

CAC Members Present: Paul Bruder, John Dawes, Andrew Der, Matt Ehrhart, Greg Evans, Christy Everett, Scott Fickbohm, Jeff Holland, Joe Maroon, Bill Martin, Jennifer Reed-Harry, Erica Rosenberg, Charlie Stek, Nikki Tinsley, Bob Wayland and staff- Jessica Blackburn and Amy Robins

Guests: Roy Hoagland (HOPE Impacts), Ann Jurczyk (CBF), Barbara Maret (VA Environmental Endowment Fund), Liz Ronston (CBF)

Speakers: Rich Batiuk (EPA CBP), Russ Baxter (VA DNR), Nissa Dean (Alliance for the Chesapeake Bay), Jim Edward (EPA CBP), Chris Sonne (Civil and Environmental Services, LLC.), Dana York (Green Earth Connection, LLC)

Meeting presentations and material are located:

<http://www.chesapeakebay.net/S=0/calendar/event/21405/>

Thursday May 15, 2014

CAC Chair John Dawes called the meeting to order at 11:02am. CAC members and guests introduced themselves.

Virginia Updates

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

Russ reviewed the Chesapeake Bay TMDL Planning Framework development of Watershed Implementation Plans (WIPs). On July 1, 2014 Virginia will roll out the Agriculture Certainty program with the Resource Management Plans (RMP). Farms that have their permits and their management plans will not have to do more for the TMDL. Farms will still have basic permits and the RMPs will not trump the Clean Water Act. Localities will also begin administering their own MS4 programs after July 1, 2014. If a locality decides not to administer their own program, then the State will on their behalf. .

The 2012-2013 Milestones included programmatic milestones that reflect major deliverables, such as the hiring of additional program staff; the proposal of regulations, guidance or legislation; and significant changes in programs needed to support implementation. In Virginia for the 2012-2013 programmatic Milestones: 28 were completed, 22 were continued into the 2015 milestones, and 1 was closed. Cumulative BMP units exceeded the forecast and loads beat the reduction milestones for each of the three targeted pollutants- nitrogen, phosphorus and sediment. However, this is primarily achieved through point source reductions from waste water treatment plant upgrades. Virginia projections are expected to meet the 60% target by 2017 since EPA is assessing total load Agriculture and urban nonpoint source will have a big lift in order to make it in their individual source sectors by 2025.

Virginia is hoping to have more complete 2-Year Milestone reporting by collecting data on Best Management Practices (BMPs) implemented by watershed organizations, local governments and federal facilities.. Russ mentioned the Alliance for the Chesapeake Bay which has developed a program with design standards and a website to track homeowner-installed BMPs. Programs like these will help the State to report practices that are on-the-ground, but not directly implemented or funded by Virginia.

Russ spoke about BMP verification efforts in Virginia. , He stated that 95-99% of the spot checks on Ag BMPs are showing that the BMPs are functioning properly. Currently, less than 1% of the total State budget is allocated for environmental programs. He encouraged CAC to understand there is a need to balance verification with the limited resources available for implementation of practices. CAC members discussed an interest in reviewing the spot-checking data. It was also mentioned that CAC is not the only entity expressing the need for strong BMP verification programs; the National Academy of Sciences also indicated it as a weakness in the Chesapeake Bay Program partnership.

Virginia has indicated that they will be participating in every goal and outcome in the new Chesapeake Bay Agreement.

CAC members discussed writing a letter to support the Chesapeake Bay being listed as a Critical Conservation Area in the Regional Conservation Partnership Program in the 2014 Farm Bill.

Update on the Bay Program's BMP Verification Work

Rich Batiuk, Associate Director for Science, EPA Chesapeake Bay Program

Dana York, Green Earth Connection, LLC

Rich and Dana reviewed the Verification definition and BMP Verification Life Cycle. The States agreed to a thirteen member panel which made the recommendations. The CAC concerns expressed in letters to the CBP were reviewed along with the resulting action by the BMP Verification Committee. EPA will be the final decision maker on whether a State uses proper verification and can withhold credit and even implementation dollars if the State does not comply.

CAC asked how reconciliation will occur, citing nonrenewal of some CREP practices as an example. Rich explained that databases need to be cleaned up over the next two to three years and from there the practices would be inspected and removed according to the BMP Verification Life Cycle. CAC asked if NRCS or the USDA plan on applying the same procedures. Rich plans on talking with both agencies.

Whatever a State reports will become publicly available (maybe in aggregate in case of farm practices). STAC is reviewing the impacts of the Chesapeake Bay Watershed Initiative from the 2007 Farm Bill.

A draft framework document is expected to be reviewed by July 15, 2014 with distribution of the final draft framework document in August. The document will then be presented to the Management Board in September with final approval by the PSC in October 2014.

Chesapeake Bay Program (CBP) Updates

Jim Edward, Deputy Director, EPA Chesapeake Bay Program

Jim reviewed the 2012-2013 2-Year Milestones. Watershed wide the jurisdictions will make the Milestones with varying degrees in phosphorus, nitrogen, and sediment targets. However, when you look at the different source sectors, the targets are not being met in urban, septic systems and agriculture. The draft 2014-2015 Milestones are due May 15, 2014 with the final evaluation at the end of June 2014.

Jim reviewed the public and partner comment summary on the draft Chesapeake Bay Watershed Agreement and guided the CAC members through the Agreement highlighting major changes. The final draft Agreement has 10 goals and 29 outcomes. The Issues Resolution Committee (IRC) recommended to the Principals Staff

Committee (PSC) the inclusion of toxic contaminants, climate change, participatory language, TMDL/WIPs, impervious surfaces, stewardship, environmental justice, , and Governance. Hydrolic Fracking and Conowingo Dam are not included in the final draft Agreement. STAC comments on the draft Agreement included the need for explanations on how numeric goals, outcomes and baselines were developed, and numerous comments on principles. A companion piece describing the outcomes will be available to the public at the signing of the Agreement.

CAC Members share their organization's views on the Bay Agreement

Jennifer Reed-Harry shared some highlights on PennAg's comments including the need to focus on invasive species and also striking a balance between Healthy Watersheds, a growing population and providing food for our region.

Scott Fickbohm spoke to issues raised by the Ostego County Soil and Water Conservation District and the Upper Susquehanna Coalition including the need to link Bay outcomes to local water quality in order to garner public and political support, as well as the need to focus on flooding since water quality is less of an issue in New York's portion of the Bay Watershed.

Christy Everett walked CAC through some of the letters the Chesapeake Bay Foundation wrote about the Chesapeake Bay Agreement, including concerns about the Agreement's structure allowing for opting-in/opting out of outcomes and the need to announce within 90 days of the Agreement what management strategies the jurisdictions will implement.

Charlie Stek highlighted his volunteer work to continue to get the Bay effort to focus on education, public access to waterways and land conservation.

CAC members divided into subcommittees and continued the conversation over dinner.

Friday, May 16, 2014

The meeting was called to order by Chair, John Dawes at 8:02am.

CAC Business Meeting

The February 2014 meeting minutes were approved after a spelling correction motioned by Charlie Stek and seconded by Joe Maroon.

The CAC members were asked if they were interested in helping to review NFWF grants based on a topic of interest aligned with a CAC priority. Andrew Der, Greg Evans, Erica Rosenberg, Matt Ehrhart, Scott Fickbohm expressed interest. Jeff Holland and Joe Maroon expressed interest for a future date.

Charlie Stek presented a proposal for CAC to support the designation of Malloys Bay on the Potomac River to become a National Marine Sanctuary. The National Oceanic and Atmospheric Administration (NOAA) is soliciting community-based nominations to designate special places in the marine environment. Charlie spoke to how the proposed designation would be the first National Marine Sanctuary in the Chesapeake Bay Watershed and would help to provide for conservation, education and public access to the waterway.

CAC members asked questions about the designation process and the area of Mallows Bay. The designation are locally driven and supported. There is no known local opposition. The designation would add to the eco-tourism of the area. Quantico Base is nearby and supports the designation because they want to maintain low density development in the area.

With a motion by Joe Maroon and seconded by Jeff Holland, CAC moved to support a resolution to establish a new National Marine Sanctuary in the Chesapeake Bay watershed on the Potomac River near Mallows Bay.

Members discussed advocating that the USDA designate the Chesapeake Bay Watershed as a Critical Conservation Area in the Regional Conservation Partnership Program of the 2014 Farm Bill. Indications are that the USDA will announce the eight Critical Areas before the June 16, 2014 Executive Council meeting. Members also want to stress the need for technical support to deliver assistance focusing on implementation. Joe suggested the letter also include a reference to criteria for synchronizing the Bay Program's BMP verification. With a motion by Joe Maroon and seconded by Matt Ehrhart, CAC moved to write a letter to USDA Secretary Vilsak supporting the Chesapeake Bay Watershed as a Farm Bill Critical Conservation Area. (Update: on May 27, 2014 USDA announced the Chesapeake Bay as one of the eight Conservation Critical Areas.)

Joe Maroon led a discussion on how the designation of high priority land in the Collaborative Landscape Conservation Initiative provides for federal funding to help conserve large landscapes in country. Joe proposed CAC write a letter to the Obama Administration supporting the Chesapeake Bay as a designation of the highest priority landscape in the President's Fiscal FY16 Budget and support appropriations of the Land and Water Conservation Funds. With a motion from Charlie Stek and seconded by Greg Evans, CAC moved to write a letter advocating the Chesapeake region for the Collaborative Landscape Conservation Initiative.

Greening Virginia's Capitol

Nissa Dean, Virginia Director of the Alliance for the Chesapeake Bay

Chris Sonne, Civil and Environmental Services, LLC

Due to unfavorable weather the walking tour of Virginia's Capitol Grounds was canceled. Nissa Dean gave a presentation of the project's goals, successes and long term plan to continue the work to capture, re-use and mitigate stormwater on the historical grounds. On Capitol Square, the terraced brick steps were replaced with permeable pavers, a series of rain gardens were installed to collect and filter rain water and prevent erosion. Rain water is collected in an underground storm tank at the south corner of the Capitol Square and used to irrigate the grounds. The project employs a combination of Low Impact Development (LID) techniques to create a "green" corridor along 10th Street from Bank Street to Cary Street, and converts two alleys into "green alleys" using permeable pavers, within blocks of the Square. Estimated pollution reduction exceeded the proposal's calculations. Calculated results are: 86% Phosphorus reduced, 90% Nitrogen reduced and 70% of stormwater flow reduced.

CAC Business Meeting, continued...

CAC Subcommittees gave brief reports from Thursday's break-out sessions. Based on the discussion at the February 2014 meeting, the following subcommittees were created to help focus and guide the priorities of the CAC over the next couple of years.

Subcommittees and membership:

- Verification (LEAD: Verna Harrison) Jennifer Reed-Harry
- Emerging Issues (CO-LEADS: Jim Elliott and Joe Maroon)
 - Nutrient Trading- continue to monitor the programs
 - Conowingo Dam- continue to follow the issue
 - Fracking- since it is not in the Bay Agreement, try to still keep the issue in front of the Bay Program; follow Cove Point proposal; hear the latest STAC report; VA and PA are not addressing fracking in their TMDL, so we should ask how EPA plans to address issues like forest fragmentation, pipeline pathways, increased erosion and sediment and other nonpoint source pollution associated with fracking activity.
 - Climate Change- the Agreement does not address reducing causes of, so CAC can ask the states what they are doing beyond the Agreement's adaptation and resiliency outcomes; also better understand how the Bay model deals with climate change and associated flooding events
- Stormwater (LEAD: Paul Bruder)
 - Educational angle; incentives for businesses, homeowners, and developers; link work with LGAC; MS4 permitting and homeowner BMP verification.
- Natural Lands Conservation (LEAD: Greg Evans)
 - Focus on Agreement goals to find out how it will be implemented; and TMDL crediting for land conservation.
- Agriculture (LEAD: Matt Ehrhart)
- Stewardship (CO-LEADS Victor Ukpolo and Neil Wilkie)
 - includes: Environmental Education and Literacy, Inclusion, Public Access to waterways and Communications
 - learn the mechanisms for addressing these issues with a focus on local level impacts
 - host an Environmental Justice panel
 - Ask NFWF to tell CAC how Small Watershed Grants have:
 - Enhanced these topics on a local level
 - Addressed inclusion of diverse residents
 - Methods that have been successful or unsuccessful
 - How information is disseminated to communities

CAC Members indicated above as leads comprise the CAC Executive Committee plus the Chair, John Dawes, Vice-Chair, Charlie Stek and Immediate Past Chair, Nikki Tinsley.

Andrew Der shared his concern that there is a disconnection between those making decision and those that need to implement projects. He said the States need to prioritize the environmental projects over regular infill projects. Additional communication and education may help bridge the gap.

Discussion on CAC's Three Recommendations to the Executive Council

Since the Executive Council will be focused on the Chesapeake Bay Agreement, CAC decided to speak to issues related to the Agreement. Member discussed recommendations that are actionable and narrowed them to three which include: (1) Emphasizing local benefits in the Management Strategies; (2) Committing to the resources required to meet the commitment in the Agreement; and (3) Continuing to strengthen BMP verification.

With no further business the meeting adjourned at 11:50am.