



# CHESAPEAKE BAY COMMISSION

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## JANUARY 5-6, QUARTERLY MEETING

The Chesapeake Bay Commission held its first quarterly meeting of 2023 on Thursday and Friday, January 5 & 6, 2023. The meeting was held in Annapolis, MD.

### Commission members in attendance:

Representative Kerry Benninghoff  
Delegate Robert Bloxom  
Delegate Tony Bridges  
Delegate David Bulova  
Senator Sarah Elfreth  
Warren Elliott, PA Citizen Member  
RDML Scott Gray  
Senator Guy Guzzone  
Secretary Jeannie Haddaway-Riccio  
Senator Emmett Hanger  
Senator Lynwood Lewis  
Delegate Sara Love  
Senator Scott Martin  
Thomas “Mac” Middleton, MD Citizen Member  
Delegate Dana Stein (Day 1 only)  
Representative Mike Sturla  
Delegate Tony Wilt  
Director Andrew Wheeler  
Senator Gene Yaw

### Not in attendance:

Missy Cotter Smasal, VA Citizen Member  
Acting Secretary Ramez Ziadeh

Staff: MD – David Goshorn  
PA – Jill Whitcomb  
VA – Travis Voyles  
Navy – Kevin Du Bois

### CBC Staff:

Jen Dieux  
Mark Hoffman  
Marel King  
Adrienne Kotula

## **THURSDAY, JANUARY 5, 2023**

### **WELCOME**

Members met at the Annapolis Waterfront Hotel in the Chesapeake Ballroom II. Chair Elfreth called the meeting to order at 12:35 P.M. She also welcomed a new member of the Commission from Pennsylvania, Representative Kerry Benninghoff.

### **ROLL CALL**

Chair Elfreth then asked Acting Executive Director Marel King to call the roll. A quorum was present.

### **ADOPTION OF MINUTES**

Chair Elfreth called for approval of the minutes from the November meeting. They were approved unanimously without discussion.

### **ADOPTION/MODIFICATION OF AGENDA**

Chair Elfreth asked for comments or questions on the agenda from the members. Hearing none, the agenda was approved unanimously.

### **ADMINISTRATIVE BUSINESS**

Chair Elfreth updated the Commission on the work of the Executive Search Committee and shared that time is scheduled on the agenda tomorrow for an Executive Session to consider the matter.

### **FOLLOW-UP FROM NOVEMBER MEETING**

Chair Elfreth then asked Acting Executive Director Marel King to address follow-up items from the November meeting. Marel provided updates on the CESR report, sandboxing, living shoreline regulations, and the Commission's transition reports to both Maryland and Pennsylvania.

### **PREPARING FOR OVERTIME**

Chair Elfreth detailed how at the 2022 Executive Council meeting, there was much discussion about the anticipation that Partnership will not achieve the 2025 watershed-wide goals for pollution reduction. She introduced Kandis Boyd, Ph.D., Director of EPA's Chesapeake Bay Program, who discussed the work being done at the Bay Program to address the Executive Council's charge to the Principal Staff's Committee to develop and prioritize next steps and recommendations for meeting the goals and outcomes of the 2014 Chesapeake Bay Watershed Agreement leading up to and beyond 2025. Director Boyd was also joined by Jeff Sweeney, Integrated Analysis Coordinator for EPA's Chesapeake Bay Program, to describe the pollution reductions modeled in the watershed.

### **TRANSITION BRINGS OPPORTUNITY**

The Commission was then joined by three of the newest leaders in the Bay region to learn what changes they wish to see to narrow the gap on progress in restoration the Chesapeake Bay watershed and the time needed to do it. The discussion started with Hilary Harp Falk, President, and CEO of the Chesapeake Bay Foundation, who announced the release of the 2022 State of the

Bay which detailed the continued need for progress. She stated that our work needs to be done with integrity, clarity and innovation. Adam Ortiz, Region III Administrator from EPA, then discussed how he came to his position with tremendous respect for the partnership and the work that has been done. He envisions meaningfully engaging the agricultural sector to meet our goals moving forward. Alyssa Charney, Chief of Staff of USDA/NRCS stated that she sees opportunities to build on the success of the Chesapeake States' Partnership Initiative that was championed by the Commission. The Climate Smart Commodities work at NRCS largely mirrors the same practices needed in the Bay. She looks forward to digging in and figuring out how to get the work done.

### **EXPANDED FEDERAL FUNDING TO ACCELERATE RESTORATION**

Chair Elfreth then turned discussion to how federal funding is specifically being directed to Chesapeake Bay restoration. The conversation started with Martha Shimkin, Deputy Director of EPA's Chesapeake Bay Program Office. Martha detailed the unprecedented funding for the Chesapeake Bay through both the annual appropriation to the EPA Bay Program, but also through the Infrastructure Act. Bay Program dollars are also used to fund the Innovative Nutrient and Sediment Reduction Grants as well as the Small Watershed Grants. Jake Reilly, Director of Chesapeake Bay Programs for the National Fish and Wildlife Foundation (NFWF) which currently administers these grants, then detailed how these dollars are specifically focused. He discussed how the grants have a directed focus on accelerated implementation of structural restoration practices that provide long-term water quality, habitat, and climate resilience benefits. He also detailed how demand and interest for the grants are high, well beyond newly-available funding levels. He also detailed significant interest and opportunity to advance restoration in partnership with historically underserved communities which consistent with much of the infrastructure funding requirements. In follow up to the presentations, Director Wheeler expressed that there are a number of NFWF projects that are not currently receiving credit for their pollution reductions. He stated that he has sent a letter to EPA Region III underscoring the critical need for EPA, NFWF, and the jurisdictions to resolve this issue. He renewed his request for NFWF to work with EPA and the jurisdictions.

### **ADJOURNMENT**

The Commission adjourned for the day at 3:20 P.M.

### **FRIDAY, JANUARY 6, 2023**

#### **WELCOME & ROLL CALL**

Chair Elfreth called the meeting to order at 9:15 A.M. and asked Acting Executive Director King to call the roll. A quorum was present.

#### **EXECUTIVE SESSION**

Chair Elfreth requested a motion to enter Executive Session for the Commission to discuss personnel issues. The motion passed unanimously. All non-Commission members were asked to leave the room.

At 9:35 A.M. the Commission concluded the closed session, and the public meeting was again called to order.

Chair Elfreth announced that Anna Killius had been approved as the new Executive Director for the Chesapeake Bay Commission. Her first day with the Commission would be January 25.

### **EXECUTIVE DIRECTOR'S LIGHTNING ROUND UPDATES**

Chair Elfreth asked Acting Executive Director King to update the members on several timely issues that both staff and members had been working on. Marel discussed the ongoing Bay Bottom Survey being conducted by NOAA and how this information has helped to inform progress on our oyster restoration goals. She also discussed the increased clean water revolving fund dollars going to the states and how our member jurisdictions are well-positioned to accept the increase. She highlighted an increase in USGS monitoring funding that would help address the monitoring needs previously presented to the Commission, though additional work will be necessary to fully fund the needs identified. Finally, she reviewed the 2023 and 2024 Commission meeting dates.

### **THE 2023 GENERAL ASSEMBLY SESSIONS**

#### **Maryland**

Chair Elfreth outlined some of the priorities for the Maryland Delegation including updating the Forest Conservation Act as well as the Maryland the Beautiful Act to set new goals for land conservation. Delegate Love detailed her work on Extended Producer Responsibility, as discussed in detail at a prior Commission meeting.

#### **Pennsylvania**

Senator Martin outlined some of the priorities for the Pennsylvania Delegation including building upon the success of the Clean Streams Fund. Senator Yaw also discussed his intention to introduce legislation concerning PFAS in firefighting foam.

#### **Virginia**

Senator Lewis outlined some of the priorities for the Virginia Delegation including resilience in comprehensive plans, as well as a suite of budget amendments on invasive species and water quality items.

### **2023 FEDERAL PRIORITIES FOR THE COMMISSION**

Chair Elfreth then turned the Commission's attention to Congressional priorities for the coming year. Jason Gleason, Executive Vice-President & Senior Partner at Crossroads Strategies, detailed the current political climate in D.C. given the recent Congressional elections. He also detailed how this positions the Commission for our work in the coming year and the timeline that we would be working on for both the budget as well as the Farm Bill.

#### **Appropriations**

Chair Elfreth then introduced Mark Hoffman, the Commission's Maryland Director. Mark detailed the work that goes into formulating the federal budget priorities each year and provided a brief overview of the various agencies' requests including EPA Chesapeake Bay Program, USFWS Chesapeake WILD and NPS Chesapeake Bay Gateways and Trails Programs.

## **Farm Bill**

Chair Elfreth asked Acting Executive Director Marel King to discuss the Farm Bill priorities being discussed for the upcoming year. Marel discussed vigilantly working to maintain the conservation funding, workforce development, working to make existing programs, such as the Conservation Reserve Enhancement Program and the Regional Conservation Partnership Program, more flexible as well as the processing of blue catfish. The Commission also moved to establish a Farm Bill subcommittee including Chair Elfreth, Senator Hanger and Senator Middleton.

## **IDEAL PROCESS: AN ANALYSIS OF BARRIERS AND SOLUTIONS**

After a brief break, Chair Elfreth turned the Commission's attention to the work of John Cox and Allyson Gibson with Lancaster Clean Water Partners. The Commission had specifically asked them to help us identify major funding, regulatory and social barriers to the efficient implementation of ag restoration practices, and to make recommendations to overcome them. They recommended streamlining application processes, block grant funding, application renewals versus new application requirements, sustainable funding for capacity and alternative permitting categories such as watershed permitting.

## **INTERIM ACTIONS**

Chair Elfreth then requested Acting Executive Director Marel King to detail the interim actions that had been requested by the members. Marel noted the request for sharing the Chesapeake Bay Stewardship Grant opportunities with members when they become available, as well as the request for details on the Chesapeake Bay Program funding to the states. The members additionally requested staff to develop a field trip for Congressional staff highlighting the significance of the Chesapeake Bay and our work.

## **NEW BUSINESS**

Chair Elfreth asked if there was any new business to come before the Commission. There was no new business.

## **PUBLIC COMMENT**

Chair Elfreth asked if there was anyone signed up for public comment. There were no speakers signed up for public comment.

## **ELECTION OF 2023 OFFICERS**

Each Delegation presented its nomination for leadership with was then considered by the full Commission.

### **Maryland:**

Delegate Sara Love, Chair  
Delegate Dana Stein, Vice-Chair;

### **Pennsylvania:**

Senator Scott Martin, Chair  
Representative Mike Sturla, Vice-Chair;

**Virginia:**

Senator Lynwood Lewis, Chair  
Delegate Robert Bloxom, Vice-Chair.

The members unanimously endorsed the slate of candidates from each Delegation.

Chair Elfreth noted what an honor it had been to have been Chair of the Commission, and the robust conversations over the past year. With the Chair rotating to Pennsylvania, incoming full Commission Chair Martin thanked the other members for his election, and noted the work needed to be done as we approach the 2025 deadline of the TMDL, and the need for policy-oriented solutions. He stated that he looks forward to continuing to build upon successes from the prior year.

**ADJOURNMENT**

The Commission adjourned at 12:15 P.M.