Chesapeake Bay Program
Management Board
April 13, 2017

Program Update

CBPO Calendar

Apr 24	Water Quality Goal Implementation Team Call
Apr 27	Scientific, Technical Assessment and Reporting (STAR) Team Meeting
May 2	Enhance Partnering, Leadership and Management (GIT 6) Meeting
Apr 4-5	Chesapeake Bay Commission Quarterly Meeting
May 11	Management Board Meeting (1st Quarterly Progress Meeting)
May 17	Principals' Staff Committee Meeting
Jun 8	Executive Council Meeting, Annapolis, MD

Updates

Bay TMDL Interim Evaluations

Pending final approval by the Acting Regional Administrator Cecil Rodriguez, EPA will send draft interim evaluations to the Bay jurisdictions and federal agency partners for their 2016-2017 Milestones in mid-April. The interim evaluations will include EPA recommendations for actions prior to the end of the milestone period to ensure jurisdictions and federal agencies remain on track. Jurisdictions' responses to the interim evaluations will be due back to EPA several weeks later and the interim evaluations are scheduled to be finalized and posted to the Bay TMDL website this summer.
Contact: Lucinda Power, (410) 267-5722, power.lucinda@epa.gov

Chesapeake Bay Commission Briefing for new EPA Administrator

On Monday, March 27 the members of the Chesapeake Bay Commission sent a briefing document to Administrator Pruitt along with a request to meet on May 5, 2017. The briefing document provides both a background on the Commission and its perspective on the current state-federal partnership working to restore Chesapeake Bay.
Contact: Jennifer Donnelly, (410) 263.3420; jdonnelly@chesbay.us

Advisory Committee Updates

Local Government Advisory Committee

The purpose of the LGAC is to advise the Executive Council on how to effectively implement projects and engage the support of local governments to achieve the goals of the Bay Agreement.

LGAC elected new Officers at its quarterly meeting March 23-24 in King George, Virginia. Bruce WIlliams was nominated and approved to Chair the Committee. Pennsylvania selected Ann Simonetti as PA Vice-Chair, Maryland selected Kelly Porter as MD VIce-Chair, Virginia selected Richard Baugh as VA Vice-Chair and Daniel Chao (DC) was selected as At-Large Vice-Chair. Two LGAC member seats remain open in Maryland, and one each in the District of Columbia, New York and Virginia.

During the two-day meeting, Members were briefed on upcoming decisions related to Climate Change and Accounting for Growth. The Committee agreed to host a forum to assist the CBP's Land Use Workgroup with developing plausible growth scenarios. The Forum will be held on June 7, 2017 in conjunction with LGAC's next quarterly meeting.

Mary Gattis and members of LGAC continue to facilitate the Local Government Engagement Initiative (LGEI). At the March 22 meeting in Annapolis, participants discussed local engagement strategy development and implementation and shared lessons learned to date. A summary of communications tools and resources needed by the jurisdictions will be delivered to EPA in April. Any questions about the Initiative should be directed to Mary at mgattis@allianceforthebay.org.

Contact: jstarr@allianceforthebay.org

Citizens' Advisory Committee
The Citizens Advisory Committee (CAC) is charged with responsibility for representing residents and stakeholders of the Chesapeake Bay watershed in the restoration effort and advising the Chesapeake Bay Program Partnership on all aspects of restoration.

Governor McAuliffe appointed two new CAC members to replace Greg Evans and Bob Wayland:

Kendall Tyree of Richmond, VA has served as the Executive Director of the Virginia Association of Soil and Water Conservation Districts since 2009. As Executive Director she provides legislative and policy outreach for Virginia's 47 soil and water member districts, develops leadership and training programs for both Virginia's 333 elected Soil & Water Conservation District Directors and approximately 160 staff, leads community education programs at the state level including the Virginia Dominion Envirothon, a natural resource competition for high school students, as well as oversees the organization financials. Prior to her time with the VASWCD she served as the Special Assistant to the Secretary of Education to both Governor Warner and Governor Kaine. As Special Assistant she was legislative liaison between the educational agencies, the Governor's Office and the Secretary of Education. Tyree also holds a state teaching license in the content areas of Spanish, History and Government at the secondary level.

Bill Dickinson of Alexandria, VA is Principal of the Environmental Policy Network, a home-based consulting firm located in Alexandria, VA, specializing in land conservation, open space public parks, and water resource financing and governance. Bill held analytical and managerial positions in the US Office of Management and Budget, Energy Department, and the Environmental Protection Agency. Retiring after 25 years of federal service, Bill was a founding board member of the Center for Watershed Protection. He served for 12 years on the board and as chairman of the Northern Virginia Regional Park Authority, and for six years a Virginia Land Conservation Foundation trustee. Currently he is Secretary-Treasurer of Alex Renew Enterprises, an independent public authority providing sanitary wastewater services to Alexandria and a large portion of Fairfax County and on the board of the Northern Virginia Land Conservation Foundation.

In March, CAC sent a letter to the Executive Council encouraging them to advocate for full funding for the Chesapeake Bay Program and other Bay-related federal agency programs.

The next CAC meeting will be in Charlottesville, VA on May 24-25 following the Choose Clean Water Conference. The meeting will focus on the role and value of the Chesapeake Bay Program and case studies of how EPA funded projects have benefited local communities and waterways.

To be added to CAC's Interested Parties List, please contact CAC's Program Assistant, Jennifer Starr at jstarr@allianceforthebay.org. For the coordinator contact: Jessica Blackburn.

Contact: jblackburn@allianceforthebay.org

Scientific and Technical Advisory Committee
The Scientific and Technical Advisory Committee (STAC) provides scientific and technical guidance to the Chesapeake Bay Program on measures to restore and protect the Chesapeake Bay.

Upcoming Meetings:
STAC will hold its first quarterly meeting of FY2017 on June 13-14, 2017 at a location to be determined in Annapolis, MD. Please direct any quarterly meeting inquiries to STAC Staff Elaine Hinrichs, hinrichse@chesapeake.org. To be added to STAC's Interested Parties list, please contact STAC Staff.

Workshops:

Results of the FY17 Request for Proposals (RFPs)

STAC agreed to support the following 5 workshops in FY17:

1) Consideration of BMP Performance Uncertainty in Chesapeake Bay Program Implementation
2) Integrating Recent Findings to Explain Water Quality Change: Support for the Mid-Point Assessment and Beyond
3) Reassessing Habitat Conditions in Sub-estuaries of the Chesapeake Bay and Responses to Resource Management
4) Monitoring and Assessing Impacts of Changes in Weather Patterns and Extreme Events on BMP Siting and Design
5) Factors Influencing the Mainstem, Tidal, and Non-Tidal Fish Habitat Function in the Chesapeake Bay Watershed: Application to Restoration and Management Decisions

Ongoing Workshops

1) Quantifying Ecosystem Services and Co-Benefits of Nutrient and Sediment Reducing Best Management Practices (BMPs)

This workshop was held on March 29-30, 2017 at the Crowne Plaza Hotel in Annapolis, Maryland. The objectives of this workshop were to discuss and develop the design of a Partnership framework that allows for translation of a suite of eco-services (flood attenuation, recreational values, storm buffering capacity, open-space access and wildlife habitat) that can be considered alongside water quality in decision-making when implementing best management practices (BMPs). Results would be used by the jurisdictions in the development of their Phase 3 Watershed Implementation Plans (WIPs) to optimize achievement of nutrient/sediment load reductions while enhancing progress toward related outcomes in the 2014 Bay Watershed Agreement. Presentations and more information can be found here.

The following three workshops will be held over the next month. For additional information, contact Rachel Dixon at dixonr@chesapeake.org.

2) Legacy Sediment, Riparian Corridors, and Total Maximum Daily Loads – **April 24-25, 2017**
3) An Analytical Framework for Aligning Chesapeake Bay Program Monitoring Efforts to Support Climate Change – **March 28 (Blue Crab), April 25 (Submerged aquatic vegetation), April 26 (Oysters)**
    a. On March 28th at the University of Maryland Center for Environmental Science (UMCES) Chesapeake Biological Laboratory, this workshop held the first of three one-day sessions on Blue Crab. The goal of each session is to develop recommendations to guide adjustments of CBP monitoring plans and efforts in order to better anticipate, assess and ultimately plan to address the factor of risk that climate change may have on the capacity to meet related goals and outcomes. Additional information can be found here.
4) Understanding and Explaining 30+ Years of Water Clarity Trends in the Bay's Tidal Waters –**Part II – May 2-3, 2017**
    a. Part I of this workshop was held on February 6-7th at UMCES Chesapeake Biological Laboratory. Additional information can be found at the meeting webpage here.

Upcoming Reports

STAC is working to finalize five reports from the following FY2015 workshops. The workshop steering committees are in the process of drafting activity reports that will be distributed to the Partnership over the next few months. Information regarding each workshop - including agendas, presentations, and reports (as available) - can be found on the STAC workshop webpage at: http://www.chesapeake.org/stac/stac_ws.php.

1) Linking Wetland Workplan Goals to Enhance Capacity, Increase Implementation
2) Assessing Uncertainty in the CBP Modeling System
3) Cracking the WIP: Designing an Optimization Engine to Guide Efficient Bay Implementation
4) Integrating and Leveraging Monitoring Networks to Support the Assessment of Outcomes in the New Bay Agreement
5) Comparison of Shallow Water Models for Use in Supporting Chesapeake Bay Management Decision-making

For more information, contact STAC Coordinator Rachel Dixon at dixonr@chesapeake.org.

Reviews:

STAC has five review activities in progress – arranged here in order of anticipated completion. All review reports (as available) can be found at: http://www.chesapeake.org/stac/stac_pubs.php.

1) Boat Wake Wave Impacts on Shoreline Erosion

The panel completed their review. The final report is currently under review by STAC membership and will be distributed to the Partnership in mid-April.

2) Chesapeake Bay Water Quality Criteria Addendum

The STAC Criteria Addendum review panel is still finalizing its review of the 2015 Chesapeake Bay Water Quality Criteria Addendum. The review panel suggested a clarifying re-write of the addendum and then requested additional revisions to the updated document. The CBP has provided a new and improved document and the panel is working to formally complete their review over the next month.

3) Follow-up Review: James River Chlorophyll *a* Criteria Re-evaluation

STAC completed the review request from CBP for a review of the James River Chlorophyll *a* Criteria Re-evaluation in October 2016. The review panel has been re-assembled to assess how well their findings and recommendations have been implemented in the revised chlorophyll criteria assessment methodology. The review will take place over the next month.

4) Phase 6 Chesapeake Bay Watershed Model

The panel have completed their review of the requested documentation and finalized a report of their recommendations. The panel is currently awaiting the remaining documentation on the approach to climate change and Conowingo infill from the Modeling Workgroup to complete their review.

5) Chesapeake Bay Water Quality/Sediment Transport Model (WQSTM)

STAC received the official review request from STAR's Modeling Workgroup on the Water Quality Sediment Transport Model in late November. STAC Staff are currently working with the CBPO to finalize the review approach, questions, and documentation by mid-May.

Upcoming Reviews

STAC is working closely with CBP representatives to plan for one additional STAC-sponsored independent scientific peer reviews between now and May 2017. These STAC reviews will help inform the Partnership's 2017 Mid-point Assessment.

1) Approach being taken to factor climate change considerations into the 2017 Chesapeake Bay TMDL Midpoint Assessment

One of the workshop proposals submitted to STAC for FY17 will be organized in lieu of a peer review on the application of WRTDS to watershed WQ trend analysis and explanations.

For more information regarding any of the reviews above, visit http://www.chesapeake.org/stac/stac_rev.php or contact STAC Coordinator Rachel Dixon.

Contact: dixonr@chesapeake.org

Goal Implementation Team, STAR and Communication Workgroup Updates

Status and Trends (Previously Indicators) Workgroup:

The Workgroup will use the Indicators Framework to evaluate how our existing indicators support our needs under the new Agreement, identify gaps, assist in developing new indicators, and ensure we have updated indicators for all of our Partnership products.

Indicators

The following indicators were updated since the March Management Board meeting:

Indicator	*Statement of Progress*	*Link*
Fish passage	Between 2012 and 2016, 1,126 additional miles were opened to fish passage, surpassing the 1,000-mile goal.	http://www.chesapeakeprogress.com/abundant-life/vital-habitats/fish-passage

Public Access	Between 2010 and 2016, 130 public access sites were opened to the public. This marks a 43% achievement of the goal to add 300 new access sites to the watershed, and brings the total number of access sites in the region to 1,269.	http://www.chesapeakeprogress.com/engaged-communities/public-access/public-access

Indicators that are likely to be updated before or close to the next Management Board meeting include:

- Juvenile Striped Bass Abundance (April 2017)
- Environmental Literacy Planning (April 2017)*
- Reducing Pollution (April 2017)
- Black Duck (April 2017)
- Forest Cover (May 2017)
- Toxic Contaminants (Spring 2017)

NOTE: an asterisk* denotes new indicators that have been approved through the Status and Trends workgroup under STAR. The Indicators Coordinator provides notification to the Management Board and to STAR of these new indicators; members of either group may request additional information or a presentation at a meeting on these new indicators.
Contact: Laura Free, 410-267-5713, free.laura@epa.gov

Fisheries Goal Implementation Team
The Sustainable Fisheries GIT focuses on advancing ecosystem-based fisheries management by using science to make informed fishery management decisions that cross state boundaries.

The Fish Habitat Action Team developed a workshop proposal for the Scientific and Technical Advisory Committee's request for proposals, which will evaluate factors influencing fish habitat function to develop qualitative criteria improving restoration and conservation efforts throughout the Chesapeake Bay Watershed. STAC approved the Fish Habitat workshop proposal at their March Quarterly meeting.

The Fish Habitat Action Team held a meeting in February to review their workplan. They held a follow up earlier this month to analyze their workplan progress, identify gaps and challenges, and prepare their strategy review presentation to the Management Board on May 11th.

The Forage Action Team met in February to learn about Maryland Department of Natural Resource's research and development of striped bass indicators and to hear an update on the GIT-funded study by the University of Maryland Center for Environmental Science Chesapeake Biological Laboratory to investigate the drivers of forage population trends. During this meeting, members reviewed a proposed strategy for further forage action and provided input to improve the strategy.

The Invasive Catfish Task Force reconvened in February to learn the latest research on population, diet and fish movement in the Chesapeake Bay and to plan for an invasive catfish workshop geared toward managers later in the year.

The Chesapeake Bay Stock Assessment Committee held their quarterly conference call to consider additional analysis regarding this year's advisory report. Members are preparing for the Winter Dredge Survey results analysis and review in mid-May with final advisory report expected in June.

Blue Crab experts met with climate experts during the "Aligning Monitoring with Climate Change" STAC workshop to gain a better understanding of the likely impacts of climate change and identify critical monitoring parameters. Key parameters identified were DO and bottom temperature. This workshop is the first of three workshops, which will increase the resiliency of the Chesapeake Bay Watershed and develop a long-term vision for management in the Chesapeake Bay.

Contact: Kara Skipper; kara.skipper@noaa.gov

Habitat Goal Implementation Team
The Habitat GIT is restoring a network of land and water habitats to afford a range of public benefits and to support priority species.

The Habitat Goal Implementation Team's Spring 2017 will take place on May 9th at the Pennsylvania Fish and Boat Commission's office in Harrisburg, Pennsylvania. The meeting will focus on preparing for the Management Board's Biennial Review and updating members with ongoing GIT activities. The Habitat GIT is working closely with the Cross-GIT Mapping team and NFWF to align priorities to reach outcome goals stated in the Watershed Agreement.

The 73rd Annual **Northeast Fish & Wildlife Conference,** *Relevancy and Agility: The Rising Tide of Conservation*, will be held April 9-11, 2017 in Norfolk, Virginia at the Norfolk Waterside Marriott. Visit http://www.neafwa.org/conference.html for more information.

The Wetland Workgroup, in collaboration with the CBP Web and Communications Teams, has refined the project scope of a GIT Funded project "Increasing landowner participation in wetland restoration programs – information access and program cross-training." The refined RFP has been released by the Chesapeake Bay Trust, with proposals due April 5th, 2017. Contracts are expected to be awarded by the end of May.

The SAV Workgroup's GIT Funded project "Watershed group and citizen monitoring of fish habitat" is in the process of scheduling trainings for watershed groups to monitor SAV and forage fish. An existing citizen science app, Water Reporter, is being updated to include SAV and forage monitoring capabilities.

The SAV Workgroup hosted a workshop on March 29th at the Chesapeake Bay Foundation in Annapolis, MD to focus on the SAV Survey and potential changes in design to help ensure continued monitoring under uncertain funding. Data users have been surveyed and an outcome of the workshop will be consensus on a path forward to continue SAV data collection in the Chesapeake. A workshop report will be available in the coming weeks.

The Wetland Expert Panel's final report received full partnership approval and recommendations will be adopted in the Phase 6 Watershed Model. The full report is available online. The scope of work for a future Wetland Expert Panel to provide further BMP recommendations is in the process of being developed.

The North Atlantic Landscape Conservation Cooperative and Virginia Department of Game and Inland Fisheries will be holding a Multi-State Landscape Science Workshop on Thursday April 27th at the Smithsonian Conservation Biology Institute in Front Royal, Virginia. The workshop is intended to serve a range of agency staff engaged in planning and implementing conservation activities with a purpose of helping agency staff understand the diversity of valuable landscape science available in our region, with

a focus on the use and application of RCOA tools and how that information can be accessed to identify priorities and address data needs.

The Climate Resiliency Workgroup is hosting STAC workshops to integrate climate change into monitoring of three groups: blue crabs, oysters, and SAV. The SAV focused workshop will take place in the Schmidt Building at SERC on April 25th, 2017. More information can be found here.

Contact: Runion.kyle@epa.gov

Water Quality Goal Implementation Team
The Water Quality GIT works to evaluate, focus and accelerates the implementation of practices, policies and programs that will restore water quality in the Chesapeake Bay and its tidal tributaries to conditions that support living resources and protect human health.

February updates: The WQGIT held conference calls on February 13th and February 27th.

The WQGIT endorsed the STAC workshop proposal entitled 'Integrating Science on Watershed and Estuarine Change: Support for the Mid-Point Assessment and Beyond'.

The WQGIT was briefed on observed regional trends to support development of draft Phase III WIP planning targets.

The WQGIT was briefed on the proposed process and structure for Phase 6 model development and fatal flaw review, and recommended that the fatal flaw review process be incorporated with new information regarding the changing modeling timelines and proposed strategic review guide for conducting the fatal flaw review. The revisions will come before the WQGIT for approval in April.

The WQGIT requested an communications document be developed in order to clearly communicate key information about the Phase 6 model for a general (non-technical) audience.

March updates: The WQGIT held a conference call on March 13th.

The WQGIT approved extending the deadline for jurisdictions to submit updated 2014-2016 historical data from April 1st to September 1st, to support development of historical progress scenarios through 2016.

The WQGIT discussed the proposed revisions to the Midpoint Assessment schedule and (1) recommended including a new row that directs the Partnership to re-evaluate the revised Midpoint Assessment schedule after the fatal flaw review is complete; (2) agreed to a 4-month review of the draft Phase III WIP planning targets; and (3) approved the revisions through July 2017.

The WQGIT will hold a conference call on April 10th. A subset of the planned topics include:

The WQGIT will be briefed on the proposed Phase 6 Model Review Strategy, which includes Phase 6 model changes, fatal flaw review process guidance, and a review strategy document.

The WQGIT will receive presentations on a proposed midpoint assessment communications strategy from the Partnership's Communications Office and on a draft Phase III WIP local government engagement and communications template from LGAC's Local Government Engagement Initiative.

The WQGIT will be asked to approve the proposed revisions to the midpoint assessment timeline.

Contact: Lucinda Power, power.lucinda@epa.gov

Healthy Watersheds Goal Implementation Team
The goal of the Maintain Healthy Watersheds Goal Implementation Team (GIT 4) is to maintain local watershed health across a range of landscape contexts. With this goal, GIT 4 intends to bring attention to the challenge of protecting streams and watersheds that are healthy today. This initiative complements the "dirty waters" approach which focuses on restoring impaired waters.

Contact: Katherine Wares; kwares@chesapeakebay.net

Foster Stewardship Goal Implementation Team
The Fostering Stewardship GIT promotes individual stewardship, supports environmental education for all ages, and assists citizens, communities and local governments in undertaking initiatives to achieve restoration and conservation in the Chesapeake region. It aims to build public support of restoration efforts and increase citizen engagement and active stewardship.

Contact: Drew Pizzala; drew_pizzala@partner.nps.gov

Enhance Partnering, Leadership and Management Goal Implementation Team
The goal of the Enhance Partnering, Leadership and Management GIT is to continually improve the governance and management of the CBP Partnership.

CBP Biennial Strategy Review System
A GIT sub-group (the "SRS Small Group") is working with the Fisheries, Habitat, Healthy Watersheds, and Stewardship Goal Teams; STAR; and STAC to prepare for the inaugural Quarterly Progress Session with the Management Board, to take place on May 11, 2017, where the progress of six outcomes where be reviewed. The GIT is also working on drafting a product from the February 2-Day Biennial Meeting that highlights key themes and considerations, to be presented to the Principals' Staff Committee (PSC) at the May 17 meeting. The PSC will provide guidance on the content and revision of this product, and an abridged presentation may be scheduled for the June 8 Executive Council meeting.
Contact: Dave Goshorn, david.goshorn@maryland.gov

GIT Funding
GIT Coordinator and Staff have developed a GIT Funding newsletter, currently under review by the Communications team and other parties, to be distributed internally (with the option of distribution to a large, external audience). The goal of the newsletter is to highlight the purpose and process of GIT Funding, and to showcase, through project examples and testimonial, how this funding source has helped GITs overcome barriers to workplan implementation and successful completion of their respective Watershed Agreement outcome(s).
Contact: Greg Allen, allen.greg@epa.gov

GIT Local Leadership Workgroup

The Workgroup is hosting a meeting on early April 12, 2017 to review the report on local elected officials' information content needs and preferred delivery mechanisms developed by EcoLogix. The Workgroup will take time to review and comment on the report outline before a final draft is submitted. The Workgroup will also consider how this report will be used in the third phase of the local official watershed education project "*Implementation Support for Local Official Watershed Education and Capacity Building*."
Contact: Reggie Parrish, parrish.reggie@epa.gov

Scientific, Technical Assessment, and Reporting Team
The purpose of STAR (Scientific, Technical Analysis and Reporting) is to facilitate productive deployment of scientific resources, to provide timely, quality information to managers, and to expand communication between workgroups.

Addressing the Goal Team Science Needs. *The Chesapeake Bay Program's Scientific, Technical Assessment and Reporting (STAR) Team, in coordination with the Goal Implementation Teams (GITs), conducted an in-depth analysis of science needs of work plans for the Bay Agreement Outcomes.* The science needs of the CBP GITs have expanded over the past 2 years to address the 2014 Agreement outcomes. Here are some results from this analysis:

- The goals teams are benefiting from several Federal Partners focusing support on selected outcomes. For example, NOAA is providing the majority of support for the fishery outcomes, USFWS for several habitat outcomes, and USGS for Habitat, Water Quality, Toxic Contaminant, and Climate outcomes.
- We have involved new partners in helping address science needs, including the Eastern Brook Trout and Black Duck Joint Ventures.
- GIT funding provided by the CBP has also helped to address specific needs.
- The CBP Office resources have supported the needs of the 2017 Mid-Point Assessment with the GIS Team also supporting the cross-goal team mapping project.

The STAR team will summarize the remaining needs and work through the Management Board on ways to address the remaining gaps. STAR will also become a forum for GIT preparation for the SRS Biennial Review, with dedicated meetings occurring two months prior to the Management Board's themed SRS quarterly review meetings.

***STAR is supporting the Cross GIT Mapping project**, utilizing monthly meetings to solicit feedback on mapping priorities from the GITs. The results will be used by the GITs and partners to identify areas where multiple outcomes can be addressed, and to help focus resources.*

STAR Analyst, Dr. Qian Zhang, is the recipient of the prestigious Innovyze Excellence in Computational Hydraulics/Hydrology Award for 2017! This national award is given annually by the American Academy of Environmental Engineers (AAEE) and the Association of Environmental Engineering and Science Professors (AEESP) to recognize a student whose research contributes substantially to the knowledge pool in the area of Computational Hydraulics & Hydrology.

CLIMATE RESILIENCY WORKGROUP
The CRWG held it's quarterly in-person meeting on March 20, 2017, with a focus on Climate Resiliency mapping, future funding opportunities, and upcoming priorities from the workplan.
The CRWG reviewed the 2017 Midpoint Assessment climate change policy options under review by the Principal Staff Committee and has put forward alternative language related to the "qualitative" policy option for the Partnership's consideration. The CRWG's proposed language reads as follows:

Optimize Phase III WIP Development and Adaptively Manage BMP Implementation: During the development of Phase III WIPs, jurisdictions will prioritize BMPs that are more resilient to future climate impacts over the intended design life of the proposed practices. During each two-year milestone development period, jurisdictions will consider new information on the performance of BMPs and the programs that support them, including the contribution of seasonal, inter-annual climate variability and weather extremes. Jurisdictions will assess this information and adjust plans to implement their Phase III WIPs to better mitigate anticipated increases in nitrogen, phosphorus or sediment due to climate change. Jurisdictions would provide a narrative consistent with the Guiding Principles that describes their programmatic commitments to address climate change in their Phase III WIPs.

On March 28, a STAC workshop was held regarding monitoring and climate change for blue crab. This was one of a series of three one-day STAC workshops (SAV, Oyster, and Blue Crab) for the purposes of developing recommendations to guide adjustments of CBP monitoring plans and efforts in order to better anticipate, assess and ultimately plan to address the factor of risk that climate change may have on the Partnership's ability to attain Chesapeake Bay Agreement Goals and Outcomes. Future workshops in this series will occur on April 25 & 26, 2017.

INTEGRATED MONITORING NETWORKS

Due to scheduling conflicts, March's IMN meeting was postponed until April, where the Chesapeake Monitoring Cooperative's Indicator Matrix that provides possible matches between management plan information needs with volunteer monitoring program assessment metrics, as well as results from the Susquehannah River Basin Commission's work with the Chesapeake Bay Program's nontidal water quality monitoring network protocol comparison study, will be reviewed.

CRITERIA ASSESSMENT PROTOCOLS WORKGROUP

During February 2017, CBP partners requested an overview and update of the Chesapeake Bay tidal waters benthic macroinvertebrate monitoring program with applications of its Benthic Index of Biotic Integrity. The methodology supports Clean Water Act 303d impairment listings in tidal waters of Chesapeake Bay. Specific interests among the partners includes 1) sampling distribution, 2) latest work regarding reference community classification and 3) the power of the tool to discriminate causes of impairment. The CAP WG webinar occurred on April 4, 2017 to address these interests. See the CAP calendar event page for the presentation and supporting materials.

MODELING WORKGROUP

Development of the Watershed Model Phase 6 final version to be released for fatal flaw review on June 1 continues, and presentations regarding development were held during the April 4th Modeling WG Meeting. There will also be a follow up Modeling WG conference call held on May 4th. Plans are also underway to help finalize STAC reviews of pieces of the modeling framework including the approach to simulation of the Conwingo and climate change. These reviews will likely be held in the Spring.
Contact: Melissa Merritt; mmerritt@chesapeakebay.net

Communications Workgroup

The Communications Workgroup provides strategic planning and expert advice to support the communication needs of the Chesapeake Bay Program partners, and spur public action through consistent messaging, expanded media coverage, use of multimedia and online tools, comprehensive

branding and promotion, outreach to stakeholders, and coordinated internal and external communications.

The Communications Workgroup reviewed its priorities from the previous year at their April meeting, with the intent to create a two-year workplan. Kristin Reilly (CCWC, Communications Director) gave an update on the Coalition's activities to support CBP and led a discussion about how CBP partners could communicate the successes of the partnership. Jennifer Starr (ACB, LGAC) updated the workgroup on the activities of the Local Government Engagement Initiative.

On April 10, Rachel Felver (ACB, CBP Communications Director) spoke to the Water Quality GIT about the Midpoint Assessment/Phase III WIP planning communications strategy. On April 13, the office put out a press release with NOAA updating on oyster restoration progress. In March, CBP ran a "This is Progress" campaign on Facebook and Twitter to highlight progress made toward the Agreement and the data available on ChesapeakeProgress.com. A separate "Chesapeake Stories" Facebook campaign features short, one-minute videos where watershed residents share their stories: what their waterway means to them, how they interact with their environment and what environmental issues face their communities.

Contact: Joan Smedinghoff; jsmedinghoff@chesapeakebay.net

Recent Meetings and Events

Mar 9	Management Board Meeting
Mar 13	Water Quality Goal Implementation Team (GIT 3) Call
Mar 14-15	Scientific and Technical Advisory Committee Meeting (Annapolis)
Mar 23	Scientific, Technical Assessment and Reporting Team Meeting (Annapolis)
Mar 23-24	Local Government Advisory Committee Meeting (King George, Va.)
Mar 29-30	STAC Workshop: Ecosystem Services/Co-Benefits (Annapolis)
Apr 4	Enhance Partnering, Leadership, and Management (GIT 6) Meeting
Apr 10	Water Quality Goal Implementation Team Call
Apr 12	Local Leadership Workgroup Meeting

Chesapeake Bay Commission
Policy for the Bay · www.chesbay.us

March 27, 2017

The Honorable Scott Pruitt, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. Mail Code 1101A
Washington, D.C. 20460

Dear Administrator Pruitt:

The Chesapeake Bay Commission is a tristate legislative Commission with members from Maryland, Pennsylvania and Virginia. We work to advance policy, at all levels of government, to restore and protect the Chesapeake Bay. Please allow us to share in the attached briefing document our perspective on the current state-federal partnership working to restore the Bay and its rivers.

As an organization composed primarily of state legislators, we have a broad understanding of the creation and implementation of programs to achieve strategic objectives by governmental entities and the evaluation of the success of these programs. In our assessment, and supported by tangible results, the state-federal Chesapeake Bay Program Partnership has proven to be highly effective. The current relationship of state-led on-the-ground restoration decisions and actions supplemented by federal coordination and oversight, information, and funding is producing real results in cleaner water, healthier fisheries, and greater economic and environmental resilience.

The Commission serves as a leading policy maker in this Partnership. We offer the attached briefing document in the hope that it will provide you with an understanding of:

- Who we are and what our role is in the restoration efforts.
- How the Partnership is working and accomplishing positive change.
- What we see as essential elements of continued momentum and success.

This briefing reflects the thoughts of the 21 members of the Commission. We have included several quotes to add a personal voice to our message. It is our hope this correspondence will also serve as an effective vehicle in our forging a collaborative relationship with you and President Trump's administration as together we work to restore the Bay.

The next meeting of the Commission will be held in Washington D.C. on May 4-5. We would like to take advantage of our proximity to your office to meet with you personally to discuss our

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state-federal partnership. We are currently holding the morning of May 5 open and can travel to your office. We would be grateful if you would please have your scheduler contact our Executive Director, Ann Swanson at aswanson@chesbay.us or 410-263-3420 to make the necessary arrangements.

On behalf of the members of the Commission and with best regards,

Garth D. Everett, Chairman
Pennsylvania House of Representatives (R)

L. Scott Lingamfelter, Vice-Chair
Virginia House of Delegates (R)

Tawanna P. Gaines, Vice-Chair
Maryland House of Delegates (D)

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CONTINUING AND ADVANCING THE RESTORATION OF THE CHESAPEAKE BAY

A TRI-STATE UPDATE FOR THE TRUMP ADMINISTRATION

CHESAPEAKE BAY COMMISSION · MARCH 2017

THE CHESAPEAKE BAY COMMISSION

Who We Are and What Our Role Is in the Protection of Clean Water

Composed primarily of state legislators from the General Assemblies of Pennsylvania, Maryland, and Virginia, the Chesapeake Bay Commission (Commission) is an interstate legislative organization dedicated to establishing and implementing collaborative and practicable policy for the restoration of the Chesapeake Bay.

A unique creation of three state legislatures, it dates back to 1980, prior to the signing of the first Chesapeake Bay Agreement (1983), prior to the development of Chesapeake Bay water quality criteria by the Environmental Protection Agency (2003), and prior to the development and adoption of a Chesapeake Bay Total Maximum Daily Load (2010).

Reflecting the truly bi-partisan character of the Commission, there are currently eight Republican legislators and seven Democratic legislators on the Commission. The Commission's leadership rotates annually among the three states.

The current Commission Chair is the chair of the Pennsylvania delegation, Representative Garth Everett, a Republican member of the Pennsylvania House of Representatives from rural Lycoming County. Representative Everett's career includes serving for 20-plus years in the U.S. Air Force as well as solicitor for multiple local governments and authorities.

The chair of the Maryland delegation, Delegate Tawanna Gaines, is one of two Vice-Chairs for the Commission. Delegate Gaines, a Democratic member of the Commission from Prince George's County, Maryland, has a history of public service in the Maryland House of Delegates and in local government.

Virginia Republican Delegate Scott Lingamfelter completes the Commission's slate of officers as its other Vice Chair. Delegate Lingamfelter served as Chair of the Commission in 2015. Like Representative Everett, his career also includes over 20 years in the U.S. armed services, having retired as a U.S. Army Lt. Colonel. A fiscal conservative, he describes himself as "an adherent to the Founders' vision of constitutional and conservative government."

These three leaders, two Republican and one Democrat, work across state boundaries as part of the twenty-one-member (seven from each state) Commission. In addition to the

Members of the Commission

Representative Garth D. Everett (PA-R) Chairman

Delegate Tawanna P. Gaines (MD-D) Vice Chair

Delegate L. Scott Lingamfelter (VA-R) Vice Chair

Senator Richard L. Alloway, II (PA-R)

Secretary Mark J. Belton (MD, Governor's cabinet)

Delegate David Bulova (VA-D)

G. Warren Elliott (PA, Citizen Appointee)

Delegate Barbara A. Frush (MD-D)

The Hon. Bernie Fowler (MD, Citizen Appointee)

Representative Keith Gillespie (PA-R)

Senator Guy J. Guzzone (MD-D)

Senator Emmett W. Hanger, Jr. (VA-R)

Delegate Maggie McIntosh (MD-D)

Acting Secretary Patrick McDonnell (PA, Governor's cabinet)

Senator Thomas McLain "Mac" Middleton (MD-D)

Delegate Margaret Ransone (VA-R)

Representative P. Michael Sturla (PA-D)

Dennis H. Treacy (VA, Citizen Appointee)

Senator Frank W. Wagner (VA-R)

Secretary Molly Ward (VA, Governor's cabinet)

Senator Gene Yaw (PA-R)

15 legislative members (five per state), three members are cabinet-level secretaries (representing the governors of Pennsylvania, Maryland, and Virginia) and three members are citizen appointees of their respective state General Assembly.

Experiential backgrounds among the members include a lifelong farmer, an environmental planner, a former Vice President and Chief Sustainability Officer for a Fortune 250 corporation, a former judge, a CEO of a construction and contracting firm, a retired Navy Rear Admiral, and an owner of a multi-generational family-run oyster company.

Since its creation in 1980, the Commission has been a leader in the states' Baywide environmental protection and restoration efforts. Among its successes are:

- The establishment of a multi-state ban on threatened stocks of striped bass, now a recovered fishery because of the ban.
- An end of the use of phosphate in detergents in all three Bay states.
- The establishment of a state-led process for developing river-specific state clean-up plans.
- A major initiative across the watershed states to develop policies on the restoration of riparian forest buffers.
- The establishment of the first ongoing bi-state committee to promote cooperation in the management of Maryland's and Virginia's most commercially valuable Bay fishery, the blue crab.
- The allocation of state funds to support pollution reduction from agricultural sources and installation of advanced sewage treatment infrastructure.
- The establishment of regional conservation initiatives in the Federal Farm Bill for agricultural conservation efforts in the watershed.
- The publication of precedential policy documents ranging from *Cost Effective Strategies for the Bay*, an examination of how to achieve the best "bang for the buck" in nutrient pollution reduction, to

The Purpose of the Chesapeake Bay Commission as Established by State Codes

The purposes ... are to assist the legislatures of Virginia, Maryland, and Pennsylvania in evaluating and responding to problems of mutual concern relating to the Chesapeake Bay; to promote intergovernmental cooperation; to encourage cooperative coordinated resource planning and action by the signatories and their agencies; to provide, where appropriate, through recommendation to the respective legislature, uniformity of legislative application; to preserve and enhance the functions, powers and duties of existing offices and agencies of government; and to recommend improvements in the existing management system for the benefit of the present and future inhabitants of the Chesapeake Bay region.

Nutrient Credit Trading: An Economic Study, an analysis of where nutrient trading could best provide potential cost savings and efficiencies.

Throughout its history, the state legislative leaders of the Commission have helped it drive state-led restoration opportunities and efforts which are now yielding a Bay in recovery.

THE BUSINESS OF THE BAY: AN ECONOMIC ENGINE[1]

It is important to note at the outset that the Commission shares the conclusion of many that the Chesapeake Bay and its rivers and streams are not merely an ecosystem of immense natural resource value, they are also huge economic engines for the states of Pennsylvania, Maryland and Virginia. From recreational trout fishing to harvesting blue crabs, healthy Bay waters provide jobs, personal income and state revenue. In addition, clean water saves money; clean runoff from farm fields and well-managed stormwater reduces governmental costs for drinking water, for example. The bottom line: clean water and a healthy Bay are good business.

Research shows that the total estimated natural capital value of the Chesapeake Bay watershed is a whopping $107.2 billion in its current state of recovery.

The value of a Bay watershed with clean water jumps to $129.7 billion annually, a $22.5 billion per year increase. For our states' economies, the numbers remain impressive:

- Pennsylvania: $6.2 billion annually
- Virginia: more than $8.3 billion annually
- Maryland: $4.6 billion annually

The fact is that reduced pollution and cleaner water is good business.

And the results are not simply economic; there are the added benefits of an improved quality of life. These benefits include: improved food production (farming, hunting and fishing); better urban management of

1. http://www.tandfonline.com/doi/full/10.1080/08920753.2016.1160205

stormwater that reduces flooding, protecting life, public infrastructure (bridges, dirt roads, etc.), and private property; safer drinking water supplies; and increased access to recreation (tourism, outdoor sports, fishing and hunting, etc.).

THE CORE: SUCCESSFUL COOPERATIVE FEDERALISM

Highlighted in 2005 under the Bush Administration as a model conservation and restoration program of cooperative federalism, the state-federal Chesapeake Bay Program Partnership has successfully advanced a collaborative, state-led, federally supported restoration approach.

This state-federal Partnership, joining together six states, the District of Columbia, the federal government, and the legislatures of Pennsylvania, Maryland and Virginia, is governed by voluntary commitments established by the partners themselves. These core commitments focus on a comprehensive package of environmental indicators, commitments that include a pledge to uphold the rule of law and achieve the goals of the federal Clean Water Act.

Voluntary Agreements

Framed by a series of voluntary agreements dating back to 1983 among the Commission, six states, the District of Columbia, and the federal government, the Partnership's current operational framework document is the Chesapeake Bay Watershed Agreement (Agreement), drafted and signed in 2014. Key among the philosophies incorporated in the Agreement are the concepts of public-private partnering, measurable results, and the use of new ideas and technologies:

> Local governments are key partners in our work, as are individual citizens, businesses, watershed groups and other non-governmental organizations. Working together to engage, empower and facilitate these partners will leverage resources and ensure better outcomes. ...The Partnership's experience with watershed restoration and protection efforts has shown that measurable results, coupled with firm accountability, yield the most significant results. The Partnership stands ready to embrace new ideas, technologies and policies that will help meet its goals. ["Preamble," *Chesapeake Bay Watershed Agreement*, 2014]

These philosophies and concepts have led, according to one Commission member, to a "very effective system" for documenting and measuring progress on achieving the Agreement's goals and outcomes. Among them are: sustainable commercial and recreational fisheries; land and water habitats sufficient to support wildlife, recreational use, and scenic values; clean water that meets state and federal standards; and increased citizen stewardship; conservation of treasured landscapes.

Rule of Law

The Partnership's Chesapeake Bay restoration efforts are not exclusively voluntary. The efforts are also framed by the rule of law as contained in the federal Clean Water Act:

> (g) Chesapeake Bay Program [Partnership]
>
> (1) Management strategies
>
> The Administrator, in coordination with other members of the Chesapeake Executive Council, shall ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve and maintain—
>
> (A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the Chesapeake Bay and its watershed;
>
> (B) the water quality requirements necessary to restore living resources in the Chesapeake Bay ecosystem. [33 USC Section 1267]

These federal statutory provisions along with the Clean Water Act sections governing "impaired waters" and Total Maximum Daily Loads (Section 303(d) et al) are parallel restoration obligations of the Partnership.

As noted by one Commission member, "While the requirement to clean up the Chesapeake Bay is appropriately driven by the Clean Water Act, how to do this is decided by each state, which creates buy-in and ensures efficiency." And, in fact, Commission members across the tristate region consider the role of EPA as the federal lead on Total Maximum Daily Loads critical to the ongoing success of the restoration efforts.

Cooperative Federalism

Describing the current roles of the EPA and the states, along with the blend of voluntary and statutory efforts, one Commission member noted: "This is a model for how a watershed cleanup program should be done." The simple fact is that the Chesapeake Bay Program Partnership is a shining example of successful cooperative federalism. In the words of another member, "The relationship with EPA has been a true partnership in every sense of the word."

The Chesapeake Bay Watershed Agreement specifically acknowledges the cooperative federalism nature of the Partnership and the unique mix of statutory and voluntary elements. In the Goals and Outcomes Water Quality section, the Agreement cross references the Clean Water Act obligations of the partners:

> Restoring the Bay's waters is critical to overall watershed restoration because clean water is the foundation for healthy fisheries, habitats and communities across the region. However excess amounts of nitrogen, phosphorus and sediment in the Bay

and its tributaries have caused many sections of the Bay to be listed as "impaired" under the Clean Water Act. The Chesapeake Bay Total Maximum Daily Load (TMDL) is driving nutrient and sediment reductions as described in the Watershed Implementation Plans (WIPs), adopted by the states and the District of Columbia, and establishes the foundation for water quality improvements embodied in this Agreement. These plans set nutrient and sediment reduction targets for various sources—stormwater, agriculture, air deposition, wastewater and septic systems.

The defining feature of the Chesapeake Bay Program Partnership is its collaborative structure. It is a joint enterprise where state governments and the federal government together share responsibilities; where negotiated voluntary agreements among governments confirm not only shared statutory obligations but also apportioned voluntary goals that exceed the shared statutory obligations.

The federal government's role in this collaborative structure has proven essential to the successes to date. EPA not only provides an infrastructure to allow all the players' voices to be heard, but it also coordinates complex decision-making. In addition, when necessary, EPA provides federal oversight and accountability, assuring that all the players observe the voluntary commitments they have made and the rule of law.

In every way, the Chesapeake Bay Program Partnership is a model of cooperative federalism.

CONTINUING SUCCESS: THE STATE PERSPECTIVE ON SPECIFIC CONTRIBUTIONS FROM OUR FEDERAL PARTNERS

Providing Information: Science and Planning Tools

As state legislative leaders, we recognize the critical role that EPA and the federal partners play in providing the scientific and technical – including modeling – information and expertise necessary to ground restoration decisions on the best science available.

While EPA serves as the lead federal partner, the Chesapeake Bay Program Partnership incorporates unequalled expertise from federal agencies such as USGS, NOAA, USDA, NPS, USFWS, DOD, and Homeland Security. The states rely on these federal partners to provide data, analysis, interpretation, and coordination.

States depend heavily on the scientific information some of these federal agencies provide. From the original determination that an excess level of nutrients was the primary pollutant causing the decline of water quality in the Chesapeake Bay to the recognition that airborne nitrogen was a substantial contributor to that excess level of nutrients, EPA in collaboration with other federal agencies has provided the cutting-edge science necessary for on-the-ground state decision-making. No one state could either obtain or generate this information on its own. In the words of one member of the Commission, the federal

Chesapeake Bay Modeling, Monitoring and Data Collection Are Called for in the Clean Water Act

(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM [PARTNERSHIP]. --

(2) [CHESAPEAKE BAY] PROGRAM OFFICE. --

(B) FUNCTION. -- The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by --

(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program

[33 USC Section 1267]

government contributes critical "science-based initiatives that support state implementation."

The development and deployment of technical tools is a parallel informational contribution provided by the federal government. The Chesapeake Bay Watershed Model (Bay Model) is a prime example of this type of essential federal contribution.

A peer-reviewed model extensively calibrated and validated to stream monitoring data at hundreds of locations throughout the Chesapeake Bay states, the Bay Watershed Model is one of international recognition and respectability. "[E]ach successive version of the model has added more detail, more process documentation, better input data sets, and finer temporal and spatial representation of the watershed." [Chesapeake Bay Program, Scientific and Technical Advisory Committee Publication 11-02 September 26, 2011]

Not only would it be practically impossible for any single state to develop a comparable model, the states have utilized the model extensively over the years to develop implementation plans, make strategic planning decisions, assess progress, and continue forward momentum on reducing pollution and achieving clean water. Local governments across the watershed are also now using these tools to make informed, strategic and cost effective decisions. The states of the Commission recognize that the model serves as an invaluable tool in their process of engaging stakeholders, considering priority choices, making funding decisions, and implementing restoration strategies.

Another federally assisted informational initiative on which states rely is the Partnership's water quality monitoring program. Led jointly by USGS and the EPA, the federal government coordinates a monitoring network that utilizes federal monitoring stations, state monitoring stations, academic institutions, scientists, federal and state agencies and staff, and citizen scientists to monitor and assess water quality conditions as the states implement pollution control and reduction practices. Monitoring water quality is critical to determining which solutions to implement and their level of effectiveness. Monitoring data and data analysis characterize current conditions, identify long-term trends, and drive decisions and choices on water quality improvements.

Funding assistance

Simply stated, informational support is not the only critical role of the federal partners: Commission members of both parties understand the critical role that federal funding support has historically played — and must continue to play — in the restoration of the Chesapeake.

States currently outspend the federal government in supporting cleaner water in the Bay and its rivers. 2016 state program spending for watershed restoration exceeded $1.2 billion. Federal agency spending, all totaled from all agencies, was substantially less: $536 million. [*Chesapeake Bay Restoration Spending Cross-cut Report to Congress*, Office of Management and Budget, 12-16]

The Chesapeake Bay watershed states are serious about the restoration of the Bay.

Federal contribution remains essential, however, even at this lesser level. From USDA dollars to EPA dollars to NOAA dollars, these monies fund the federal informational science as well as the collaborative structural leadership that the federal government provides the Partnership. In addition, EPA dollars flow to the states to help implement the on-the-ground restoration work and USDA dollars provide farmers with necessary funds to manage their farmland in environmentally sensitive ways.

While the Commission supports new ways to deliver these and additional dollars (e.g., through non-siloed block grants), current funding serves as invaluable capital, both real and political, in the cooperative federalism model of the Chesapeake Bay Program Partnership.

CONCLUSION

The Chesapeake Bay Commission's unique structure, history, and make-up give it a lens like no other player in the Chesapeake Bay Program Partnership. It sees from the state government legislative perspective the realities of what is and is not working. We hope that this briefing provides you with a view of the current effort – and our clear and unequivocal support of it.

As you look to the future, we look forward to working closely with you.

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