

CHESAPEAKE BAY COMMISSION 2019 POLICY FOR THE BAY



THE COMMISSION



2020 LEADERSHIP TEAM: VICE-CHAIRMAN SEN. GUY GUZZONE (MD.), CHAIRMAN SEN. GENE YAW (PA.) AND VICE-CHAIRMAN DEL. DAVID BULOVA (VA.).

2020 COMMISSION MEMBERS

PENNSYLVANIA DELEGATION

- ❖ Senator Gene Yaw, Chair · *Attorney*
- ❖ Representative P. Michael Sturla · *Construction, Architectural Environmental Design*
- Representative Garth D. Everett · *Attorney, Retired Air Force Navigator*
- Representative Keith J. Gillespie · *Hospital Administrator, Farmer*
- Senator Scott Martin · *Property Management, Juvenile Justice, Local Official*
- G. Warren Elliott (Citizen Representative) · *Government Consultant*
- Patrick McDonnell, Secretary, Department of Environmental Protection

MARYLAND DELEGATION

- ❖ Senator Guy Guzzone, Chair · *Real Estate Broker*
- ❖ Delegate Dana M. Stein · *NGO Executive, Attorney*
- Delegate Tony Bridges · *Community Services, Government Relations*
- Senator Sarah K. Elfreth · *Public Policy Professor, Government Relations*
- Delegate Sara Love · *Attorney*
- Thomas McLain “Mac” Middleton (Citizen Representative) · *Farmer, Former State Senator*
- Jeannie Haddaway-Riccio, Secretary, Department of Natural Resources

VIRGINIA DELEGATION

- ❖ Delegate David L. Bulova, Chair · *Environmental Project Manager*
- ❖ Senator Emmett W. Hanger, Jr. · *Real Estate Broker*
- Delegate Robert S. Bloxom, Jr. · *Small Business Owner (Auto and Aquaculture)*
- Senator John A. Cosgrove, Jr. · *Engineer*
- Delegate Tony O. Wilt · *Small Business Owner (Concrete)*
- Dennis H. Treacy (Citizen Representative) · *Former Food Executive and State Agency Director*
- Matthew J. Strickler, Secretary of Natural Resources

Bernie Fowler (Member Emeritus) · *Construction, Former State Senator and Local Official*
Rear Admiral Charles W. Rock (Naval Liaison)

- ❖ Executive Committee Member

THE MISSION

“The Chesapeake Bay Commission is not merely an organization of state legislators. It is a catalyst for the development and adoption of intergovernmental dialogue, multi-party collaboration, and outcome-oriented policy essential to the restoration of the Chesapeake Bay. The Commission’s history and its future are inextricably a part of the Bay’s yesterdays and tomorrows.”

— Former Virginia Secretary of Natural Resources W. Tayloe Murphy, Jr.,
commenting on the upcoming 40th Anniversary of the Commission

THESE WORDS OF A FORMER THREE-TIME COMMISSION CHAIR WHO SERVED ON the Commission both as a legislator and cabinet secretary reflect the key facets of the multidimensional mission of the Chesapeake Bay Commission: creating a safe space for the promotion of intergovernmental dialogue; driving collaboration among both partners and adversaries; and formulating and adopting policy outcomes that rest not in the cybersphere or on some shelf but in on-the-ground implementation.

Organized by statute in the 1980s by the legislatures of Pennsylvania, Maryland, and Virginia, the 21 members of the Commission (seven from each state) contribute their time, talents and expertise to the work of preserving and restoring the environmental and economic resources of the Chesapeake Bay watershed. Partnering with 15 state legislative members are three cabinet-level secretaries representing the Governors of Pennsylvania, Maryland, and Virginia, as well as three citizen representatives, one from each state. Together, across state and party lines, the members of the Commission anticipate the needs and respond to the challenges presented by the ongoing efforts to preserve and restore the Chesapeake Bay, its tributaries, its communities and its economies.

As Secretary Murphy so aptly stated, “The Commission’s history and its future are inextricably a part of the Bay’s yesterdays and tomorrows.”

EVALUATING THE PROGRESS

IN 2019, THE COMMISSION’S MEMBER STATES EACH released their Phase III Watershed Implementation Plan (WIP) for the Chesapeake Bay Total Maximum Daily Load (TMDL), the multi-jurisdictional roadmap for restoring the Bay’s water quality. The states designed the Phase III plans with the goal of having 100 percent of the practices necessary to achieve a clean Bay in place by 2025.

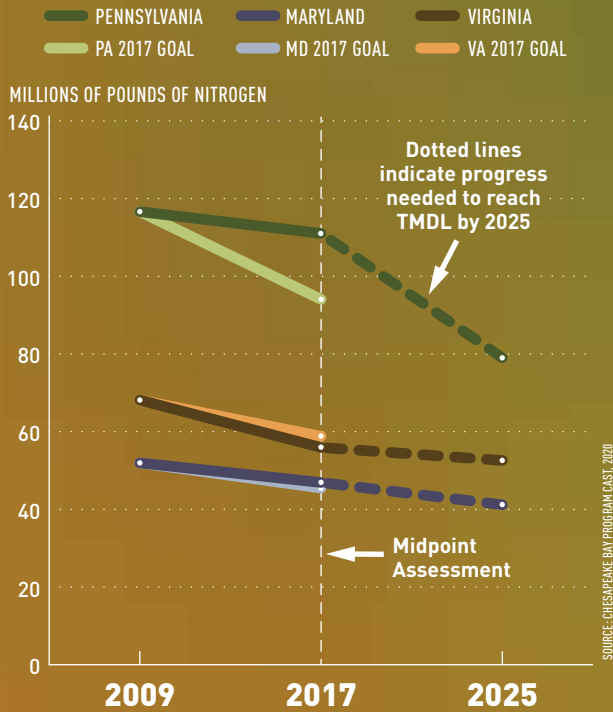
The Phase III WIPs are the latest chapter in a four-decade effort to achieve clean water in the Bay — water quality of a level that will sustain the Bay’s living resources such as submerged aquatic vegetation, blue crabs, oysters, striped bass, and the myriad of other species that inhabit the Bay. Prior WIPs — Phase I and Phase II — provided incremental progress toward this goal, according to the 2017 Midpoint Assessment (see chart at right).

Pollution reductions to date have come primarily from wastewater treatment and agriculture; limited progress occurred with reductions from urban stormwater (see chart below). Since 1985, we have achieved 50 percent of our nutrient reduction goals even as the population grew by half.

Moving forward, the Phase III WIPs look to agriculture as the primary focus for achieving most of the future pollution reductions. The largest contributor of pollution in the watershed, agriculture also offers some of the most cost-effective conservation practices available.

To meet the 2025 goal, the Phase III WIPs assume a significant increase in the pace of implementation

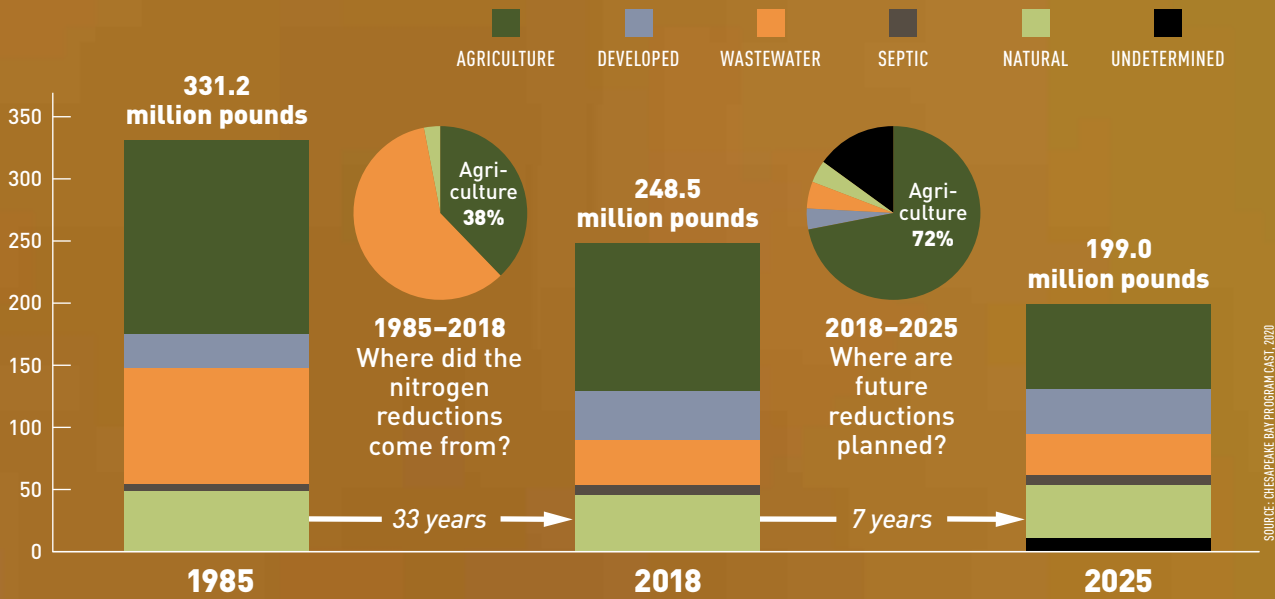
PROGRESS UNDER THE WIPs



of pollution reduction practices. Implementation will require new investments in farmer assistance and technical support. In Pennsylvania alone, the estimated funding gap is \$324 million annually.

Targeted spending on the most effective practices in the most effective locations will ensure that available dollars are wisely spent.

CHESAPEAKE BAY WATERSHED NITROGEN LOADS AND REDUCTIONS, 1985–2025



PURSuing NEW POLICY AND FUNDING

ENHANCED FEDERAL ENGAGEMENT

FOR DECADES, THE CHESAPEAKE BAY COMMISSION has represented the interests of the watershed on Capitol Hill. Commission members have historically and successfully reached out to their federal legislative counterparts. Over the years, the limiting factor on this work has been the Commission’s own internal capacity. The Commission strategically addressed this limitation by hiring Crossroads Strategies, a bipartisan government relations firm with strong familiarity of the Bay region to assist the Commission in its work at the federal level.

The results exceeded expectations. In March 2019 the Commission identified three funding enhancements that would advance achievement of both the water quality goals of the TMDL and other priorities of the Bay restoration effort. In each instance Congress allocated substantial new dollars in the FY 2020 Federal budget (see chart below).

The Commission’s 2019 federal work left Congress poised to reauthorize the Chesapeake Bay Program, the federal-state restoration partnership, at unprecedented funding levels, escalating up to \$92 million. It also teed up the reauthorization of the National Park Service’s Gateways Program, which links and supports more than 150 parks, refuges, museums, historical communities and water trails in the Chesapeake region.

STATE POLICY AND BUDGETS

COMMISSION MEMBERS WERE EQUALLY ACTIVE IN their home states, crafting legislation and budgets to advance improved water quality and natural resource protection and restoration.

VA VIRGINIA — In 2019, Virginia provided \$10 million for assisting local governments in their efforts to manage stormwater; \$4.5 million for the conservation

of Virginia lands; and an historic investment of \$90 million for farmer assistance in the implementation of agricultural conservation practices. This included dollars to fully fund an existing backlog of stream exclusion practices. The General Assembly also authorized a stormwater and wastewater funding needs assessment and prohibited the use of firefighting foam containing per- and polyfluroalkyl substances (PFAS) in training exercises.

PA PENNSYLVANIA — A significant milestone in Pennsylvania included the designation of the Eastern Hellbender as the State Amphibian, an initiative designed to communicate the importance of clean water to the Commonwealth. The year 2019 also saw the establishment of the Conservation Excellence Grant Program, designed to fund agricultural practices identified by the Phase III WIP, as well as increases in the REAP tax credit program for agricultural conservation practices. The establishment of the Keystone Tree Fund, with revenue coming from a voluntary \$3 check-off on vehicle registrations and driver’s license renewals, was an additional step forward on natural resource restoration efforts.

MD MARYLAND — Maryland’s 2019 dollars included full funding for the 2010 Trust Fund and the Bay Restoration Fund for a total of \$168 million. On the policy front, the legislature moved forward an assessment of forest loss state-wide, reflecting the growing concern that the state was not meeting its “no net loss” policy for forests. Commission members championed oyster management initiatives, codifying the protection of five tributary-scale restoration areas. In a parallel initiative, the legislature adopted a consensus-based process for oyster management to end overfishing, increase habitat and transition to a sustainable fishery.

PROGRAM	COMMISSION REQUEST	CONGRESSIONAL ACTION
Environmental Protection Agency — Chesapeake Bay Program Office	Increase from \$73 million to \$90 million.	\$12 million increase to \$85 million.
National Park Service — Chesapeake Gateways and Trails	Increase from \$2 million to \$3 million.	\$1 million increase to \$3 million.
U.S. Army Corps of Engineers — Environmental Restoration	Provide funding for implementation of Chesapeake Bay Comprehensive Plan.	Account increased from \$50 million to \$100 million nationwide, with \$25 million for areas with comprehensive plans, making Chesapeake projects eligible.

EMBRACING OUR DIFFERENCES



MARYLAND



PENNSYLVANIA



VIRGINIA

Members of Senate	47 Senators Each representing approx. 128,000 people 4-year term	50 Senators Each representing approx. 254,000 people 4-year term	40 Senators Each representing approx. 212,000 people 4-year term
Members of House	141 Delegates Each representing approx. 43,000–128,000 people 4-year term	203 Representatives Each representing approx. 63,000 people 2-year term	100 Delegates Each representing approx. 85,000 people 2-year term
Upcoming General Election	November 2022 (All members of House and Senate)	November 2020 (All members of House, half of Senate)	November 2021 (House only) November 2023 (All members of House and Senate)
Length of Session	90 Days	2 Years	60 Days (Even years) 45 Days (Odd years)
Number of Bills per Session	Approx. 3,000 28% became law in 2018	Approx. 4,000 6% became law in 2017–18	Approx. 3,000 33% became law in 2018
Budget	Annual	Annual	Biennial



“Unlike our neighbors, Virginia governors may not succeed themselves. Each newly elected governor inherits the two-year budget cycle set by the last governor. While the governor can seek amendments to this inherited budget, it is not until midway through the gubernatorial term that the governor is able to introduce a new budget reflecting his or her priorities.”
— Senator Emmett Hanger (VA)

Number of Counties	24 (including Baltimore City)	67	95
Number of Municipalities	157 Cities, towns, villages	2,560 Cities, boroughs, towns and townships	228 Cities and towns



“The structure of local government changes dramatically as you traverse the watershed. I appreciate the added complexity our peers in Pennsylvania have, representing so many small cities, boroughs and townships.”
— Senator Sarah Elfreth (MD)

State Population	6.0 million	12.8 million	8.5 million
Percent of Population Living in the Watershed	99%	30%	80%



“Nine million Pennsylvanians — 70% of our population — live outside the Chesapeake watershed. To forge consensus on legislation to improve water quality, the benefits must accrue locally, in the watershed each citizen calls home.”
— Senator Scott Martin (PA)

Percent of State in the Watershed	94%	50%	54%
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CELEBRATING SUCCESS

AS IT APPROACHES ITS 40TH YEAR OF LEGISLATIVE policy-making, the Chesapeake Bay Commission as a whole and Executive Director Ann Swanson individually received unexpected recognition in 2019 for the positive impacts they have made in the efforts to restore Chesapeake Bay.

In November, the Commission was named a *Champion of the Chesapeake* by the Chesapeake Conservancy. Designed to “celebrate the dedication and leadership of policymakers, individuals and companies in the protection and restoration of the Chesapeake Bay,” the award acknowledges both the Commission’s policy leadership and its success.

Conservancy President Joel Dunn noted that the *Champion of the Chesapeake* award celebrated “something quite extraordinary in the history of environmental policy-making: a true bi-partisan, voluntary partnership to restore and protect our region’s greatest resource, the Chesapeake Bay.” He cited the Commission’s legacy of success, including

four decades of environmental legislation and the establishment of the Chesapeake Bay Program.

The Conservancy also presented Ann Swanson with a *Lifetime Achievement Award* in recognition of her leadership of the Commission for 31 years. In presenting the award, U.S. Senator Chris Van Hollen reflected on the unwavering commitment of the Commission and its staff and its well-earned position as “the go-to organization for Chesapeake Bay policy.”

Earlier in the year, Ann Swanson was also honored by ShoreRivers, receiving its inaugural *Award for Environmental Stewardship*, which recognizes an individual or entity in the watershed for their transformational accomplishments in stewardship of the environment. Early in her career, hand in hand with local communities, Ann worked to establish both the Chester and Sassafras River Associations, two of the founding organizations that merged to form ShoreRivers. ShoreRivers has grown to be a strong voice for clean water on Maryland’s Eastern Shore.



(LEFT TO RIGHT) CHESAPEAKE CONSERVANCY PRESIDENT JOEL DUNN, SEN. GENE YAW, DEL. DAVID BULOVA AND SEN. GUY GUZZONE WITH U.S. REP. BOBBY SCOTT OF VIRGINIA, A MEMBER OF THE STUDY COMMITTEE THAT RECOMMENDED THE CREATION OF THE COMMISSION.



U.S. SENATOR CHRIS VAN HOLLEN (RIGHT) AND JOEL DUNN PRESENT THE LIFETIME ACHIEVEMENT AWARD TO ANN SWANSON.



ANN SWANSON (LEFT) RECEIVES THE 2019 AWARD FOR ENVIRONMENTAL STEWARDSHIP FROM SHORERIVERS EXECUTIVE DIRECTOR JEFF HORSTMAN (CENTER) AND BOARD MEMBERS ANDREW MCCOWN AND BRENNAN STARKEY.



DEL. ROB AND LOU BLOXOM ENJOY THE BALTIMORE AQUARIUM, THE VENUE FOR THE CHAMPIONS OF THE CHESAPEAKE EVENT.

COMMISSIONERS AT WORK 2019



SEN. GENE YAW (SECOND FROM LEFT) WATCHES PENNSYLVANIA GOV. TOM WOLF SIGN THE BILL NAMING THE EASTERN HELLBENDER AS THE STATE AMPHIBIAN. SEN. YAW SPONSORED THE BILL.



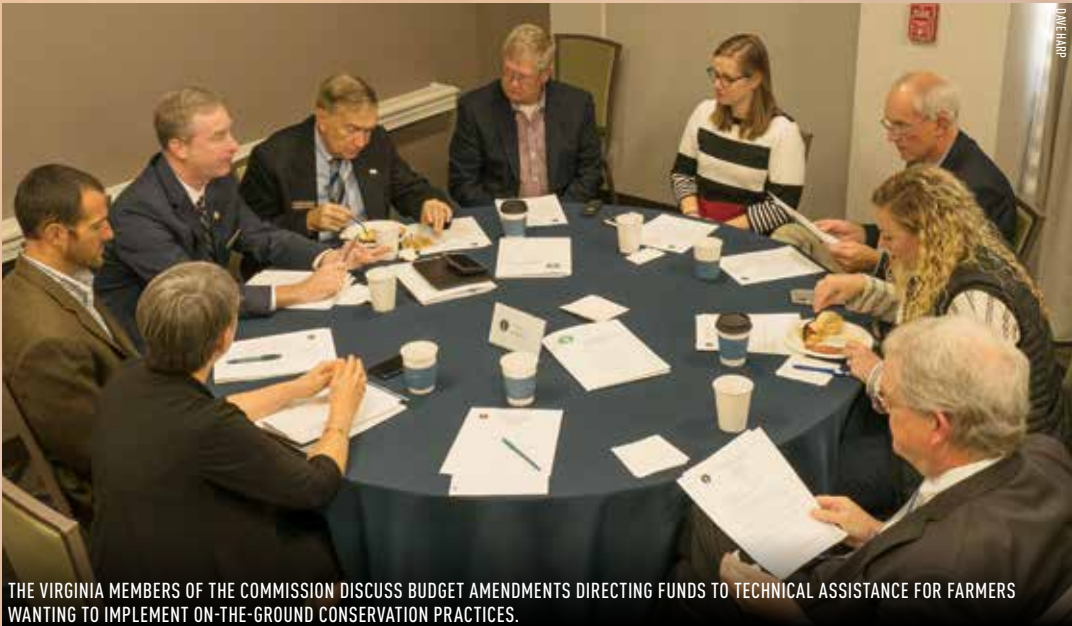
SEN. SARAH ELFRETH AND DEL. TONY WILT MARVEL AT THE DIFFERENCES IN THE BUDGET PROCESSES BETWEEN MARYLAND AND VIRGINIA.



SEN. GENE YAW (LEFT) AND WARREN ELLIOTT VISIT CONOWINGO DAM TO SEE THE FISH LIFTS THAT ALLOW AMERICAN SHAD TO MIGRATE UPSTREAM.



DEL. DANA STEIN, REP. MIKE STURLA, DEL. DAVID BULOVA AND ANN SWANSON MULL THE \$324 MILLION PER YEAR FUNDING GAP FACING PENNSYLVANIA'S CLEAN WATER OBLIGATIONS.



THE VIRGINIA MEMBERS OF THE COMMISSION DISCUSS BUDGET AMENDMENTS DIRECTING FUNDS TO TECHNICAL ASSISTANCE FOR FARMERS WANTING TO IMPLEMENT ON-THE-GROUND CONSERVATION PRACTICES.



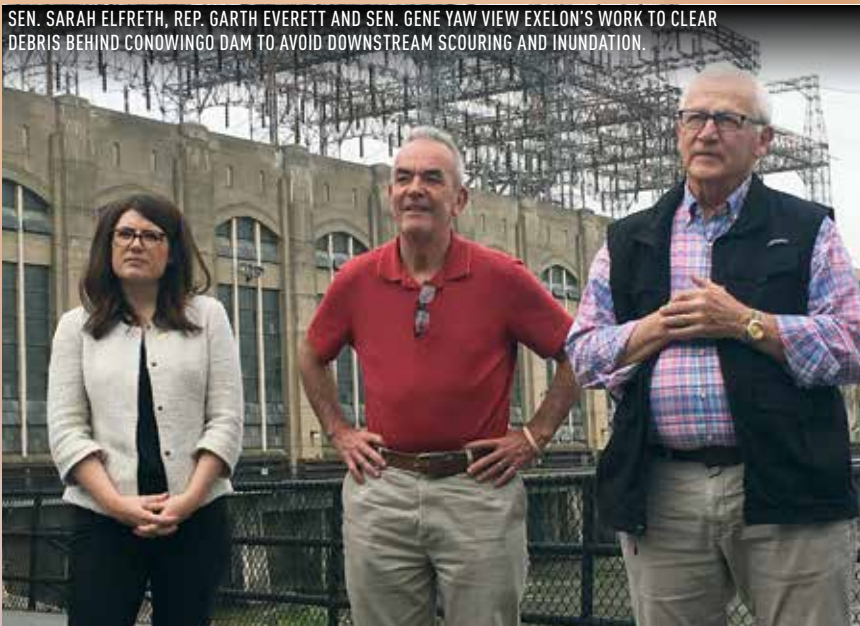
WARREN ELLIOT, MAC MIDDLETON AND SECRETARY MATT STRICKLER REFLECT THE TRANSBOUNDARY NATURE OF THE COMMISSION'S WORK.



SEC. PATRICK McDONNELL AND SEN. SCOTT MARTIN CONSIDER OPTIONS FOR REDUCING NUTRIENT POLLUTION IN MARTIN'S HOME DISTRICT OF LANCASTER COUNTY.



UNIVERSITY OF MARYLAND RESEARCHERS SHOW REP. KEITH GILLESPIE (CENTER) AND SEN. GENE YAW (RIGHT) JUVENILE STERILE NATIVE OYSTERS. AQUACULTURE OPERATIONS UTILIZE THESE OYSTERS BECAUSE THEY GROW FASTER AND LARGER THAN REPRODUCTIVE OYSTERS.



SEN. SARAH ELFRETH, REP. GARTH EVERETT AND SEN. GENE YAW VIEW EXELON'S WORK TO CLEAR DEBRIS BEHIND CONOWINGO DAM TO AVOID DOWNSTREAM SCOURING AND INUNDATION.



U.S. SENATOR CHRIS VAN HOLLEN (CENTER BACK) JOINED THE COMMISSION AT NATIONAL GEOGRAPHIC'S HEADQUARTERS TO DISCUSS THE POTENTIAL OF DESIGNATING THE BAY AS A NATIONAL RECREATION AREA.



COMMISSION MEMBERS (LEFT TO RIGHT) REP. KEITH GILLESPIE AND DENNIS TREACY REMINISCE WITH FORMER MEMBER DEL. SCOTT LINGAMFELTER.

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Chesapeake Bay Commission
Policy for the Bay