

CHESAPEAKE BAY COMMISSION
MAY 2015 MEETING MINUTES

The Chesapeake Bay Commission held its second quarterly meeting of 2015 on Thursday and Friday, May 7-8, 2015, in Washington DC.

The following Commission members and staff were in attendance:

Senator Richard Alloway
Secretary Mark Belton
Delegate David Bulova
PA Citizen Member, Warren Elliott
Representative Garth Everett
Delegate Barbara Frush
Delegate Tawanna Gaines
Representative Keith Gillespie
Senator Emmett Hanger
Senator Nancy King
Delegate Scott Lingamfelter
Delegate Maggie McIntosh (didn't attend 2nd day)
Senator Thomas "Mac" Middleton
Kristen Wolf – representing Secretary John Quigley
Delegate Margaret Ransone (didn't attend 2nd day)
Representative Michael Sturla
Senator Frank Wagner
Secretary Molly Ward
Rear Admiral Ricky Williamson
Senator Gene Yaw

Staff: Ann Swanson
Jen Donnelly
Jack Frye
Bevin Buchheister
Marel King

Members not in attendance:

Maryland Citizen Member Bernie Fowler
Virginia Citizen Member John Reynolds

Thursday, May 7, 2015

Welcome New Members, Approval of Minutes and Agenda, Bay Agreements Briefing

The meeting at the Beacon Hotel was called to order by Chairman Lingamfelter at 10:05 AM. Ann Swanson took roll call, followed by Chairman Lingamfelter welcoming new members from Maryland: Secretary Mark J. Belton, DNR, Delegate Barbara A. Frush and Delegate Tawanna P. Gaines. The

minutes of the January 8, 2015 Commission meeting and the agenda for this meeting were approved unanimously.

Ann Swanson then presented a history of the Bay Agreements and legislation that had been accomplished following each. This was the first in a series of “big picture” presentations over the next four meetings that Chairman Lingamfelter has requested for the benefit of all members, but especially the many new members that have recently joined the Commission.

Approval of Budget and 2016 Meeting Dates

The CBC budget for FY2016 as proposed by the Executive Committee was presented. Discussion included consideration of an increase in contribution from each state starting in FY2017. The proposed budget was approved unanimously. The Executive Committee has approved continuing with the same auditor.

It was announced that Jack Frye, Virginia Director is retiring. It was approved by consensus to advertise the position.

Meeting dates and locations for 2016 were approved as follows: January 7-8, Annapolis; May 12-13, Washington, DC; September 8-9, Pennsylvania; November 17-18, Virginia. [Following the meeting the November dates were changed to accommodate Virginia legislative retreats.] Locations still need to be determined in Pennsylvania for the September meeting and Virginia for the November meeting. This will be done during the delegation meetings at the September meeting in Alexandria, VA.

The meeting recessed at 11:50 PM for lunch and travel to the afternoon location. Members were asked to convene in the lobby at 12:15 PM to travel by taxi in their assigned group to the Capitol Visitor Center.

The meeting at the Capitol Visitors Center, SVC 202-203, was called to order by Chairman Lingamfelter at 1:15 PM.

Jack Frye was recognized for his dedication and high level of service to the Commission. His last day with the Commission will be July 9.

CBC Report, Healthy Livestock Healthy Streams

Jack Frye presented a summary of the Commission’s latest report, *Healthy Livestock, Healthy Streams*, on the subject of livestock stream exclusion and policy recommendations to increase implementation of the practice.

Because the Conservation Reserve Enhancement Program (CREP) is one of the largest sources of funding for stream fencing, Matthew Ponish, Acting Director of Conservation and Environmental Programs, was present to respond on behalf of the USDA Farm Service Agency. He spoke about the trend of CREP acres decreasing and what can be done to reverse the trend. Ponish noted that five million additional dollars have been made available to the Bay watershed states to implement CREP. States

were asked to submit a request and explain how they intended to use the additional money. Education and Outreach were among the biggest needs identified. FSA is working with Forest Service and NRCS to get boots on ground. Another challenge was farmers didn't understand the terms of contract. For example, if grass buffers have trees in them this results in a compliance violation. This raises the question of whether FSA needs to create standards for natural succession of grass buffers into treed buffers. Chairman Lingamfelter suggested that a contract modification should be considered for the Bay states to allow for natural succession.

U.S. Army Corps of Engineers' Comprehensive Plan for Chesapeake Bay

The next presenter was Amy Guise, Chief of the Planning Division, Baltimore District, U.S. Army Corps of Engineers, who summarized the Corps' new Comprehensive Plan for Chesapeake Bay. The Plan will help to align Corps activity with local initiatives and priorities. Corps activities are limited by what is expressly allowed under the Water Resources Development Act, but Technical Services could be provided to assist localities even if the Corps is not able to assist with implementation. Also, the Corps is not able to assist with general stormwater or CSO projects, but could assist with projects related to climate adaptation.

Large Landscape Initiative

Kristen Sarri, Principal Deputy Assistant Secretary for Policy, Management and Budget, U.S. Department of Interior, described the budgeting process for the Large Landscape Initiative, including the Rivers of the Chesapeake project. The President's proposed budget includes \$37 million for Rivers of the Chesapeake from the Land and Water Conservation Fund. This fund is currently split between "mandatory" and "discretionary" funds. The President is seeking to transition this money to be mostly mandatory, making the funding more secure.

Chairman Lingamfelter then recessed the meeting at 3:45 and the members had a meeting with U.S. EPA Administrator Gina McCarthy to introduce her to the Commission and its work. No actions were taken or decisions made at this meeting. Following this meeting CBC members attended a reception with members of Congress and their staff.

Friday, May 8, 2014

Following breakfast meetings of each state Delegation, Chairman Lingamfelter re-convened the meeting at 9:00 a.m.

Chairman's Updates- Menhaden, Blue Crab

Jack Frye presented an update on menhaden harvest from the Atlantic States Marine Fisheries Commission meeting earlier in the week. The ASMFC approved a 10% increase in harvest due to a finding that the resource is not overfished.

Secretary Belton then led a discussion on blue crabs. The winter dredge survey indicates an increase in blue crabs including females and overall. Maryland still considering what they will do to respond to the survey information. The winter kill was 19% from the very cold winter. Virginia is continuing the winter dredging ban.

Leadership Awareness

The next agenda item was CBC' stature in the states and increasing visibility with state leadership. Ann suggested members request the CBC to brief their committees, post on social media, and ask for high-level meetings. A very robust discussion was led by Chairman Lingamfelter that led the members to recommend that the Commission begin to engage with the public through social media, especially Facebook, and that messaging should focus on local issues and impact.

Legislative Update

A round robin summary of state legislation then followed, featuring the microbeads legislation in Virginia, a consumptive water use fee in Pennsylvania, and the Phosphorus Management Tool in Virginia. Senator Alloway added that he is continuing to work on the lawn care bill in Pennsylvania.

Arkansas Approach to Excess Litter

The final speaker was Rona Kobell, reporter for the Bay Journal, who described a "manure exchange" in Arkansas that was prompted by court action to reduce land application of poultry litter. In that watershed, farmers now receive an economic benefit from the sale of their litter. Additionally, nine farms are working with local researchers to monitor water quality and nutrient loss in an effort to improve on-farm nutrient management. Farmers are finding the information very valuable. One practice that is being used is a two-stage ditch. This practice may have applicability on the Eastern Shore and CBC staff was requested to learn more and share that information with the members.

Meeting Wrap-up

The next meeting will be in Alexandria, VA. It was requested that at a future meeting, Admiral Williamson should present information on water quality practices being implemented at military installations.

Chairman Lingamfelter adjourned the meeting at 12:15 p.m.