



CHESAPEAKE BAY COMMISSION
Maryland Delegation Meeting
May 4, 2018
Washington, DC

Minutes

Members Present:

Delegate Tawanna Gaines, Chair
Senator Guy Guzzone, Vice-Chair
Delegate Barbara Frush
~~Delegate Maggie McIntosh~~
Sen. Thomas “Mac” Middleton

~~Senator Bernie Fowler, Citizen Representative~~
Secretary Mark Belton, DNR
Staff: Mark Hoffman
Guests: Dave Goshorn, DNR
Lee Currey, MDE

1. Call to Order and Approval of Minutes.

Delegation Chair Gaines called the meeting to order at 8:14 am and the Delegation unanimously approved the January 2018 meeting minutes

2. 2018 Legislative and Budget Discussion

The Delegation reviewed the legislative summary for 2018 prepared by State Director Hoffman. Discussion focused on two initiatives that did not pass.

HB 538/SB 651 - Environment - Expanded Polystyrene Food Service Products – Prohibition. Del. Gaines felt there was confusion on the consequences of this bill, as it would not impact any local manufacturers. Both Del. Gaines and Senator Middleton felt the bill would be reintroduced in 2019, and there was consensus that the Commission should continue to support this initiative.

HB 766/SB 610 – Forest Conservation. Sen. Middleton felt it still would be possible to reach some understanding among the parties to better protect the State’s forest land. He felt it appropriate to again offer the Commission’s assistance in this regard. He said this could be done by asking the EHE Committee Chair (in the Senate) for permission to do so, after the primaries are over. He also raised several points related to the proposal, that were brought up during the last session, such impacts to development in priority growth areas (where growth is supposed to go) and potential increased costs to home construction – two of many competing issues. Nonetheless, he felt if it was the will of the Delegation, it was a legitimate roll for the Commission to play. There was consensus among the members to continue along the path outlined by Sen. Middleton.

Budget – There was a brief discussion of the Next Gen program, and the effort of multiple Delegation members to achieve the positive outcome. Del. Gaines noted it should be highlighted in the presentation to the full Commission.

Del. Gaines noted that there would be many new members in the General Assembly in 2019, and it is important that they have some understanding of who the Commission is and what it does. State Director Hoffman offered to present at any new legislator’s orientation or provide materials that could be incorporated into any orientation. Del. Gaines said she would follow-up with the Speaker’s office on this.

3. Chesapeake Appreciation Days

The Delegation members felt the proposed “op-ed” on the Commission and the multi-jurisdictional cooperation that is achieving results in the watershed would be a good way to improve the understanding and recognition of the work of the Commission.

4. Summer One-Day Meeting

There was consensus to hold a one-day summer meeting, in July, after the primaries. Secretary Belton offered to host us at a DNR facility and recommended a particular site at Wye Island NRMA. State Director Hoffman is to work with the Chair and Vice-chair to finalize the details.

Potential topics discussed for considered at the meeting included updates on the development of the Phase 3 and Conowingo WIPs. Members felt it would be a good idea to bring in representatives of local government and the ag community to hear their thoughts on Phase 3 development as part of the meeting. Chair Gaines raised the issue of the adequacy of technical assistance as a concern, as detailed in the Commission’s report, and raised potential means to address this, such as modifying the relevant pay scales, the convoluted compensation structure (employees from multiple governmental entities) involved, and ultimately funding for any changes.

5. Staff Updates

WIP Phase 3 Meetings. State Director Hoffman outlined the schedule of upcoming MDE workshops for the development of the Phase 3 WIP (per the attachment included with the meeting materials). He noted he would be attending at least one, and possibility more, on behalf of the Commission.

The question was raised about the development of “county level” planning targets, and how this has been requested by members of the environmental community. Lee Currey from MDE noted it would be possible to create a county level summary, like an inventory, but this number would not be “assigned” to a particular governmental entity, as the county-level load allocations would be broken down by sector and assigned to the party responsible for each sector. They would not be assigning a total load to a county and having them decide how it would be allocated by sector. State Director Hoffman asked about who would be responsible for the agriculture sector reductions, and Mr. Currey replied ultimately it is the responsibility of the State, and the Secretary of Agriculture is committed to achieving the goals for the ag sector.

Water Quality Trading Regulations. State Director Hoffman shared with the Delegation the latest communication from MDE to AELR related to the proposed regulations. Lee Currey noted that from MDE’s view, two principals points had been raised in the comment process, the need to protect local water quality, and using 3 mg/L N as the baseline for waste-water treatment plants, instead of the permit level of 4 mg/L N. He also noted capacity credits were not provided for in the regulations. State Director Hoffman is to continue to monitor this for the Delegation.

6. Meeting Adjourned 9:00 am.