

**CHESAPEAKE BAY COMMISSION  
JANUARY 2019 MEETING MINUTES**

The Chesapeake Bay Commission held its first quarterly meeting of 2019 on Thursday and Friday, January 3-4 at the Hotel Annapolis in Annapolis, MD.

Commission members in attendance:

Senator Richard Alloway  
Joanne Throwe representing Secretary Mark Belton  
Delegate Robert Bloxom  
Delegate David Bulova  
PA Citizen Member, Warren Elliott  
Delegate Tawanna Gaines  
Representative Keith Gillespie  
Senator Guy Guzzone  
Senator Emmett Hanger  
Secretary Patrick McDonnell  
Senator Thomas “Mac” Middleton  
RDML Charles W. Rock, USNA  
Delegate Dana Stein  
Secretary Matt Strickler  
Representative Michael Sturla  
VA Citizen Member, Dennis Treacy  
Senator Frank Wagner  
Delegate Tony Wilt  
Senator Gene Yaw

Members not in attendance:

Representative Garth Everett  
MD Citizen Member, Bernie Fowler  
Delegate Maggie McIntosh

Staff:

MD - David Goshorn  
PA – Aneca Atkinson, Veronica (Nicki) Kasi  
VA - Ann Jennings

CBC Staff:

Ann Swanson  
Jen Dieux  
Mark Hoffman  
Marel King  
Adrienne Kotula

**THURSDAY, JANUARY 3, 2019**

**Call to Order**

Chairman Wagner called the meeting to order at 12:45 pm and welcomed the Commission members to Annapolis

Executive Director Swanson called the roll and a quorum was established. By unanimous consent the Commission approved the minutes from the November meeting and the agenda for the January meeting without change.

By unanimous consent the Commission approved Bernie Fowler as a Member Emeritus of the Commission.

Chairman Wagner introduced the Commission's new member from Maryland, Delegate Dana Stein. Delegate Stein represents Baltimore County and was first elected to the House in 2006. He serves as Vice-Chair of the House Environment and Transportation Committee and Chair of the Natural Resources and Agriculture Subcommittee. The Commission warmly welcomed Delegate Stein.

**Chairman's Lightning Round Updates**

Pennsylvania Director Marel King provided an update to the Commission of the Watershed Implementation Plan development schedule, highlighting that they must be completed in August 2019, with drafts for public comment being released by the states and DC in April.

Maryland Director Mark Hoffman provided an update to the Commission on recent adjustments to EPA's grant allocations to Virginia, Maryland and Pennsylvania which will impact their administration, management and implementation of activities related to the Chesapeake Bay Watershed Agreement. With the completion of the midpoint assessment and new load allocations based on the Phase 6 model, it was time for EPA to revisit their funding methodology.

Executive Director Swanson provided an update to the Commission on the 2018 Record High Flows throughout the watershed based on data from the United States Geological Survey. She additionally highlighted the potential impacts to the Bay as a result of high flows, to include higher pollutant loads, poorer water clarity, loss of submerged aquatic vegetation, lower dissolved oxygen, oyster mortality and migration pattern changes for crabs and fin fish.

**THE SUSQUEHANNA: The River's Story and its Science**

Chairman Wagner introduced the afternoon session by noting that the Commission studied the Potomac River during the November meeting and accordingly, this meeting would spend time studying the Susquehanna. The Susquehanna drains 27,500 square miles, including nearly half of the land area of Pennsylvania and 43% of the Chesapeake Bay watershed. The first panel of the afternoon focused on providing an overview of the river – its size, geology, history and culture. Senator Alloway introduced the afternoon's speakers and noted Pennsylvania's commitment to restore the Susquehanna watershed.

***Part 1: The Mother of the Bay***

Mark N. Platts, President, Susquehanna Heritage

Mr. Platts introduced the Commission to the Susquehanna River, which is one of the oldest in the world, having formed roughly 260 to 325 million years ago. The river begins in Lake Otsego in Cooperstown, New York and meets the Bay at Havre de Grace, Maryland, vastly changing in character along the journey. The river has also been the scene of many historical events of note, including a revolutionary war expedition, the Second Continental Congress escaping across the river and the nuclear accident at Three Mile Island. The economic importance of the river was noted as well as its recreational and inspirational value.

***Part 2: The Science***

Matthew Johnston, Pennsylvania WIP Technical Team Leader/Senior Policy Analyst, UMD Chesapeake Bay Program Office

Mr. Johnston began his presentation by helping the Commission understand the nutrient and sediment loads of the River, the trends over time, and what the best opportunities are for reducing the pollution. He noted that phosphorus loads in the Susquehanna have gone up significantly since the TMDL was established as compared to the other Bay tributaries. High nutrient loading from southern Susquehanna tributaries was also noted, along with the primary source of the nutrients being agriculture. He noted that significant improvement is possible if adequate funding and technical support is provided. Changes to conservation planning requirements as well as targeted efforts were offered as examples of practices that can assist in meeting water quality goals.

In follow-up to the Susquehanna presentations, Executive Director Swanson queried the Commission if there were specific issues or topics the members would like to consider at upcoming meetings. The Commission raised several state initiatives, such as Virginia’s stream-bank fencing cost-share program, and the potential value of sharing how these programs came into existence. The consensus was to have an agenda item to highlight state-level legislative actions that have helped “move the needle” for watershed restoration.

**THE ADDITIVE CHALLENGE OF CONOWINGO DAM IN-FILL**

Chairman Wagner introduced the final panel of the day by shifting focus from the Susquehanna River itself and its driving influence on the mainstem of the Chesapeake Bay, to the Conowingo Dam. He reminded the Commission that the Bay Program partners have sequestered off the nutrient and sediment loads coming from the Conowingo to be managed in a separate WIP.

***Maryland’s Water Quality Certification for Conowingo Dam***

Mike Perdone, Senior Policy Advisor, Maryland Department of the Environment

Mr. Perdone began the session by explaining the Water Quality Certification for the Conowingo Dam. The dam owners, Exelon, must receive the Water Quality Certification from MDE to continue operation. MDE's position is that the Conowingo Dam has fundamentally altered the ecosystems of the River and the Bay, resulting in negative impacts on water quality and the ability to attain water quality standards. Accordingly, to reissue the Water Quality Certification for the Conowingo Dam, they have put in place conditions for the permit which address dissolved oxygen, flow regime, fish passage, trash/debris, chlorophyll a and aquatic habitat. They remain optimistic about a constructive, environmentally-beneficial resolution to the permitting process.

***The Conowingo Watershed Implementation Plan (CWIP)***

Matt Rowe, Assistant Director, Water and Science Administration, Maryland Department of the Environment

Veronica "Nicki" Kasi, Program Manager, Chesapeake Bay Program Office, Pennsylvania Department of Environmental Protection

Mr. Rowe and Ms. Kasi reviewed the history behind the Conowingo WIP, the Steering Committee membership, as well as the stages in the planned development of the Conowingo WIP. They discussed the guiding principles and the outline the Conowingo WIP is meant to follow. Finally, they covered the remaining questions that the Steering Committee must answer in the development of the CWIP, to include items such as funding, the most effective combination of practices to use, tracking/accountability, and engaging partners.

***Exelon's View***

Kathleen Barrón, Senior Vice President, Government and Regulatory Affairs and Public Policy  
Exelon

Ms. Barrón introduced Exelon Generation, which is the nation's largest producer of clean energy. They serve roughly two million residential, public and business customers. The Conowingo Generating Station began operation in 1928 and currently generates 2.59 million megawatt hours, or enough to power more than 50,000 typical households for an entire year. They have committed to \$300m+ in Dam improvements for aquatic and wildlife habitat and debris management as a part of the Water Quality Certification. They believe that it is upstream land runoff and erosion that sends nutrients into the Bay and there is no basis for the MDE requirement for the Dam owners to remove them. They wish to resolve the outstanding issues with the Water Quality Certification and move forward.

The meeting was adjourned at 4:45 pm.

**FRIDAY, JANUARY 4, 2019**

**Call to Order**

Chairman Wagner called the meeting to order at 9:32 am. He asked Executive Director Swanson to call the roll. With a quorum present, the Commission moved on to the substance of the morning.

Chairman Wagner noted that in the Commission's recently adopted strategic plan, businesses were identified as a critical partner in Bay restoration. The Commission wanted to know more about what businesses are doing to restore the Bay watershed, and to examine what policies would help businesses do more.

Virginia Citizen Representative Dennis Treacy introduced the two business panels stating that they would discuss what is happening Nation- and Bay-wide, but also what is happening at the business specific level. He discussed that the Commission invited companies that have a significant impact on our watershed to discuss their programs supporting the environment and learn how we can work with them and others in the business community to have a larger impact in our watershed.

**BUSINESS & WATERSHED RESTORATION: PART I  
THE NATIONAL PERSPECTIVE**

Suzy Friedman, Senior Director, Agricultural Sustainability & Center for Conservation Incentives, Environmental Defense Fund

Kate Fritz, Executive Director, Alliance for the Chesapeake Bay & Businesses for the Bay

Ms. Friedman discussed her work at the Environmental Defense Fund to collaborate with farmers, grower organizations, agribusinesses, food companies and retailers to improve the resilience and sustainability of the U.S. agricultural system. She specializes in developing partnerships with key agricultural stakeholders to engage the full supply chain, leverage policy and bring conservation to scale. Guided by science and economics, she focuses on conservation practices that improve farm productivity and profitability, climate stability, water quality and resilience to extreme weather. She used the example of the Clean Water Revolving Loan Fund in Iowa and how integrating the loan offerings with local Farm Credit branches that the agricultural community already used dramatically increased the usage of the program for the greater environmental good.

Ms. Fritz discussed how the Alliance for the Chesapeake Bay has developed the Businesses for the Bay program as a friendly resource for the business community to begin implementing Bay friendly practices. She stressed that they have succeeded by learning from the challenges that businesses are facing and determining what makes it easiest and most appealing for them to change. She used the example of working with Turkey Hill on developing a program for their dairy suppliers to require conservation plans.

## **BUSINESS & WATERSHED RESTORATION: PART II COMPANIES THAT MOVE US FORWARD**

John Cox, President, Turkey Hill

Mark Williams, Environmental Manager, Luck Stone

George H Glatfelter II, Chairman & CEO (Retired 2010), P. H. Glatfelter Co., Chairman Met-Pro Corp. (Retired 2013)

David Gunnarson, Senior Staff Environmental Engineer, Lockheed Martin

Mr. Cox discussed that Turkey Hill is a branded consumer products company best known for its ice cream and iced tea lines of products, sold in more than half the United States and overseas. They are committed to being active community citizens through service, charitable giving, transparency and sustainable business practices. They believe Lancaster County should have clean water. They didn't just want to require farmers to do something, they wanted to help them in the process. They required conservation plans of their dairy suppliers, but they also partnered with Businesses for the Bay in order to help the farmers develop and implement conservation plans at the same time. This allowed them to be better partners in the entire process of improving their hometown.

Mr. Williams discussed how Luck Stone has made their environmental goals the same as their business goals. They are the nation's largest family owned quarry company. They work with all the communities where they are located to protect the local environment, including Loudoun County, Virginia where they are working to use their quarry, once retired, as a local water supply. Their corporate culture is such that they must maintain a "social license to operate" at every location which requires an annual review.

Mr. Glatfelter discussed how businesses today are operating in a global environment. Though he himself has retired from the company, Glatfelter Company is currently operating multiple facilities in five different countries. He stressed that environmental projects often cost a lot of money and that the key is finding win-win situations which will benefit both the environment and the business bottom-line. He provided an example of a forest conservation easement that allowed the timber to still be harvested for paper production but provided the state with 25,000 acres of forest land for the greater good.

Mr. Gunnarson has worked in the field of environmental engineering for 40 years and stressed that he has seen remarkable environmental improvement throughout his career. He believes that partnerships are effective, and they are the true path forward to Bay restoration. At Lockheed Martin, he has personally been responsible for helping eight of the company's facilities become Businesses for the Bay members. These facilities have partnered with local environmental non-profits, participated in trash cleanups, hosted annual Earth Day and e-cycling events, reduced energy and water use, landscaped with native trees and native plants, maintained an official Forest Conservation Easement and controlled stormwater. In order to help move the Bay

restoration effort forward, he believes that more companies should be pursued for Businesses for the Bay membership, so they can determine the practices to focus on in order to make the most impact.

## **ELECTION OF 2019 OFFICERS**

Chair [MD]: Delegate Tawanna Gaines  
Vice-Chair [VA]: Delegate David Bulova  
Vice-Chair [PA]: Senator Richard Alloway

Executive Committee Members  
[VA] Senator Emmett Hanger  
[MD] Senator Guy Guzzone  
[PA] Representative Michael Sturla

## **COMMENTS OF INCOMING AND OUTGOING CHAIRS**

Senator Wagner noted that he enjoyed his time as Chairman and getting to know the perspectives of members from nearby states. He looks forward to continuing to serve the Commission. Executive Director Swanson commented on how his enthusiasm was appreciated and presented him with a small token of the Commission's appreciation.

Delegate Gaines stated that she is excited to take on the responsibility of Chair and is excited at the opportunity to chart a clear path forward for the Commission in 2019.

### **New Business and Meeting Feedback**

Chairwoman Gaines asked if there was any new business and none was brought forward.

She reminded everyone that the Commission's next Quarterly Meeting is scheduled for May 2-3, 2019 in Washington, D.C.

### **Adjournment**

A motion was made to adjourn and unanimously agreed to at 12:15 p.m.