



CHESAPEAKE BAY COMMISSION

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MAY 6-7, 2021 TELECONFERENCE QUARTERLY MEETING

The Chesapeake Bay Commission held its second quarterly meeting of 2021 on Thursday and Friday, May 6-7. The meeting was held via teleconference due to the States of Emergency in all three member states during the COVID-19 pandemic.

Commission members in attendance:

Delegate Robert Bloxom
Delegate Tony Bridges (Day 2 only)
Delegate David Bulova
Senator Sarah Elfreth
PA Citizen Member, Warren Elliott
Representative Keith Gillespie
Delegate Nancy Guy
Senator Guy Guzzone
Secretary Jeannie Haddaway-Riccio
Senator Emmett Hanger
Representative John Hershey
Senator Lynwood Lewis
Delegate Sara Love
Senator Scott Martin
Secretary Patrick McDonnell
MD Citizen Member, Thomas “Mac” Middleton
VA Citizen Member, Missy Cotter Smasal
Delegate Dana Stein
Secretary Matt Strickler
Representative Mike Sturla
Senator Gene Yaw

Not in attendance: RDML Charles Rock

Staff:

MD – David Goshorn
PA – Aneca Atkinson and Jill Whitcomb
VA – Ann Jennings
Navy – Kevin Du Bois

CBC Staff:

Ann Swanson
Jen Dieux
Mark Hoffman
Marel King
Adrienne Kotula

THURSDAY, MAY 6, 2021

WELCOME & NEW MEMBER INTRODUCTIONS

Chair Bulova welcomed everyone and called the meeting to order at 1:01 P.M. He reviewed the Commission’s Virtual Meeting Protocol to comply with open meeting requirements. He also introduced a new member, Missy Cotter Smasal, the Virginia Citizen Representative, and thanked departing member, Dennis Treacy, for his service to the Commission since 2016.

ROLL CALL

He then asked Executive Director Swanson to call the roll. A quorum was present.

ADOPTION OF MINUTES

Senator Martin moved to approve the minutes of the January meeting. The motion was seconded by Senator Elfreth and there was no discussion. The January meeting minutes were then unanimously adopted by roll call vote.

ADOPTION/MODIFICATION OF AGENDA

Chair Bulova asked for comments or questions on the agenda from the members. Hearing none, the agenda was unanimously adopted by a roll call vote.

LIGHTNING ROUND UPDATES

Chair Bulova requested that Executive Director Swanson provide updates on certain key issues.

Fall Chesapeake Executive Council (EC) Meeting

Ms. Swanson noted Bay Program staff (including the CBC) were working on a directive for the EC meeting related to climate change, in particular the integration of climate change concerns into all aspects of the Bay Program.

DoD Chesapeake Bay Installation Status Report

Kevin Du Bois with the Department of Defense updated the Commissioners on their Chesapeake Bay Program Status Report, describing the program accomplishments over the past year.

FY22 Federal Budget Priorities and Status

Ms. Swanson noted the Bay Program’s Principal Staff Committee was working on a letter to the new administration requesting one billion dollars in federal funding to support watershed restoration. Commission staff are also working on the development of a more specific proposal to provide funding for the enhanced implementation of BMPs on agricultural lands in the watershed. The proposed “USDA Chesapeake Resilient Farms Initiative,” if established, would provide \$737M over the next ten years. She then introduced our federal liaisons, Jason Gleason and Hunter Moorhead, from Crossroad Strategies. They updated the Commissioners on a number of proposals active in Congress, including the federal budget and infrastructure-related legislation.

Chair Bulova thanked the Lighting Round participants, and noted this discussion provided a great introduction to the next speaker, Ike Irby, Special Advisor to Vice President Harris.

FEDERAL OVERVIEW

Ike Irby, Ph.D., Special Assistant, Office of Vice President Kamala Harris

Dr. Irby addressed the Commission on a number of environment-related initiatives that the new administration has been actively pursuing during their first few months in Washington. He noted that just this morning they announced an “America the Beautiful” program to protect 30% of the United States by 2030. Also, the United States has rejoined the Paris Climate Agreement and several climate-related initiatives are part of the proposed American Jobs Plan. He also noted that climate change considerations would be an important part of any infrastructure proposal. He also mentioned the inclusion in the President’s budget of a 20% increase in funding for the EPA.

ISSUES ON THE RADAR – VIDEO #1

Commission members watched the first of three videos on emerging fishery issues. Video #1 was *Intersex Fish: Bass Confusion From Land Pollution* featuring Vicky Blazer, Ph.D., Research Fishery Biologist US Geological Survey. The video summarized recent research as to the causes of “intersex” condition in fish.

CLIMATE CHANGE & WATER QUALITY

FEDERAL OVERVIEW:

Near-Term Policy Opportunities and Long-Range Vision

Skip Stiles, Executive Director, Wetlands Watch

Mr. Stiles noted the importance of federal agencies (including FEMA) in addressing climate-change caused damage and the availability of funding for pre-disaster mitigation. He also noted the ongoing updates to NOAA’s Atlas 14, which provides data for rainfall intensity that is widely used in stormwater management standards, etc. There has been an increase of 20% in rainfall intensity since the last update in 2004, so better information is needed to manage for rainfall moving forward. FEMA has recently released its latest flood risk ratings, which will result in adjustments to flood insurance premiums.

WATERSHED OVERVIEW:

Programs and Policies to Address Environment & Public Health

Elizabeth Andrews, Director, College of William and Mary Coastal Policy Clinic

Ms. Andrews reviewed the variety of provisions and approaches to address climate change impacts, both within the Bay region and from a national perspective.

STATE OVERVIEW:

Policies Enacted and Efforts Underway

Adrienne Kotula, CBC Virginia Director

Mark Hoffman, CBC Maryland Director

Marel King, CBC Pennsylvania Director

Using a matrix provided with the meeting materials, the CBC State Directors reviewed enacted legislation in each of their respective states related to addressing climate change resiliency. The legislation covered a wide range of categories: 1) land use, planning and zoning; 2) entities/funds created to address resilience; 3) green infrastructure and resilient building requirements; and 4)

research and education. Commission members, both past and present, had sponsored many of the legislative initiatives.

THE PATH FORWARD:

Facilitated Discussion: Ann Swanson and Elizabeth Andrews

The Commission then had a facilitated discussion to dive deeper into the climate change resiliency issue, and what should be the priorities of the Commission for further investigation and action. Topics identified for research with the Coastal Policy Center over the summer were: (1) cooperative regional resilience efforts; (2) efforts to incorporate the private sector in resilience efforts; and (3) the use of overlay districts, for example as used in Norfolk, Virginia. Additionally, if possible, the concept of doing a gap analysis of state programs and policies concerning sea level rise was recommended.

ADJOURNMENT

The Commission adjourned at 4:00 P.M.

FRIDAY, May 7, 2021

WELCOME & ROLL CALL

Chair Bulova called the meeting to order at 9:15 A.M., reviewed the Virtual Meeting Protocol and asked Executive Director Swanson to call the roll. A quorum was present.

CBC ADMINISTRATIVE ACTIONS

Adoption of CBC 2022 Meeting Dates

Adoption of CBC FY 2022 Budget

Senator Guzzone moved to approve the 2022 meeting dates. Senator Elfreth seconded the motion which was approved unanimously. Senator Guzzone then moved to approve the FY 2022 budget as presented. Senator Elfreth seconded the motion which was approved unanimously.

2021 LEGISLATIVE SESSIONS

Chair Bulova asked each State Chair to review pertinent legislation in the past and current legislative sessions.

PENNSYLVANIA – Senator Gene Yaw, CBC Vice-Chair

Senator Yaw highlighted a number of initiatives of the Pennsylvania Delegation’s “most aggressive agenda ever”: 1) the Clean Streams Fund; 2) the Nutrient Procurement Bill; 3) a new ag BMP cost-share program; and 4) the Fertilizer Bill. Each of these would help to provide environmental benefits and improved water quality in the Commonwealth.

MARYLAND – Senator Guy Guzzone, CBC Vice-Chair

Senator Guzzone focused his comments on the Clean Water Commerce Act of 2021, that was the priority for the Maryland Delegation and a Commission initiative. He thanked CBC member Mac Middleton for leading a work group that help developed consensus on the details of the legislation. The bill increased funding for using a “procurement approach” to reduce nutrient pollution from \$20 to \$40 million per year, and created strategic priorities for the use of the

funds. During the Q&A, it was agreed to have a follow-up Commission call on how the success of the CWCA was achieved and more of its details.

VIRGINIA – Delegate David Bulova, CBC Chair

Delegate Bulova noted several bills sponsored by Senator Hanger to improve the ability for the agricultural sector to meet nutrient reduction goals. Senator Lewis led the passage of bills related to climate resiliency and carbon sequestration. Delegate Guy was the lead sponsor on a bill to protect trees during development and to prohibit the intentional release of balloons into the atmosphere. Additionally, Delegate Bulova noted the success in the budget arena, and the number of funding additions championed by Commission members.

ISSUES ON THE RADAR – VIDEO #2

The Commission Members viewed Video #2, *Plastics Pollution: Small Particles; Big Problems* by Julie Lawson, Director, Mayor’s Office of the Clean City, District of Columbia. This video highlighted some of the problems posed by plastic pollution in the watershed.

CONOWINGO WIP FINANCE STRATEGY

Chairman Bulova introduced CBC MD Director Mark Hoffman, the Commission’s representative on the Conowingo WIP (CWIP) Steering Committee. Mr. Hoffman provided an overview of the CWIP effort thus far.

Dan Nees, Director, University of Maryland Center for Global Sustainability

Mr. Nees presented a PowerPoint on the current draft of the financing strategy for the CWIP. He outlined the timeline and deliverables of the project, and highlighted the key aspects of the strategy that need to be included for success. He noted the grantees were nearing completion of a proposed Phase 1 financing project, soon to be presented to the Bay Program’s Principals Staff Committee for their consideration. This would include the concept of using the Susquehanna River Basin Commission as the financing authority for the Phase 1 work. The goal is to make the project as efficient and cost-effective as possible, to maximize the results from each dollar spent. He noted the jurisdictions of the Bay watershed would need to commit to funding.

There were a number of questions asked by Commission members about the proposal, including the potential role of dredging the Conowingo pool, the role of Exelon and the funding to be provided by each state. Chair Bulova said this issue would be revisited by the Commission as more specifics are released and decisions made by the PSC.

ISSUES ON THE RADAR VIDEO #3

CBC Members watched video #3, *Changing Chesapeake: Fish Facing Warmer Water* with Pat Geer, Chief of Fisheries Management, Virginia Marine Resources Commission. This video covered the experimental shrimp fishery in Virginia that is made possible by warmer waters.

PANEL DISCUSSION ON ISSUES ON THE RADAR

Vicki Blazer, Julie Lawson, and Pat Geer then joined the Commission for a discussion on the emerging issues covered in their respective videos. The members asked a number of questions related to the expansion of the shrimp fishery in Virginia, policy options for plastics as well as how to address toxic contaminants in runoff.

NEW BUSINESS

Chair Bulova asked if there was any new business and there was none. Secretary McDonnell did take the opportunity to let the Commission members know that Jill Whitcomb of PA DEP was recently given an award for employee excellence.

PUBLIC COMMENT

Chair Bulova asked if any members of the public would like to provide comment. No members of the public provided comment.

ADJOURNMENT

The Commission adjourned at 12:10 P.M.