



CHESAPEAKE BAY COMMISSION

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SEPTEMBER 10-11, 2020 TELECONFERENCE QUARTERLY MEETING

The Chesapeake Bay Commission held its second quarterly meeting of 2020 on Thursday and Friday, September 10-11, 2020. 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
Delegate David Bulova
Senator Sarah Elfreth
PA Citizen Member, Warren Elliott
Representative Garth Everett
Representative Keith Gillespie
Senator Guy Guzzone
Delegate Nancy Guy
Secretary Jeannie Haddaway-Riccio
Senator Emmett Hanger
Delegate Sara Love
Senator Scott Martin
Secretary Patrick McDonnell
MD Citizen Member, Thomas “Mac” Middleton
Delegate Dana Stein
Representative Mike Sturla
Secretary Matt Strickler
VA Citizen Member, Dennis Treacy (Thursday Only)
Delegate Tony Wilt
Senator Gene Yaw
RDML Charles Rock

Members not in attendance:

Senator Lynwood Lewis

Staff:

MD – David Goshorn
PA – Aneca Atkinson and Jill Whitcomb
VA – Ann Jennings

CBC Staff:

Ann Swanson
Jen Dieux
Mark Hoffman
Marel King
Adrienne Kotula

THURSDAY, SEPTEMBER 10, 2020

WELCOME & ROLL CALL

Chairman Yaw called the meeting to order at 1:01 P.M. and reviewed the Commission's Virtual Meeting Protocol to comply with open meeting requirements. He then asked Executive Director Swanson to call the roll. A quorum was present.

ADOPTION OF MINUTES

In order to comply with open meeting requirements, the approval of the minutes from both the January and May meeting was deferred to the November meeting of the Commission.

ADOPTION/MODIFICATION OF AGENDA

Chairman Yaw asked for comments or questions on the agenda from the members. Hearing none, the adoption of the agenda was moved unanimously by a roll call vote.

WELCOME TO NEW MEMBERS

Chairman Yaw welcomed Delegate Nancy Guy (VA) to the Commission and announced the return of Senator Lynwood Lewis (VA), who previously served while in the House of Delegates.

CHAIRMAN'S LIGHTNING ROUND UPDATES

- *August Executive Council meeting*
Chairman Yaw detailed the August Executive Council where Governor Northam of Virginia was elected as the new Chair. At the meeting, the Council also signed a Diversity, Equity, Inclusion, and Justice Statement. It was noted that as this work unfolds, the Commission will incorporate more discussion and action in this regard into the 2021 meetings. The Commission and Executive Director Swanson were also honored by Governor Hogan during the Executive Council meeting and a video of the award presentation was shared with the full Commission.
- *Federal Stimulus/Appropriations Updates*
Chairman Yaw stated that the Commission staff, with the assistance of our federal lobbyist, had been closely following efforts in Washington to respond to the pandemic and develop the federal budget for FY 2021. The Commission was provided with a matrix that summarized House action on the budget. Staff discussed several potential opportunities for enhanced funding for the Bay.
- *EPA Oversight Lawsuits*
Chairman Yaw announced that earlier in the day, the Chesapeake Bay Foundation and the Attorney Generals of Maryland, Virginia, Delaware, and D.C. filed lawsuits alleging that the Environmental Protection Agency has failed to ensure that Pennsylvania and New York are doing enough to reduce pollution that flows from their states into the Chesapeake Bay. Commission staff will continue to keep the members current on this matter.

AGRICULTURE TAKES CENTER STAGE

Chairman Yaw introduced Jeff Sweeney, Integrated Analysis Coordinator, U.S. Environmental Protection Agency, in order to provide an overview of agriculture's impact within the watershed. Jeff discussed how the level of effort needed to reduce pollution and meet the 2025 target date is four times the historic rate of implementation. He also discussed how, according to the jurisdictions' Phase III

WIPs, over the next 6 years, about 4% of the nitrogen load reductions are planned to come from additional wastewater controls while about 74% is planned to come from the agricultural sector. He also presented on the best management practices that the states propose to use in their Phase III WIPs. Among those most relied upon are those that are effective at treating excess nutrients and controlling erosion, cost-effective and targeted at the most-effective basins. Practices that reduce inputs of nutrients are more effective than those aimed at managing nutrients after they are already in the environment. He also stressed that full leveraging of federal dollars with state dollars, as well as robust technical assistance, will be vital to meeting our goals.

Chairman Yaw then introduced Lindsay Thompson, Director, Maryland Association of Soil Conservation Districts and the Maryland Grain Producers Association, to discuss the work that has been done to address water quality goals by Maryland's farmers as well as the work that still needs to be done. Lindsay stressed the progress and willingness of Maryland's farmers to continue this work, but also stressed that continued technical assistance, financial assistance as well as innovative partnerships such as the 4R Alliance would be needed to meet our goals.

To close out the discussion, Chairman Yaw introduced Isabel Hardesty, Deputy Director, ShoreRivers. Isabel discussed the work that her organization has done to partner with over 100 farmers on the Eastern Shore in installing best management practices. She also stressed the cost-effectiveness of these practices as compared to urban stormwater practices in addressing pollution loads Baywide. She also stated that consistent agricultural policies and priorities across the watershed would help address barriers. Continued funding and technical assistance was seen as vital to success.

INNOVATIVE APPROACHES IN THE AGRICULTURAL SECTOR

PART I: THE PROGRAMS AND POLICY

Chairman Yaw introduced Tim Rosen, Director of Agriculture and Restoration for Shorerivers. Tim oriented members to the issues that can arise from poorly-drained areas in fields. Drainage systems have been installed throughout much of the watershed, especially on the Eastern Shore, but some of these systems are falling into disrepair or were not designed to address increased precipitation from climate change. These previously-installed systems also provide a direct outlet of nutrient-rich water. He then introduced the Commission to the idea of "conservation drainage" and the benefits that can be achieved from adding nutrient removal practices to traditional drainage systems. He virtually showed members a variety of successful projects that Shorerivers has undertaken.

PART II: PUTTING IT IN PRACTICE

VIRTUAL TOUR OF DENTON AND HUTCHISON FARMS

Tim Rosen introduces Kyle Hutchison, Farmer, Hutchison Brothers Farm, Cordova, Talbot County. Kyle discussed the conservation drainage projects done on his farm along with the assistance he received from Shorerivers. He saw the project as beneficial and successful both for his farming operation as well as for the watershed overall.

MEMBER FEEDBACK

Members requested information on the ability to cost-share conservation drainage practices in other states.

ADJOURN

The Commission adjourned at 3:43 P.M.

FRIDAY, SEPTEMBER 11, 2020

WELCOME & ROLL CALL

Chairman Yaw called the meeting to order at 9:16 A.M., reviewed the Virtual Meeting Protocol and asked Executive Director Swanson to call the roll. A quorum was present.

After roll call, a moment of silence was held to commemorate the lives that were lost on September 11, 2001.

NUTRIENT AND SEDIMENT TRENDS FOR THE BAY WATERSHED

Chairman Yaw introduced Scott Phillips, the Chesapeake Bay Coordinator for USGS. Scott presented on the results from the most recently completed trends analysis. The findings show mixed results, with 41% of monitoring sites improving and 40% degrading for nitrogen, as well as 44% of monitoring sites improving for phosphorus and 32% degrading. He then discussed results of specific tributaries and sectors. Scott closed by detailing that moving forward, sustaining and enhancing monitoring, partnering with local entities to explain patterns in loads/trends throughout the watershed and connecting the watershed inputs to the estuary response will be vital.

THE DELMARVA LAND AND LITTER COOPERATIVE (DLLC)

Chairman Yaw introduced Kurt Fuchs, SVP Government Affairs, MidAtlantic Farm Credit and Chair, Delmarva Land and Litter Cooperative as the moderator for this session.

Kurt kicked off the conversation by introducing the DLLC as a forum for diverse partners who work together to address challenges and identify solutions focused on chicken litter management. DLLC supports solutions that improve the productivity of agricultural lands and protect water quality in our local waterways and the Chesapeake Bay. He then handed off the conversation to each of the panelists to discuss their organizations' role and thoughts on the collaborative.

PANELISTS:

Alan Girard, Eastern Shore Director, Chesapeake Bay Foundation, noted the uniqueness of DLLC in collaborating versus being adversarial. He specifically discussed how they have managed to avoid the legislative approach to problem solving with items such as a manure exchange service and being the vehicle for those conversations. The relationships and trust that have been built by this group has allowed more opportunities for conservation moving forward.

Holly Porter, Executive Director, Delmarva Poultry Industry, discussed her role representing the Delmarva chicken industry's premier membership association focusing on advocacy, education and member relations. She discussed how she sees huge value in the information sharing that occurs as a result of the collaborative and how she believes there are opportunities to improve the consistency of litter management across state lines.

Steve Levitsky, Vice President of Sustainability, Perdue, discussed the positive outcomes that his organization has seen as a result of the DLLC. Even as one of the nation's largest poultry companies, they see the relationships gained from DLLC as valuable and have seen positive

policy change as a result. Steve discussed the specific examples of the phosphorus management tool, the transport committee and marketing/communications.

Amy Jacobs, Agricultural Program Director, The Nature Conservancy (Maryland Chapter), discussed the work that her organization has done to find collaborative solutions and secure technical assistance for implementation. They see DLLC as fitting directly into their focus and will continue to work towards shared goals.

NEW BUSINESS AND MEMBER FEEDBACK

Chairman Yaw asked if there was any new business or member feedback on the meeting format. Executive Director Swanson discussed the production of a film highlighting the forty years of work that the Commission has been developing which will be unveiled at the November meeting. Members provided feedback in the chat on the virtual meeting format stating that they thought it was working well but that they look forward to resuming in-person meetings.

PUBLIC COMMENT ON AGENDA ITEMS

Chairman Yaw asked if any members of the public would like to provide comment.

Patrick Thompson, Energy Works, noted that they have been struggling to get recognition of the contribution of CAFOs and manure treatment technologies at scale in a cost-effective, resilient way. They also want to be connected to the food supply chain, not just agricultural production.

ADJOURNMENT

The Commission adjourned at 11:17 A.M.