
POLICY ROUNDTABLES

CHESAPEAKE BAY COMMISSION
September 5, 2025
State College, PA



TOPICS & FORMAT

- **30 minutes per topic**
 - 5-minute introduction
 - 25-minute discussion
- **Goals**
 - Share current progress and lessons learned
 - Identify opportunities for state and regional action
 - Coordinate next steps

9:45 –
10:15

Grading Our Pay-for-Performance:
Assessing Existing Programs

10:15 –
10:45

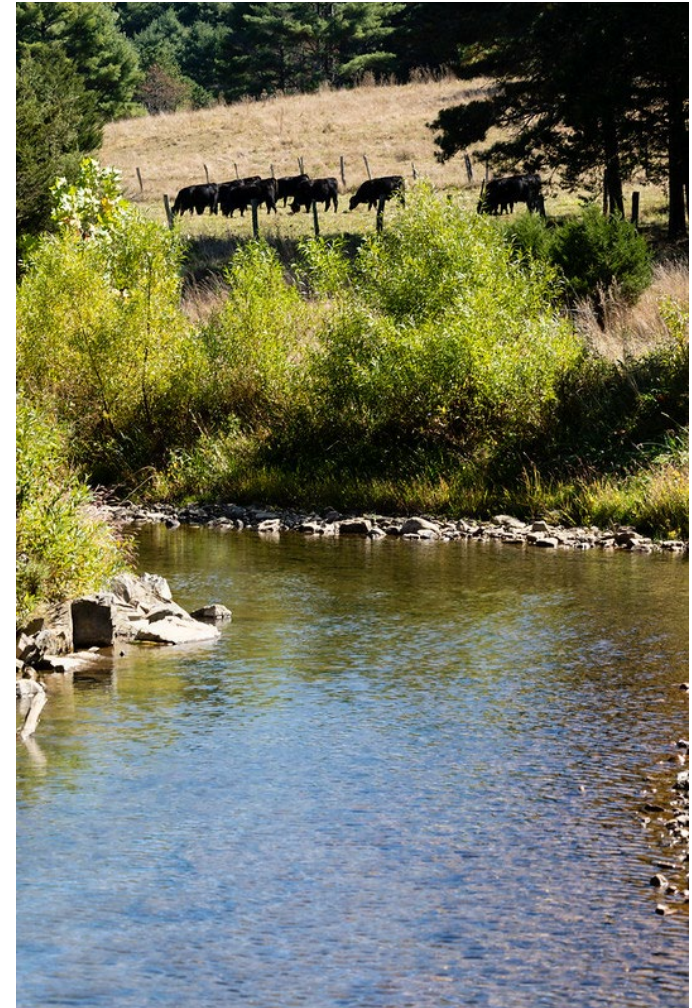
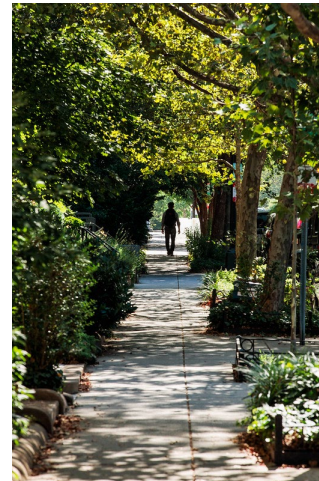
Understanding Your Canopy:
County and Municipal Tree
Canopy Coverage

11:00 –
11:30

Preventing the Spread: Addressing
PFAS in Biosolids

FOR EACH TOPIC

- **Problem Statement:** the challenge and its impacts
- **Current Status:** state and federal policies and response
- **Options & Opportunities:** policy alternatives for addressing the challenge
- **Discussion Prompt:** identifying next steps for Commission action

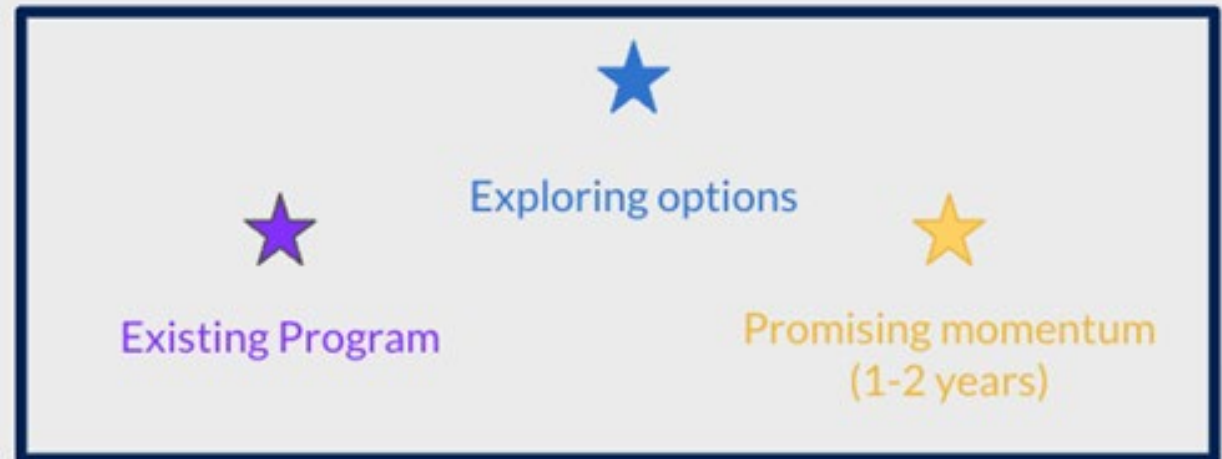
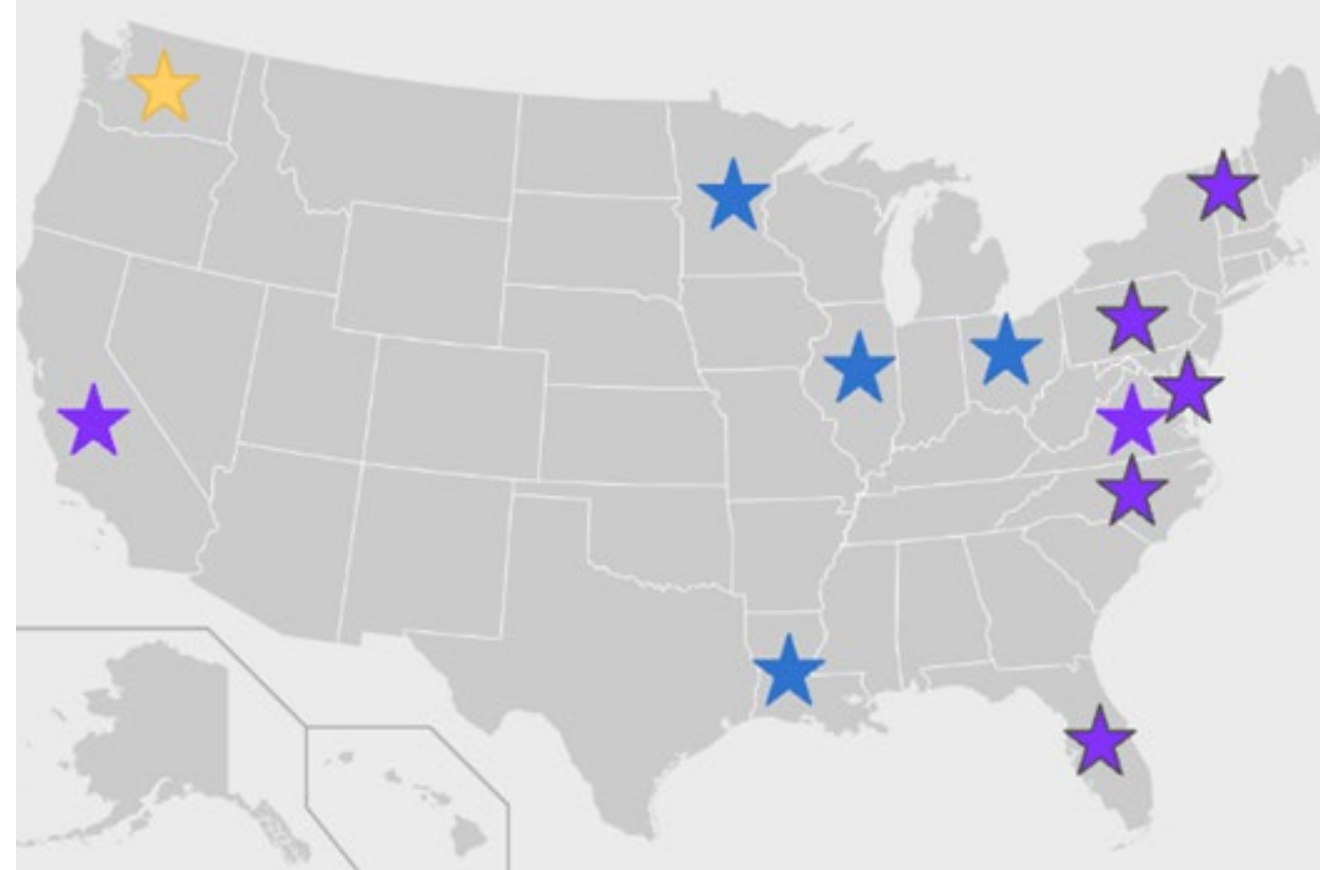


GRADING OUR PAY-FOR- PERFORMANCE:

Assessing Existing
Programs

What is "Performance"?

PAY-FOR- PERFORMANCE: Current Status



Source: Environmental Policy Innovation Center

PAY-FOR-PERFORMANCE:

Current Status

Virginia	DEQ Pay for Outcomes Program (2025) • 1 year pilot, \$20 M available • Allows and incentivizes direct monitoring	\$32.73
Maryland	MDE Clean Water Commerce Program (2021-2030) • \$20 M annually from Bay Restoration Fund	\$20.85
	DNR Bay Trust Fund (2024-) • Opened existing program to for-profit entities • Required amendments to procurement law	TBD
SRBC	Conowingo Pay-for-Success Program (2023-) • One-time MD appropriation of \$25 M (2022) • Able to be used anywhere upstream of Conowingo Dam	\$30.79
Pennsylvania	PENNEST Clean Water Procurement Program (2022-2032) • \$22 M initially, now \$6 M/y from Clean Streams Fund • Only one to use Nutrient Tracking Tool for load calculations	\$15.57

PAY-FOR-PERFORMANCE:

Options & Opportunities



TIME: Lifespan of program



MEASUREMENT: Method of calculating load reductions



BALANCE: Cost-effectiveness v. co-benefits and social considerations

PAY-FOR-PERFORMANCE:

Discussion

- Should time-limited programs be extended or made permanent?
 - Is there value in standardizing programs v. maintaining state-specific features?
 - If a program is not codified, should it be?
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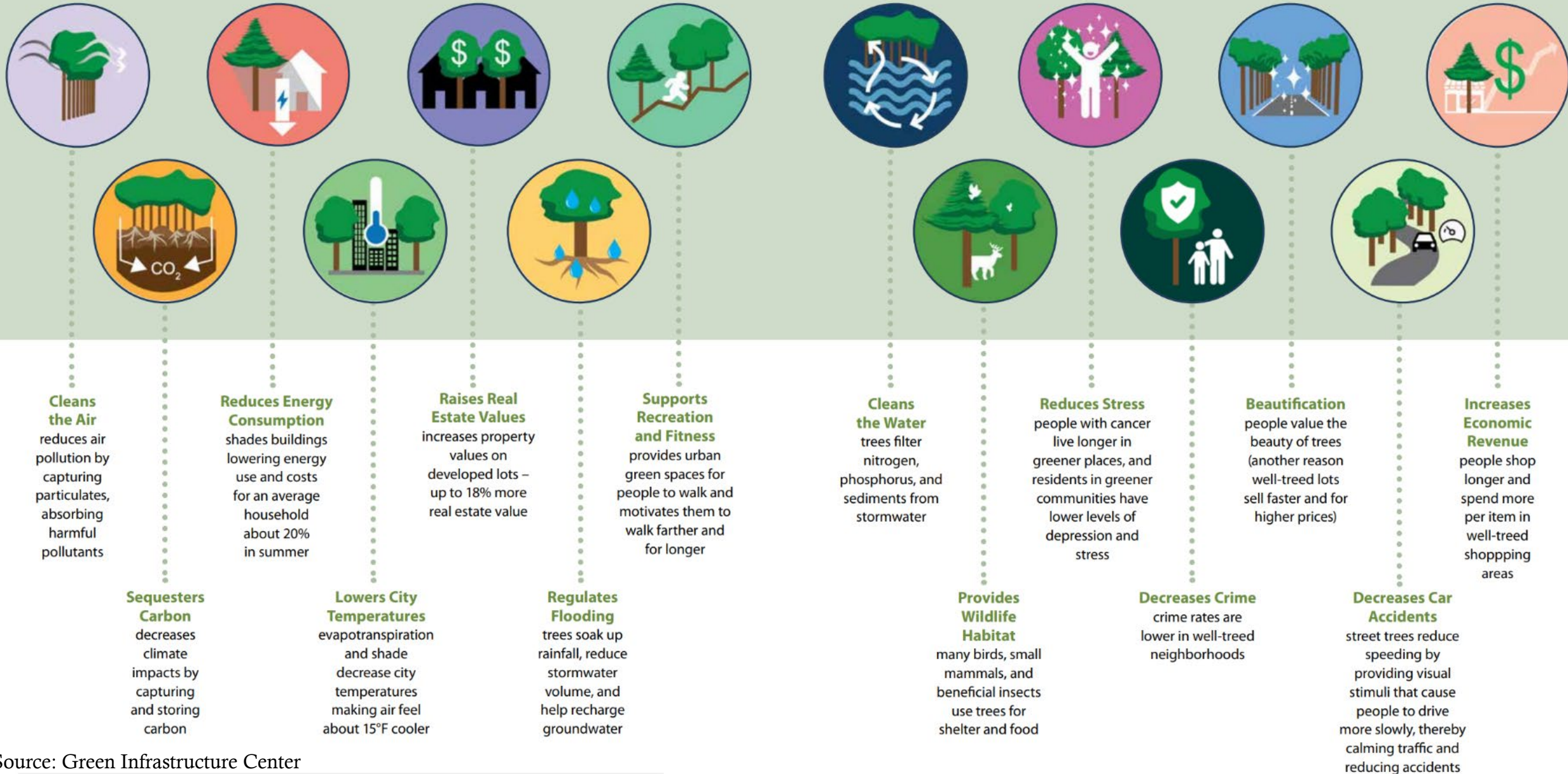
UNDERSTANDING YOUR CANOPY:

County and Municipal Tree Canopy Coverage

*Despite extensive efforts
to increase tree canopy
throughout the
watershed, we are still
experiencing a net loss.*

Ecosystem Services

Provided by the Urban Forest*



*Source: Green Infrastructure Center

TREE CANOPY:

Current Status

Virginia	<ul style="list-style-type: none">• Localities remain restricted on the amount of canopy that can be preserved or required• Statewide Forestland and Urban Tree Canopy Conservation Plan under development
Maryland	<ul style="list-style-type: none">• Five million trees by 2031• Statewide Forest Conservation Act• Localities must meet statewide baseline requirements, but may adopt stricter requirements• Licensing required for all tree care servicers
Pennsylvania	<ul style="list-style-type: none">• Tree canopy requirements are done at the local level outside of riparian buffer and street tree requirements



TREE CANOPY: OPTIONS & OPPORTUNITIES

- Statewide standards
- State established baseline that localities can exceed
- Local control

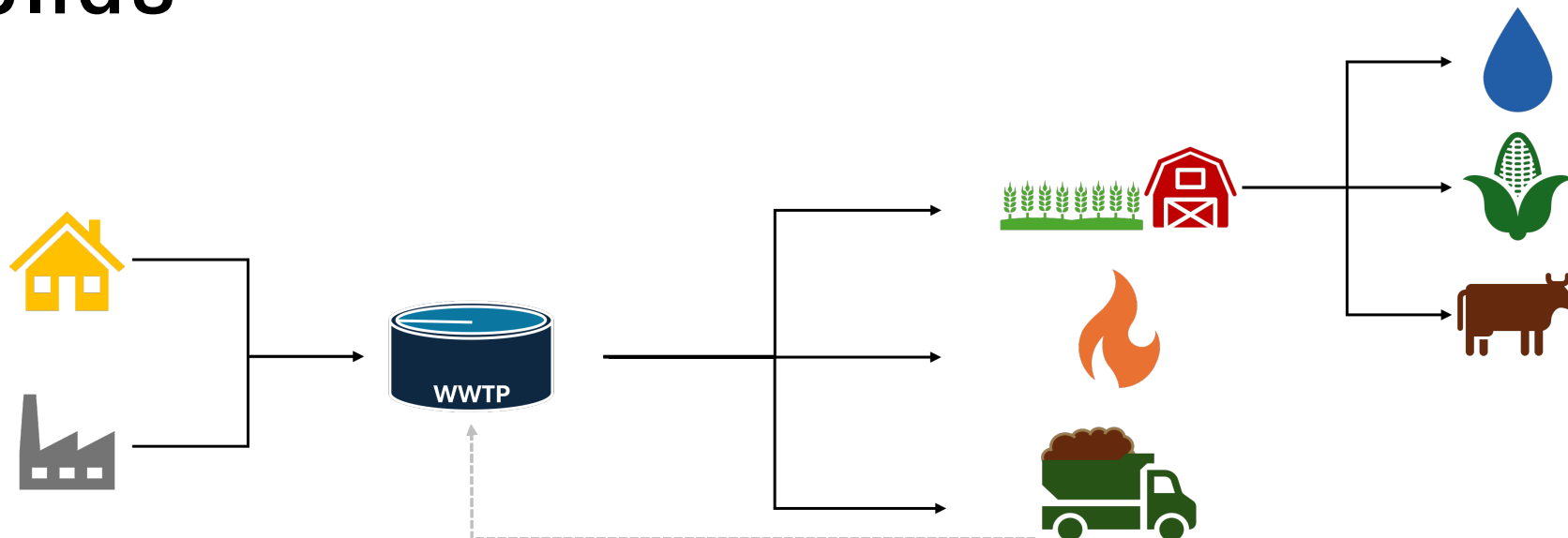
TREE CANOPY:

Discussion

- What challenges have you faced when introducing forest conservation and/or tree canopy legislation?
- What additional mechanisms can be used to increase tree canopy in your jurisdiction?
- Where can CBC states align policies on tree canopy?

PREVENTING THE SPREAD: Addressing PFAS in Biosolids

*What approaches can we take to prevent
land-applied biosolids from adding
PFAS to our water, soil, and food?*



PFAS & BIOSOLIDS:

Current Status

Federal	<ul style="list-style-type: none">• Clean Water Act § 405(d) regulates disposal of sewage sludge• Currently, no numeric limits, monitoring requirements, or reporting requirements for PFAS• EPA must review regulations at least every 2 years to identify additional pollutants and propose standards if necessary<ul style="list-style-type: none">• Draft risk assessment published January 15, 2025, found there may be human health risks• Comment period closed August 14, 2025
Maryland	<p>Required sampling; application rates recommended based upon sample results. If the level of PFOS or PFOA is:</p> <ul style="list-style-type: none">• < 20 µg/kg: land application permissible with no additional requirements• ≥ 20-50 µg/kg: 3 dry tons per acre or less recommended application rate• ≥ 50-100 µg/kg: 1.5 dry tons per acre or less recommended application rate• ≥ 100: land application of biosolids is not recommended

PFAS & BIOSOLIDS:

Current Status



Legislative



Regulatory



Ban on biosolids application



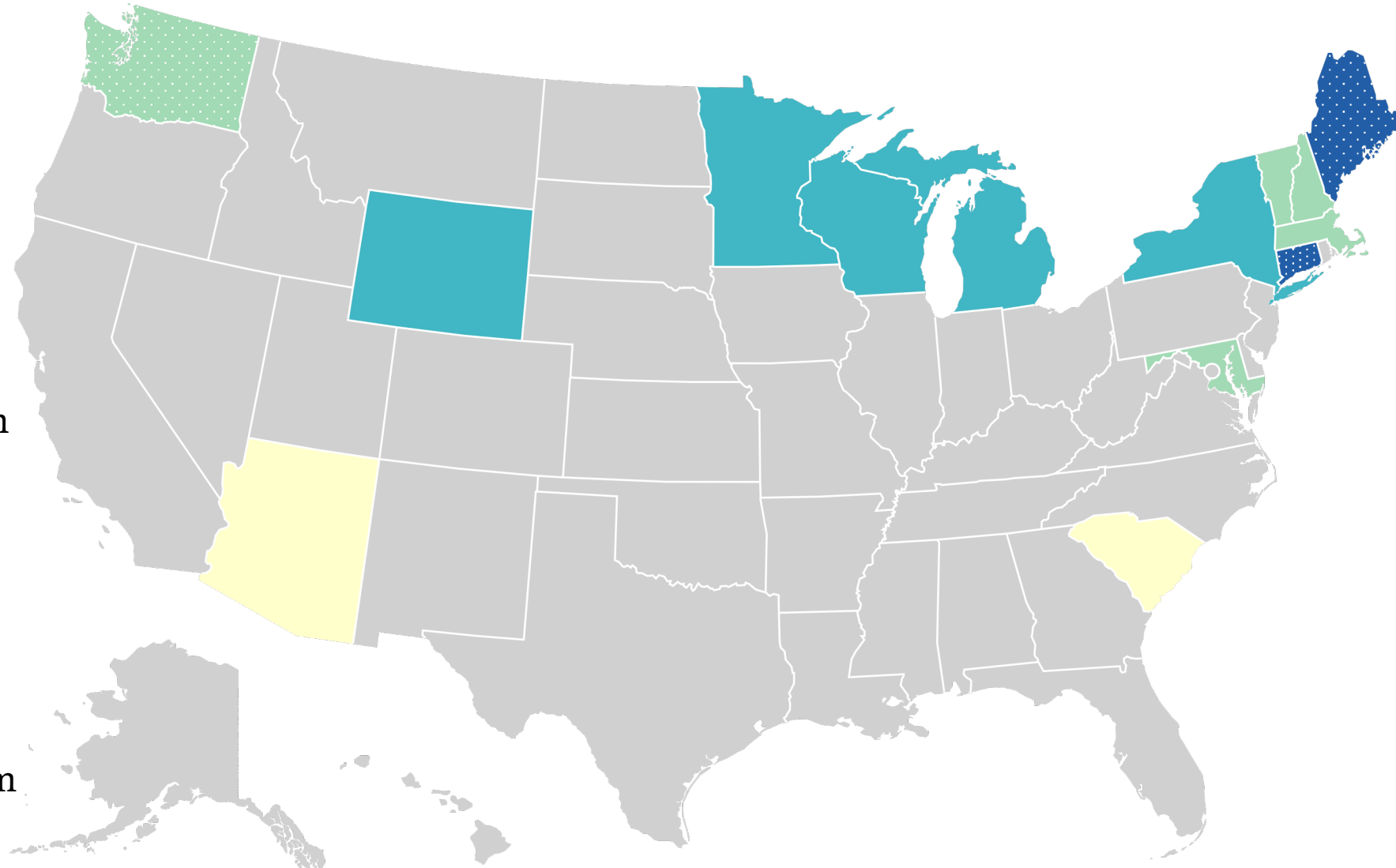
Restrictions on application
based on concentrations



Required sampling of
biosolids



Voluntary sampling program



PFAS & BIOSOLIDS:

Options & Opportunities

Actions states have required:

- Ban all application of biosolids or biosolids with PFAS concentrations above a certain level
- Application restrictions based on PFAS concentrations
- Require sampling and reporting
- Source investigation
- Labeling

Additional considerations:

- Which chemicals are accounted for? (PFAS, PFOA, others)
 - What concentration is permissible?
 - Frequency of monitoring? (quarterly, annually)
-

PFAS & BIOSOLIDS: Discussion

- What actions have you proposed and what challenges have you faced so far when introducing legislation on PFAS in biosolids?
 - What mechanisms can be used to prevent the burden of PFAS in biosolids from falling on WWTP operators, farmers, and the biosolids industry?
 - Where can CBC states align policies on PFAS in biosolids?
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