

CHESAPEAKE BAY COMMISSION
MAY 2016 MEETING MINUTES

The Chesapeake Bay Commission held its first quarterly meeting of 2016 on Thursday and Friday, May 12-13, 2016 in Bethesda, MD.

Commission members in attendance:

Senator Richard Alloway
Secretary Mark Belton
Delegate David Bulova
Representative Garth Everett
Maryland Citizen Member Bernie Fowler
Delegate Barbara Frush
Delegate Tawanna Gaines
Representative Keith Gillespie
Senator Emmett Hanger
Delegate Scott Lingamfelter
Senator Thomas "Mac" Middleton
Dana Aunkst- representing Secretary John Quigley
Delegate Margaret Ransone
Virginia Citizen Member John Reynolds
Representative Michael Sturla
Senator Frank Wagner
Secretary Molly Ward (partial attendance, Dept. Sec. Russ Baxter)
Senator Gene Yaw
Rear Admiral Jack Scorby

Members not in attendance:

PA Citizen Member, Warren Elliott
Senator Nancy King
Delegate Maggie McIntosh

Staff: Ann Swanson
Jen Donnelly
Ann Jennings
Bevin Buchheister
Marel King

THURSDAY, MAY 12, 2016

Call to Order

The meeting at the Hyatt Regency in Bethesda, Maryland was called to order by Chairman Middleton at 1:00 PM.

Chairman Middleton reported that the Scientific and Technical Advisory Committee's (STAC) final report on microplastics was included in the members' packets. He also announced that both

of the Commission's proposals to STAC – on legacy sediments and boat wakes – were approved for a workshop and technical review, respectively.

CBC Executive Director, Ann Swanson took roll call, and then the members unanimously approved the minutes of the January 7-8, 2016 CBC meeting and the agenda for this meeting.

Chesapeake Bay “Monitoring” 201

Scott Phillips, Chesapeake Bay Coordinator at the U.S. Geological Survey, provided a detailed overview of the Chesapeake Bay monitoring stations in the tidal Bay and its tributaries. This was a follow up from the brief introduction USGS provided at the January meeting. Many members had questions about the disparate trends of tributaries across the watershed – many are improving but some are declining. USGS is preparing to take a more in-depth look at the reasons for the trends and will be preparing a report later this year. Members requested electronic copies and a link to the website where they can access the information presented.

Because Conowingo seems to be a large factor on water quality downstream, the members requested a presentation on Conowingo at the September meeting.

Financing the Bay Restoration

At its 2015 meeting, the Chesapeake Executive Council asked the University of Maryland's Center for Environmental Finance to study ways to integrate private sector finance into public sector Bay restoration efforts. The Center hosted an Environmental Finance Summit on April 25-26 and will have a report prepared in time for the 2016 Executive Council meeting.

Some of the themes of the Summit were that our existing funding needs to be invested more efficiently and that local communities without a credit rating need access to capital.

Ann Swanson noted that CBC has commented to Congress that the U.S. Army Corps of Engineers should be allowed to accept private contributions to a project as matching funds. The Water Resources Development Act currently prohibits this.

Part I: Looking Forward to the Next Farm Bill

Ann Mills, USDA Deputy Under Secretary of Natural Resources and the Environment, reported on funding levels for agricultural conservation at the national level and noted that the 2014 Farm Bill was the first in which more money went to conservation than direct aid to farmers.

She also introduced Gayle Barry, the new Northeast Regional Conservationist at USDA's Natural Resources Conservation Service (NRCS).

Several members commented that USDA priorities do not seem to be matching with state priorities regarding the Bay. Mills advised the Commission to be very involved in the next Farm Bill discussion.

Part II: Stakeholders' Perspectives: Opportunities for Improvement

Financial and Technical Assistance for Agriculture/Conservation Priorities

Pennsylvania Secretary of Agriculture Russell Redding began a panel session by noting that efforts to streamline federal Farm Bill conservation programs resulted in a loss for

Pennsylvania. Less money is available and they lost the state-specific local targeting that was an advantage of the Chesapeake Bay Watershed Initiative (CBWI) in the 2008 Farm Bill.

Redding noted that there is no title in the Farm Bill devoted to human capital, especially technical assistance. Workforce development will be a key issue moving forward – both for conservation and agricultural production.

Regional Conservation Partnership (RCPP)

Darryl Glover, Director of the Division of Soil and Water Conservation at Virginia's Department of Conservation and Recreation, emphasized that federal funds are not adequate or flexible enough to support technical assistance, especially under the new RCPP. Chairman Middleton requested Mr. Glover notes be sent to the CBC members.

Conservation Reserve Programs (CRP and CREP)

The final panelist was Bobby Whitescarver, a farmer from the Shenandoah Valley and retired NRCS District Conservationist. He noted that as an NRCS employee, he never had an implementation goal for WIP targets under the Conservation Reserve Enhancement Program (CREP), which is a program of the Farm Services Agency with technical services provided by NRCS. Nevertheless, CREP is a big part of the nation's largest conservation program and a significant source of funding for livestock stream exclusion and riparian forest buffers. He suggested that a state block grant aimed at streamlining delivery might be more effective than the current federal process.

Delegate Lingamfelter suggested an analysis of the federal funding silos and how inefficiencies in program delivery could be removed. The first cross-cut budget analysis being prepared for the Chesapeake Bay Accountability and Recovery Act may help.

FRIDAY, MAY 13, 2016

Chairman Middleton called the meeting to order at 9:15 AM and asked Executive Director Ann Swanson to take roll call. Chairmen Middleton then noted that this would be John Reynolds' last meeting as a Commission member. Reynolds then made a few brief farewell remarks.

CBC Administrative Actions

FY2017 Budget:

The CBC budget for FY2017 as proposed by the Executive Committee was presented. Discussion included a total increase of \$150,000 in revenues, reflecting \$50,000 from each member state. The proposed budget was approved unanimously.

2017 Meeting Dates:

Meeting dates and state locations for 2017 were approved as follows: January 5-6, Annapolis; May 4-5, Washington, DC; September 7-8, Maryland; November 9-10, Pennsylvania. Locations still need to be determined in Maryland for the September meeting and Pennsylvania for the

November meeting. This will be done during the September delegation meetings in Lancaster, PA.

Communication Initiatives: Ann Swanson reported that member op-eds were published in Maryland regarding Program Open Space, and that op-eds are being prepared for Pennsylvania members on a state dedicated fund. The Commission Facebook page has over 100 likes and Bay Awareness Week is generating a lot of interest.

Half Way to Clean Water

Part I: Timeline of Actions and Decisions

Marel presented an overview of the key decisions that will be made under the Mid-Point Assessment of the TMDL and the decision timeline. Most of the activity will be taking place between now and 2018, when the Phase III Watershed Implementation Plans will be finalized.

Part II: The Lead Clean Water Systems Integrator

At the January meeting, Delegate Lingamfelter asked “Who is the Lead Systems Integrator” for the TMDL? Ann Swanson provided a summary of the response from Nick DiPasquale, Director of the Bay Program, who identified the Water Quality Goal Implementation Team as the Lead Systems Integrator.

Part III: Commission Engagement in the Final Phase of Restoration

It was the consensus of the members to have Commission staff work with member state agencies to develop a work plan for the Commission through the Mid-Point Assessment. The plan will lay out topics for Commission consideration at future quarterly meetings.

Bringing the Corps Local

From the U.S. Army Corps of Engineers (USACE), COL Jason Kelly of the Norfolk District and COL Edward Chamberlayne of the Baltimore District provided an overview of USACE activity in the watershed, including flood management, navigation (dredging), and oyster restoration.

State Collaboration with the Corps: Priorities, Needs & Gaps

A panel of state agency representatives then described their interaction with USACE. In Maryland, Dave Goshorn described an improved relationship, especially regarding oyster reefs, and expediting permit review for oyster aquaculture. Russ Baxter of Virginia mentioned that the beneficial use of dredged material is probably the biggest issue for the Commonwealth right now. In Pennsylvania, Dana Aunkst noted that flood protection is the most common interaction with USACE. There are overlapping state and federal laws, so PA has been working with USACE on development of a single permitting system. The latest version will be available in July. PA would also like USACE to assist with non-levee flood control projects.

New Business

Representative Sturla provided members with information about Lancaster City, site of the September Commission meeting, and encouraged members to spend extra time there.

Chairman Middleton adjourned the meeting at 12:22 p.m.