

Minutes

**CHESAPEAKE BAY COMMISSION**  
**Annapolis, MD**  
**January 5, 2006**

The Chesapeake Bay Commission held its first quarterly meeting on Friday, January 5, 2006, in Annapolis, Maryland

The following Commission members and staff were in attendance:

Delegate John A. Cosgrove  
Representative Russell H. Fairchild  
Senator Bernie Fowler  
Assistant Secretary Ron Guns  
Senator Emmett W. Hanger, Jr.  
Representative Arthur D. Hershey  
Mr. Irvine Hill  
Delegate James W. Hubbard  
Secretary Tayloe W. Murphy, Jr.  
Deputy Secretary Cathleen Curran Myers  
Delegate Albert C. Pollard, Jr.  
Senator Nick Rerras  
Senator Michael L. Waugh  
Delegate Michael H. Weir, Jr.  
Senator Noah Wenger  
Mr. George Wolff  
Delegate John F. Wood, Jr.  
Representative Peter J. Zug  
Rear Admiral Rick Ruehe

Staff: Ann Pesiri Swanson  
Pat Stuntz  
Marel Raub  
Paula Hose  
Suzan Bulbulkaya

Members not in attendance:

Senator Brian Frosh  
Delegate Scott Lingamfelter  
Senator Lowell Stoltzfus

The Commission, as it did last January, compressed its usual 2-day meeting into one day. After the breakfast delegation meetings the members were joined by a group of key leaders in the Bay restoration representing scientific, conservation and public foundation communities, as well as Federal and state government:

Will Baker  
President, Chesapeake Bay Foundation

Donald Boesch, Ph.D.  
President, University of Maryland Center for Environmental Science

Robert S. Bloxom  
Secretary, Virginia Department of Agriculture

Rebecca Hanmer  
Director, US EPA Chesapeake Bay Program

Verna Harrison  
Director, Keith Campbell Foundation

The conversation focused upon the role of the Commission – past accomplishments and future challenges. Some key challenges mentioned are listed below:

- Tracking the effectiveness and accountability of the Chesapeake Bay Program's restoration efforts – paying particular attention to our efforts to monitor and assess progress.
- Making science and engineering research more effective without damaging creativity. There is a need for more efficient research programs; legislators should hold academic institutions accountable to help them focus on real problems and practical solutions.
- Ecosystem-based fisheries management is made more difficult because of the politics of different jurisdictions and interest groups. Legislators can assist by asking for cooperation among the different state agencies and departments and by holding them accountable for integrating Bay fisheries management.
- Continue to focus on the 10 keystone commitments of the Chesapeake 2000 Agreement in terms of funding, accountability and implementation strategies.
- Continue to focus on the farm community, paying particular attention to the need for a viable economic base. Support farmers by working to implement the Federal Farm Bill and to preserve environmentally sustainable agriculture in the Bay region.
- Communicate the benefits of agricultural stewardship programs to landowners; cost share programs must be flexible to each individual region and achieve the balance that will move us forward.
- Start with sound science, prioritize the task, and spread the cost across the broadest population in order to minimize the financial burden.
- Remember that 20% of the cost will get you 80% of the gain. Focusing on wastewater treatment plant upgrades and agriculture in the Tributary Strategies will give those results.
- An increase in Federal funding would require a re-structuring of the Chesapeake Bay Program. There is a need to develop a very specific strategy, with possibly the Chesapeake Bay Foundation responsible for lobbying Congress for additional funding.
- Growth must be dealt with; the costs of land are so high, there is no incentive for the farmer to stay on the land.
- The Bay Commission should play a watchdog role regarding Tributary Strategies, in particular as regards funding for specified measures in the short term.

At the conclusion of the conversation with key leaders the members moved to the meeting room. Chairman Waugh called the meeting to order at 11:30 a.m. The minutes of the November meeting and agenda were adopted as presented.

## CHAIRMAN'S UPDATES

**Executive Council Meeting** - Senator Waugh briefed the members on the Executive Council meeting which was held in November, 2005 at the National Geographic Society headquarters in Washington, DC.

- The John Smith Water Trail is a little closer to reality. Fran Mainella, Director of the National Park Service (NPS), announced they were about to embark on a 2-year feasibility of the trail. The Bay Program partners rallied to provide the NPS with a \$75K match to ensure that the study could be done.
- At a working session with Secretary Johanns of the U.S. Department of Agriculture, the Executive Council presented its Farm Bill recommendations for his consideration.
- The Executive Members also committed to the following initiatives:
  - Reducing nutrient pollution from livestock operations;
  - Improving upon current fisheries management activities;
  - Expanding Chesapeake Bay stewardship efforts; and,
  - The adoption of the regional recommendations for the 2007 Farm Bill.

**Farm Bill Recommendations Roll Out**-Executive Director Ann Swanson brought the members up to date on the Commission's plans now that the report had been completed. In the short term, Swanson reported that Virginia legislators have not yet received the Farm Bill report, so it may be possible to hold a chamber session with Senator Hanger and Delegate Cosgrove highlighting the report, followed by a legislative briefing/press release. Staff will also be looking for opportunities within Senator Hanger's district, given that these are also constituents for Congressman Goodlatte, who chairs the House Agriculture Committee.

In Maryland there are two different initiatives related to agriculture. One is a legislative package sponsored by joint house and senate committee chairs; and the other is a gubernatorial package that will be rolling out in early March. Staff is working with the Chairs and staff of these committees looking for ways the farm bill report can be integrated with these initiatives.

In Pennsylvania, the house and senate agricultural committees may possibly hold a joint hearing where we can give a briefing/press event.

The long term, the Commission needs to continue exploring what should be the Commission's role in reaching out to other regions of the country, particularly to those regions that might have a member on the Agriculture Committee. Another possible role is to be the facilitator of each state's congressional liaisons, along with state departments of agriculture, forestry and natural resources, bringing them all together to identify each state's strategies for influencing farm bill reform. The third idea is to target ten or twenty decision leaders who will influence farm bill decisions at the Congressional level.

**Virginia's New Water Quality Regulations** – Virginia Secretary of Natural Resources Tayloe Murphy briefed the members on the regulations adopted by the Virginia State Water Quality Control Board. They are among the most productive nutrient reduction regulations in the nation that place strict new limits on the amount of nitrogen and phosphorus that wastewater plants and industries can discharge into the James and York

rivers. Earlier this year, the Board also set similar standards for the Rappahannock, Potomac and Eastern Shore watersheds. The new regulations will accelerate water quality improvements in Virginia's portion of the Chesapeake Bay watershed.

Governor Mark Warner also put forward the largest contribution to date - \$200 million – to the state's Water Quality Improvement Fund in his budget proposal. The money will accelerate improvements to 92 wastewater treatment plants in the Chesapeake Bay watershed, helping local governments pay for the wastewater treatment upgrades necessary to meet the new regulations for all five tributaries in the watershed.

### **SPECIAL RECOGNITION**

Chairman Waugh presented the Chesapeake Bay Commission's *Salute to Excellence* award to Mr. Walter Wilkins, a lifelong resident of Tidewater Virginia, who has strongly supported Chesapeake Bay Restoration efforts. Mr. Wilkins, an associate and friend of Virginia Commission member Mr. Irvine Hill, has greatly contributed to Bay restoration and education, especially in his local community, over the years.

### **FOCUS ON MANURE APPLICATIONS AND OPPORTUNITIES: PART 2**

At its November meeting in York, Pennsylvania, the Commission heard from three experts in the agricultural fields of dairy feed management, manure management technologies, and phosphorus management of poultry litter. As a continuation of this focus on manure issues, members heard from three representatives of the private sector who are working to promote new and innovative alternative uses for manure to improve both water quality and farm income.

- Mr. Bill Achor of Wenger Feeds in Rheems, PA, presented information on both use of phytase in the swine industry and the future of energy production from manure. Regarding phytase, Mr. Achor emphasized that the limiting factor to implementation is education within the industry. Regarding energy production, regional challenges such as conversion of agricultural land, public perception, and surplus nutrients will make opportunities for energy production more attractive. Proximity to both food customers and now energy customers will help to overcome these challenges to Mid-Atlantic agriculture. Several technologies are being explored, including incineration, combustion, and gasification from several feedstocks, including surplus manure and biomass. However, air quality regulations, infrastructure needs, and distribution of the energy generated are all issues that will need to be addressed.
- Mr. Tom Ferguson of Perdue AgriRecycle provided an overview of their poultry litter pelletization venture, which he stated has removed 8.1 million pounds of nitrogen and 4.5 million pounds of phosphorus. End users of the fertilizer product are agriculture, golf courses, residential users, sod farms, and horticulture. In order to increase use by state and federal government, Mr. Ferguson recommended implementation of an executive order, similar to Executive Order 13101 issued by President Clinton in 1998 which led to significant increase in the use of recycled paper.
- Dr. David Casper of Agri-King, Fulton, IL, spoke on the importance of dairy feed efficiency to reduce manure nutrients. There appear to be products available that will increase the digestibility of forages, thus increasing feed efficiency and reducing manure nutrients. Widespread implementation of these products will depend on the spread of information promoting feed efficiency, availability of scientific information regarding the

benefits of these products, and implementation of frequent testing of forages by the farmer.

## **LEGISLATIVE REPORTS**

- **Virginia** -Senator Hanger reported that there would be legislation identifying a dedicated long term funding source for Virginia's Water Quality Improvement Fund. Other topics that will be on Virginia's legislative agenda this year will include: Growth – what can we do to control growth; better funding of Transfer of Development Rights Programs; and adequate public facilities legislation might be proposed. Senator Hawkins may put forward a comprehensive land use study to bring focus on the best use of taxpayer's dollars. Also, there will be a bill introduced that puts the management of menhaden under the control of the Virginia Marine Resources Commission.
- **Maryland** ----Delegate John Wood reported that Program Open Space dollars will be restored this year; the results of the legislature's Agricultural Stewardship Commission meetings will provide the basis for proposals to enhance agricultural conservation; and the Governor has proposed a Clean Power Rule to reduce air pollution from coal-fired power plants. Delegate Hubbard is expected to sponsor legislation that will be more stringent than the Governor's proposal and will add carbon dioxide to the pollutants addressed.
- **Pennsylvania** ---Senator Wenger and Senator Waugh reported on their Farmers First agenda, which includes both tax and finance proposals, some of which have already passed the house and senate, as well as farmland preservation modifications. Pennsylvania will be looking for funding sources for implementation of tributary strategies; funding for Chesapeake Bay Education statewide; and will address Renewable Energy, with 2 biodiesel plants anticipated to be up and running by the end of the month.

## **ELECTION OF 2006 OFFICERS**

The following nominations were approved for 2006:

Virginia: Senator Emmett Hanger, chair; Delegate 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 Emmett Hanger was elected Commission Chairman for 2006.

## **OUTGOING CHAIR REMARKS**

Senator Waugh reflected on the past year, thanking the members for this honor. He stressed the importance of continuing the May meetings in Washington DC, and remarked that the Congressional delegations and their staff are becoming more familiar with Commission members and watershed issues with each passing year. Senator Waugh thanked the members for their encouragement during the year.

## **INCOMING CHAIR REMARKS**

Senator Emmett Hanger said he appreciated the opportunity to chair the Commission. His visions of activities over the coming year are:

- Re-focus our current goals – 10 keystones
- Assessment of current programs and partners
- Look at funding commitments and how to get more money
- Evaluation of land use and development patterns
- Evaluation of Federal government and DC relationships
- Blue Plains – both discharges of sewage and Stormwater issues
- Farm Bill
- Advance the Bay as a National Treasure
- Revise benchmarks and plan of action for states
- Computer model to look at entire bay area

## **ADJOURN**

The meeting was adjourned at 3:30 p.m.

The Next meeting of the Commission will be on  
May 12 & 13, 2006  
In Washington DC