

Minutes

CHESAPEAKE BAY COMMISSION
Annapolis, MD
January 6, 2005

The Chesapeake Bay Commission held its first quarterly meeting on Friday, January 6, 2005, in Annapolis, Maryland

The following Commission members and staff were in attendance:

Delegate John A. Cosgrove
Representative Russell H. Fairchild
Senator Bernie Fowler
Senator Brian Frosh
Senator Emmett W. Hanger, Jr.
Representative Arthur D. Hershey
Delegate James W. Hubbard
Deputy Secretary W. Pete Jensen
Secretary Tayloe W. Murphy, Jr
Deputy Secretary Cathleen Curran Myers
Delegate Albert C. Pollard, Jr.
Senator Nick Rerras
Senator J. Lowell Stoltzfus
Senator Michael L. Waugh
Delegate Michael H. Weir, Jr.
Delegate John F. Wood, Jr.
Representative Peter J. Zug
Rear Admiral Stephen A. Turcotte

Staff: Ann Pesiri Swanson
Pat Stuntz
Marel Raub
Paula Hose

The Commission compressed its usual 2-day meeting into one. Chairman J. Lowell Stoltzfus called the meeting to order at 10:00 a.m. The minutes of the Commission's November meeting were adopted as presented.

The members were briefed by two panels of experts, one a National panel and one a Regional panel. Each panelist was asked to share three compelling facts to help frame the current conditions and challenges in Bay restoration. The National panelists were Charlie Stek, Projects Director from Senator Paul Sarbanes' (MD) office and Ann Loomis, Legislative Director from the office of Senator John Warner (VA).

Mr. Stek first spoke about funding prospects and the fact that the federal government provides approximately \$230 million annually to the restoration of the Chesapeake Bay. In comparison to other ecosystems – Everglades’ restoration received \$243 million and the Great Lakes \$200 million. His second fact was that non-defense funds are shrinking and that 39% of the Federal budget is “discretionary,” of which 21%, approximately \$475 Billion, is Security/Defense dollars. The remaining discretionary funds include environment, education, health, etc. Opportunities, Mr. Stek reported, to add discretionary money is extremely limited and there may be possible cuts in existing programs. The third fact presented was that other mandatory federal spending categories appear to be the best opportunity for Bay restoration funding, such as the Farm Bill and TEA-21 reauthorization.

Ann Loomis’ preamble to her facts was that both sides and both parties must be involved. Ms. Loomis’ first fact was to simply continue to be direct and focus on our message, as it may be getting diluted. She also informed the members that Senator Warner would like to focus on nutrients and sediments. Her second fact shared with the members was that Congress would like to see greater contributions from the states, which could then be matched with new federal dollars. And lastly, Senator Warner was able to add 2 billion dollars for Stormwater in the Surface Transportation bill reauthorization.

Both Mr. Stek and Ms. Loomis agreed that the Blue Ribbon Report and the Commission’s Cost Effectiveness Report were well received and informative. The General Accounting Office (GAO) report looking at the Bay Program is another tool in the process. The Regional panel was comprised of Dr. Don Boesch, President of the University of Maryland Center for Environmental Studies; Dr. Ed Houde, Professor of Fisheries Science for the University of Maryland Center for Environmental Science; and Dr. Bern Sweeney, Director and President and Senior Research Scientist for the Stroud Water Research Center.

Dr. Boesch began with the fact that a global problem has been the water quality impacts of fertilizer. The change has occurred throughout time Dr. Boesch said, but the period of explosive increase of coastal depletion of oxygen began after WWII caused by things like fossil fuel combustion and cheap manufactured fertilizer. The second issue raised by Dr. Boesch was the controversy overestimates of water quality progress in Chesapeake Bay. Dr. Boesch explained that differences in data can be frequently tied to the measurement process. The obstacles to resolving this issue are both intellectual and bureaucratic. His final fact was the future ramifications of climate change, and the fact that the earth has subsided about 1 foot in the last century due to glacial rebound. He estimated that in the next century the earth will subside an additional 2-3 feet.

Dr. Ed Houde’s first fact was simply stated: the oysters are gone in both the ecological and economic sense by overharvesting, disease, pollution and loss of oyster reef habitat. He stressed to the members, “I hope you will be careful before you release *C. ariakensis* into the Bay.” Dr. Houde’s second fact was regarding the Blue Crab. He informed the members that the Blue Crab is down, but far from forgotten. The prognosis is good, but fishing mortality is

high and still above the “safe harvest level.” Dr. Houde requested the Commission continue its leadership role for good blue crab management and to support monitoring programs. Lastly he spoke about menhaden. Menhaden recruitments are down and evidence shows that environment and climate are responsible. He stressed that we need to study whether overfishing/predation is having an impact and the need to advocate multi-species management.

Dr. Bern Sweeney spoke to the group about nitrogen flux in the Bay. Right now forests assimilate 88% of nitrogen deposition; however, the forests will be saturated by 2050 and will only be able to assimilate 23%. If we establish air quality regulations, nitrogen reductions would increase to 47%. Dr. Sweeney said that small forested streams can reduce 20-10 times more nitrogen than streams with grass buffers. While buffers are being established, too many are grass which intercept phosphorus but does not process nitrogen. Dr. Sweeney’s second fact addressed Tributary Monitoring, which can be performed in several ways. Dr. Sweeney said the volunteer stream watching is great for public awareness and state monitoring programs are great for establishing 303d lists of impaired streams, but measuring success and progress in the Bay watershed requires a broader and more quantitative base. In conclusion, Sweeney spoke of teaching watershed stewardship. He stated “the further you get away from the Bay, relevance of the issue diminishes. We need to look at educational programs and need to know both what they are stewarding and why”.

In honor of the 400th anniversary of the founding of Jamestown in 1607 and the voyages of exploration in the Chesapeake Bay, with the support of the Chesapeake Executive Council (EC), an effort is underway to establish the Capt. John Smith Chesapeake National Water Trail. Pat Noonan, Chairman Emeritus and Founder of The Conservation Fund, described the proposed Baywide program led by National Geographic, which intends to host and pledge \$2 million for an educational summit focused on the Chesapeake Bay and environs. Legislation was introduced authorizing the National Park Service to study the national significance of Smith’s voyages of exploration and the feasibility of establishing a water trail to commemorate the voyages. It was also recommended by the EC that the study should include an analysis of the benefits of the trail for education, outdoor recreation, and heritage tourism.

Staff Updates

Marel Raub, Pennsylvania Director, reported on the Bay Program’s 2-day Agricultural Summit. This summit grew out of the Principals’ Staff committee’s desire to hear what was going on in other states with both agriculture and stormwater. Issues discussed included alternative uses of manure, diet and feed, organic fertilizer/use of compost, relocation/transportation and bioenergy.

Pat Stuntz updated the members on the Cost Effectiveness Report. The majority of the 4000 copies of the report have been distributed and numerous presentations have been given to a variety of Legislative Committees, agricultural and natural resource groups. A copy of the presentation was given to the members.

Update on Menhaden

Dr. Bob Wood, Acting Branch Chief of the Cooperative Oxford Laboratory, gave an update on menhaden. He explained that we are currently close to the fishing target for menhaden and have not approached the threshold. The microbacteria percentages have not increased since reported at the Commission's September meeting. He advised the members that time and space closure/openings have promising potential as a management tool.

Election of 2005 Officers

The following nominations were approved for 2005:

Virginia: Senator Emmett Hanger, Congressman John Cosgrove, vice-chair

Pennsylvania: Senator Mike Waugh, chair; Representative Peter Zug, vice-chair

Maryland: Delegate John F. Wood, Jr., chair; Senator Bernie Fowler, vice-chair

Senator Mike Waugh was elected Commission Chairman for 2005.

Outgoing 2004 Chairman Remarks

Senator Stoltzfus thanked all the members for their participation over the last year and particularly thanked Executive Director Ann Swanson for her assistance. Senator Stoltzfus also thanked the staff for a job well done on the Cost Effectiveness Report.

Incoming Chair Remarks

Senator Mike Waugh spoke of his goals in the upcoming year; and commended the Commission for its nonpartisan efforts to understand the needs of other states along with their own. Senator Waugh's objectives are to continue the work that has been started by the Cost Effectiveness Report. He would also like to focus on issues dealing with manure management during his tenure.