sometimes referred to as the Bay Czar) to help coordinate aspects of the agency's Chesapeake Bay restoration efforts and, for example, help ensure that actions to advance economic development or other goals don't have adverse impacts on Bay watershed restoration and protection?

We recently learned that EPA Administrator Regan committed during a U.S. Senate Environment and Public Works Committee hearing to reconstitute the Federal Leadership Committee created in 2009 under a Chesapeake Bay restoration Executive Order signed by President Obama. Was is your vision for the Federal

Leadership Committee and how will it help to get more federal agencies engaged and ensure that the EPA represents all the federal agencies in the leadership of the Chesapeake Bay Program partnership?

What changes do you think are needed in a revised Chesapeake Bay Agreement beyond 2025?

**2024 Priority Topics developed by the Stakeholders' Subcommittees**

**Water Quality Subcommittee-** Beyond 2025, revised Watershed Agreement, and Bay TMDL Accountability  
**Conservation & Land Use Subcommittee-** Understanding the threats to development and the role of the CBP in land use development to protect forests and wetlands

**Stewardship & Engagement Subcommittee-** Equitable access to grants and DEIJ at the CBP and within the Stakeholders' Committee

**Reminder: Highlights of 2023 Recommendations to the Executive Council**

- (1) Relying on the work already completed by the Forest Buffer and Wetlands Actions Plans, charge the PSC to approve within six months the specific actionable items for each jurisdiction to accelerate the implementation and close the progress gaps for water quality restoration.
- (2) We strongly recommend the continued and sustained funding for the high-resolution land-use and land-change data and analysis, so local governments can rely on complete assessments of existing and trending losses of tree canopy and wetlands for land-use decision-making.
- (3) We encourage the Executive Council to work with the Chesapeake Watershed Congressional Delegation to ensure the next Farm Bill adequately supports Chesapeake Bay restoration and conservation Goals outlined in the *2014 Chesapeake Bay Watershed Agreement*. Additionally, we encourage the Governors and DC Mayor to commit to preserving forests and wetlands by enhancing their conservation programs and identifying matching funds for potential Farm Bill conservation provisions.