

Minutes

**CHESAPEAKE BAY COMMISSION
Washington DC
May 11-12, 2006**

The Chesapeake Bay Commission held its second quarterly meeting on Thursday and Friday, May 11 - 12, 2006 in Washington, DC.

The following Commission members and staff were in attendance

Secretary Preston Bryant
Delegate John Cosgrove
Assistant Secretary Frank Dawson
MD Citizen Representative Bernie Fowler
Senator Brian E. Frosh
Senator Emmett W. Hanger, Jr.
Representative Arthur Hershey
VA Citizen Representative Irvine B. Hill
Delegate Jim Hubbard
Delegate Lynwood Lewis
Delegate Scott Lingamfelter
Deputy Secretary Cathy Myers
Rear Admiral Rick Ruehe
Delegate Mike Weir, Jr.
Delegate John F. Wood, Jr.

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

Members not in attendance:

Representative Russ Fairchild
Senator Nick Rerras
Senator J. Lowell Stoltzfus
Senator Mike Waugh (proxy)
Senator Noah Wenger
Mr. George Wolff (proxy)
Representative Peter Zug

Thursday, May 11, 2006

Congressional Briefings, Dirksen Senate Office Building

Jeff Zinn, Senior Analyst with the Congressional Research Service spoke to the members about agricultural conservation policies and the Federal Farm Bill. Mr. Zinn provided his perspective on the farm bill process, both historically and in the context of the 2007 reauthorization and opportunities for the Chesapeake Bay region. The Commission members had a number of questions regarding strategies for increasing funding for our region.

The members were also given a briefing from John Dunn, Chief Engineer and Deputy General Manager of the Blue Plains Wastewater Treatment Plant. Mr. Dunn shared his thoughts on the role the federal government could play in helping Blue Plains achieve the proposed EPA permit limit for nitrogen, 4.2 mg/L at 370 million gallons per day.

Meetings with the Congressional Members of the Chesapeake Bay Watershed Task Force

Senator Barbara Mikulski (Md.) and staff
Senator Rick Santorum (Pa.) and staff
Senator Paul Sarbanes (Md.) and staff
Congressman Roscoe Bartlett (Md.) and staff
Congressman Ben Cardin (Md.) and staff
Congresswoman Jo Ann Davis (Va.) and staff
Congressman Tom Davis (Va.) and staff
Congresswoman Thelma Drake (Va.) and staff
Congressman Wayne Gilchrest (Md.) and staff
Congressman Bob Goodlatte (Va.) and staff
Congressman Tim Holden (Pa.) and staff
Congressman Steny Hoyer (Md.) and staff
Congressman John Peterson (Pa.) and staff
Congressman Joseph Pitts (Pa.) and staff
Congressman Don Sherwood (Pa.) and staff
Congressman Chris Van Hollen (Md.) and staff

Staff representatives for Senator Arlen Specter (Pa.)
Staff representatives for Senator John Warner (Va.)
Staff representatives for Congressman Todd Platts (Pa.)
Staff representative for Congressman Dutch Ruppersberger

Friday, May 12, 2006

Washington Plaza Hotel

MEETING CALLED TO ORDER

The business meeting was called to order by Chairman Emmett Hanger at 9:30 A.M. Following roll call, the January meeting minutes and the agenda were adopted as proposed. Senator Hanger introduced the Commission's two newest members, Delegate Lynwood W. Lewis (Va.), and Virginia Secretary of Natural Resources, Preston Bryant. Also introduced was Assistant Secretary for Virginia Natural Resources, Jeff Corbin.

CHAIRMAN'S UPDATES

The 2007 meeting dates (January 4 – Annapolis; May 10 & 11 – Virginia; September 13 & 14 – Maryland; and November 8 & 9 – Pennsylvania) were approved. The Executive Committee agreed to meet in July to discuss what the Commission would like to do regarding the congressional meetings, whether to continue to hold them in May of each year, or rotate them with other meetings.

Admiral Ruehe gave a brief update on the upcoming Department of Defense Chesapeake Bay Program Commanders' Conference which will be held in Annapolis, Maryland in late June, 2006. Senator Fowler, Delegate Lingamfelter, Secretary Bryant, and Executive Director Ann Swanson will be speaking at the conference.

Dan Sakura, Director of Government Affairs with The Conservation Fund, updated the group on the Captain John Smith National Water Trail. Both the U.S. House (H.R. 5466) and Senate (S.2568) will be introducing their bills later in the month. The Commission members agreed to send letters of thanks to the congressional legislators who have already sponsored the bills and letters to the remaining congressional legislators requesting their support of the bills.

Senator Hanger informed the members that CBC staff, along with the Chesapeake Bay Program, has been working with Scott's Fertilizer Company to come up with a modified do-it-yourself lawn fertilizer. With this product, Scott's has agreed to reduce the amount of phosphorus in homeowner lawn products by 50 percent by 2009, resulting in a 2 million pound reduction of phosphorus in fertilizer sold in the Bay region. The company has also agreed to work with the Chesapeake Bay Program to look next at reducing nitrogen. The members voted to support this initiative at the Executive Council Meeting this fall.

Executive Director Ann Swanson updated the members on recent activities of the Scientific and Technical Advisory Committee (STAC) to the Chesapeake Bay Program. The committee proposed a 2-day workshop designed to improve understanding of complex non-linear ecosystem responses to nutrient load reductions and other management actions in the Chesapeake Bay. The workshop will look at theoretical models of ecosystem dynamics as well as real-world examples in which evidence of ecological thresholds and feedback interactions have been documented and quantified in aquatic environments. The ultimate goal of the workshop will be to understand how these ecological relationships may affect the timing, sequence and spatial patterns by which water quality, habitat conditions and living resources are likely to change in response to management actions such as decreased nutrient loading.

CHESAPEAKE BAY COMMISSION FY 2006-2007 BUDGET

The Commission's FY 2006-2007 Budget was adopted as proposed. Senator Mike Waugh (Pa.) and citizen member George Wolff (Pa.) voted for adoption via proxies granted to Representative Arthur Hershey (Pa.). The Executive Committee also agreed in their meeting in July to focus on strategic budget planning for future years.

CBC ACCOMPLISHMENTS AND OPPORTUNITIES

Members were asked to provide input to the Commission's strategic planning for the next five years. Due to the absence of several members, there was agreement to postpone discussions until the Executive Committee meeting in July.

LEGISLATIVE WRAP-UP

Each of the states reported on their Chesapeake Bay- related legislative initiatives for 2006.

Delegate John Wood, Jr. reported on passage of several Maryland bills. The Healthy Air Act – requires reductions in nitrogen oxides, sulfur dioxide, mercury and carbon dioxide from six coal-fired power plants. Legislation addressing land use and government planning changes how local jurisdictions plan for and manage development, including their plan for growth, annexation and water use. The Agricultural Stewardship bill implements recommendations from the Agricultural Stewardship Commission by adding priority preservation areas to county programs to target key resource lands and establishing a task force to recommend improvements to the tax structure related to farmers. About \$115 million of Program Open Space funds will go towards agricultural land preservation. New legislation will ban the sale and manufacture of thermostats that contain mercury, and retailers will be required to post signs near all bags of fertilizer over 50 pounds warning purchasers that overuse of fertilizers damage the Bay.

In Virginia, Senator Hanger reported on: the Chesapeake Bay and Virginia Waters Clean-up and Oversight Act – requiring the Secretary of Natural Resources to develop a clean-up plan for the Chesapeake Bay and Virginia’s impaired waters, which will include measurable objectives, descriptions of strategies, time frames, and a funding plan for disbursement of funds for point and non-point pollution projects; Clean Smokestacks – establishes a federally required phase scheduled for power plants in Virginia to reduce their emissions of sulfur dioxide, nitrogen oxide, and mercury and will develop the Federal Clean Air Mercury Rule, as well as state specific rules for mercury; Mercury Switches – requires the removal of mercury switches in motor vehicles prior to their demolition; Farmland Preservation – establishes a six-member joint subcommittee to study the financing and programmatic options for preserving Virginia’s open-space land and farmlands; Equine Owners Income Tax Credit for Agricultural Best Management Practices – allows equine owners to take advantage of existing tax credits for reducing non-point source pollutants; and the Captain John Smith Land and Water Trail – a resolution commending Virginia’s efforts to develop components of the water trail on Virginia’s tributaries.

Representative Arthur Hershey briefed members on the following pending legislation: SB 723, regarding agricultural land preservation, would amend the Agricultural Conservation Easement Purchase Program by reducing minimum acreage, reinstating the Land Trust Reimbursement Program, and allowing local land trusts to partner with county and state programs. SB 940, also regarding agricultural land preservation, would provide grants to counties to improve their county farmland preservation program. HB 1895 proposes a constitutional amendment to establish tax credits for land conservation. Also under consideration to include in the General Fund budget is the continuation of the Chesapeake Watershed Education Program.

NUTRIENT TRADING

Robert Koroncai, Branch Chief with US EPA, Region III Water Protection Division gave an overview of nutrient trading, including basic concepts, opportunities, and limitations.

Allan Brockenbrough of the Virginia Department of Environmental Quality Office of Water Permit Programs presented detailed information on Virginia’s developing nutrient trading program, which will provide for point source-to-point source trading to meet the initial nutrient cap. Point source-to-nonpoint source trading will be available only to accommodate new facilities and future expansions. Cathy Myers, Deputy Secretary of Pennsylvania Department of Environmental Protection provided a brief overview of Pennsylvania’s program. Due to time constraints, a more detailed presentation will be made at the September meeting.

ADJOURN

The meeting adjourned at 12:00 P.M.

The next meeting of the Chesapeake Bay Commission
will be held in Strasburg, Pennsylvania on September 7-8, 2006