

Citizens Advisory Committee

TO THE CHESAPEAKE EXECUTIVE COUNCIL



Diverse Voices Unified for the Chesapeake

2004 REPORT TO THE CHESAPEAKE EXECUTIVE COUNCIL JANUARY 10, 2005



Citizens Advisory Committee to the Chesapeake Executive Council

2004 Annual Report

(Issued January 10, 2005)

Throughout 2004, the Citizens Advisory Committee (CAC) has continued to sharpen its focus in several areas, including Water Quality, Land Use, Living Resources, and Citizen/Community Engagement. The Committee has engaged with Bay Program staff, technical committees, and numerous stakeholders on these issues. Based upon this work and internal CAC discussions, CAC is pleased to offer the following summary report and recommendations to the Chesapeake Bay Program Executive Council (EC).

- We believe the Chesapeake Bay Program is at a critical junction today, with sizable new funding needs if we are to succeed in restoring this national treasure and meeting the *Chesapeake 2000* commitments. We urge the Executive Council to fully endorse the Blue Ribbon Panel Report, “Saving a National Treasure”. The Council has the opportunity to take immediate action to establish an interim financing authority and to move rapidly to create the permanent body, namely establishing a Chesapeake Bay Financing Authority to address the critical funding issues. This should be done with the partnership of the headwater states and the federal government, and established as quickly as possible. The Financing Authority should direct funds toward restoration efforts deemed the most cost effective, efficient, and innovative.
- With clearer understanding today of the cost of Bay restoration, the Executive Council should direct their respective jurisdictions to use the Chesapeake Bay Commission’s report, “Cost-Effective Strategies for the Bay”, as guidance in making decisions on where available funds should be spent in restoration efforts. If the six practices identified in the report are fully implemented, we will be $\frac{3}{4}$ of the way toward reaching the *Chesapeake 2000* restoration goals. Significant nutrient reductions and real water quality improvements can take place with a targeted investment, and we believe this is the best way to make progress toward a healthy Bay today.
- The citizens of the Chesapeake Bay watershed must ask the Executive Council, “When can we expect final tributary strategies?” The strategies, first due in 2003, are not yet finalized with full implementation plans and interim goals. Specific actions to implement tributary nutrient control strategies remain the cornerstone of water quality improvements critical to restoring the health of the Bay.
- The Executive Council should support their Scientific and Technical Advisory Committee (STAC), and endorse their recommendations regarding additional research on the *C. ariakensis* oyster before moving forward with broader introduction of a non-native oyster in the Chesapeake Bay environment. We believe the recommendations of the STAC, including completion of an Environmental Impact Study serve as a sound and prudent roadmap for success on this difficult policy question. While delay on this topic could also prove to be a risk, we recommend the scientific work be funded and fulfilled without delay.
- We strongly encourage the Executive Council to integrate the U.S. Secretary of Agriculture into the Chesapeake Bay Program EC leadership. As we have advised in the past, and continue to believe, the participation and support of the Secretary of Agriculture would play an important role in fully engaging the agricultural community and achieving nutrient and sediment reductions from agricultural lands, the single largest source of nutrients to the Bay.
- The Executive Council has an opportunity today to strengthen its leadership role in establishing priorities and taking action to accelerate the pace of Chesapeake Bay restoration. As citizens, we believe there is broad support for the actions outlined in the *Chesapeake 2000 Agreement*, as well as a high desire for real, measurable improvement in the health of this national treasure. Survey after survey shows strong public support for investment in a restored Chesapeake Bay. This support will only grow as the important educational efforts included in the *Chesapeake 2000 Agreement* are fully implemented. With the challenges facing the Program as we approach 2010 and numerous C2K commitment deadlines, along with daunting funding and policy questions, strong and visible leadership from the Executive Council will be a key factor in achieving the desired Bay restoration progress.

POINTS OF RECOMMENDATIONS

BLUE RIBBON FINANCE PANEL REPORT

In October 2004 the Chesapeake Bay Watershed Blue Ribbon Panel released their recommendations in a report, “Saving a National Treasure: Financing the Cleanup of the Chesapeake Bay”. The Citizens Advisory Committee was pleased to have Neil Wilkie, our current Vice-Chair, serve on the Panel. The Citizens Advisory Committee fully endorses the report and advises the Executive Council to do so. While we applaud the work of the Chesapeake Bay Program partners and the progress made toward Bay restoration in the past 20 years, we believe the Program itself is not fully structured to meet the future challenges of restoring the Bay, in part due to its lack of a permanent funding base.

The Blue Ribbon Finance Panel has recommended the establishment of a new Chesapeake Bay Financing Authority that would use funding on a regional basis to address critical needs throughout the watershed. We know today that cleaning up the Chesapeake Bay will cost many billions of dollars. There needs to be a mechanism in place to secure the resources necessary to clean up the Chesapeake Bay and its tributaries and insure these resources are directed toward the most effective and beneficial improvements. The Financing Authority must receive significant new federal funding, as well as dedicated funding from each of the Bay signatory jurisdictions.

We urge the Executive Council to begin the work to establish a Regional Financing Authority immediately. The Panel report has called for a Chesapeake Bay Financing Authority to be established no later than January 1, 2007. While we acknowledge the amount of effort required to establish such an authority, the citizens call upon you to expedite this process. It is critical that financial experts be appointed to lead us in this task.

COST EFFECTIVE STRATEGIES FOR THE BAY

The Chesapeake Bay Commission has long been a valued partner in identifying strategies and approaches to improve the Bay. In their recently released report, “Cost Effective Strategies for the Bay – 6 Smart Investments for Nutrient and Sediment Reduction”, the Commission highlights a number of priority areas for most rapid and cost effective Bay water quality improvements. Ann Swanson, Executive Director of the Chesapeake Bay Commission, presented the findings of this report to the Citizens Advisory Committee in November 2004. CAC applauds the Commission and the continued interest they have shown in keeping the citizens informed. With the 2010 date quickly approaching and limited resources to date, we believe spending of available funds needs to be prioritized. As an adjunct to the Blue Ribbon Finance Panel report, the information and priority guidance included in the Commission’s summary could be a critical aid in the allocation of funding.

With full support and implementation, the six measures described in this report would achieve a substantial part of the nitrogen, phosphorus and sediment reduction goals required for Bay restoration. The practices recommended are wastewater treatment upgrades, agricultural diet and feed adjustments, traditional agricultural nutrient management application, enhanced agricultural nutrient management, conservation tillage and cover crops. While not discounting the cost of

achieving a fully restored Chesapeake Bay as outlined in all of the C2K goals, the report highlights an approach to help the Bay Program and partners make most rapid progress toward the critical water quality goals in the most cost-effective manner.

TRIBUTARY STRATEGIES

The tributary strategies, originally due in 2003, are yet to be finalized. These strategies are needed as measures to whether each jurisdiction is doing their part to reduce nutrients. The plans should be put forward with notations that some implementation actions are based on current funding, while others are based on potential funding. The credibility of the Chesapeake Bay Program rests on the successful finalization and implementation of the tributary strategies. No further delays can be accepted.

During 2004, the Citizens Advisory Committee maintained a high interest in the development of each jurisdiction's strategies to meet nutrient and sediment reduction commitments for Bay tributaries. As part of this interest, the Committee was pleased to meet with the tributary strategy leaders in each jurisdiction and engage in a discussion of plans and priorities. With the tributary strategies critical to achieving water quality goals for the Bay, CAC intends to continue to seek updates from the jurisdictions, and track progress on the strategies in the coming year. Sadly, no jurisdictions have submitted detailed implementation or funding plans. In order to have effective implementation of the tributary strategies, we believe there needs to be focused plans with measurable interim goals.

In the July/August Bay Journal, the Citizens Advisory Committee was quoted as being "disappointed and frustrated" with the status of tributary strategies. To reiterate comments CAC sent to the Executive Council members in June 2004, we believe the tributary strategies must contain measurable benchmarks with defined milestones in order to guide, evaluate and assess implementation of the measures, and where we stand in meeting the 2010 goal. For the strategies to be meaningful there must be interim goals that assess whether the strategies are working or not.

The citizens of the Chesapeake Bay watershed understand the tremendous amount of work that faces the jurisdictions, but they look forward to seeing the tributary strategies in greater detail. They want to know what will be done and what won't with the available resources. We believe the Executive Council plays a key leadership role in holding high expectations for the tributary strategies and maintaining emphasis on real progress in implementing these.

OYSTERS

It is common knowledge that the native oyster (*C. virginica*) populations have struggled and no longer support a commercial industry. Oysters serve many roles in the Chesapeake Bay, and provide important cultural, ecological and economic benefits. Because of this, many have looked to the introduction of an Asian oyster (*C. ariakensis*), either as a supplement to or in replacement of the native oyster. In order to identify the preferred alternative(s) for establishing an abundant oyster population in the Chesapeake Bay, an Environmental Impact Statement (EIS) needs to be done. Given the long-term implications of an introduction, sound scientific information must form the basis of the EIS.

We want and need to know more about *C. ariakensis*. The scientists don't know how it would affect the native oyster or how it would impact the Chesapeake Bay ecosystem. What the scientists do know and what they agree upon is that introduction of a diploid (reproducing) *C. ariakensis* population into the Chesapeake Bay is likely to be irreversible. The Bay Program' Scientific and Technical Advisory Committee (STAC) and the National Academy of Sciences agree and have recommended that more research is needed before taking this significant step.

The Citizens Advisory Committee believes it is important to understand the benefits, risks, and consequences of introduction of a reproducing non-native oyster. We acknowledge the implications and risks association with a delay in any action regarding reestablishment of a viable oyster population in the Bay. CAC encourages the Executive Council to support the STAC recommendations to complete a thorough Environmental Impact Statement before proceeding with a decision on *C. ariakensis* introduction. There needs to be adequate funding to provide this necessary scientific research.

INVOLVEMENT OF THE SECRETARY OF AGRICULTURE

Given the overwhelming significance of agriculture in the Chesapeake Bay restoration effort, the Citizens Advisory Committee continues to support that the Secretary of Agriculture should be invited to participate on the Executive Council. This would heighten the involvement of the agricultural sector in the Chesapeake Bay restoration effort, and possibly open up new opportunities of partnerships and resources. CAC was pleased to see the Blue Ribbon Finance Panel also endorse this concept in their report.

LEADERSHIP

It is the experience and the observation of the Citizens Advisory Committee, that the Chesapeake Bay region continues to have strong constituent support in regards to restoration efforts. Survey after survey shows strong support for the activities of the Chesapeake Bay Program. Success will only breed further support. As a diverse Citizens Advisory Committee, we want the EC to know there is a great deal of depth of citizens' support in each of the jurisdictions.

The Citizens Advisory Committee has always seen education and outreach as a priority in Chesapeake Bay restoration efforts. Every person in the watershed needs to learn the value of the Chesapeake Bay and its tributaries, and we fully support Meaningful Watershed Educational Experiences for every student. Such hands-on lessons encourage the life long stewardship and sustainable public support that is the foundation of a successful restoration effort.

That support along with the recommendations in the Blue Ribbon Panel Report and the Chesapeake Bay Commission, provides a solid foundation to move forward with strong political leadership. A restored Chesapeake Bay is essential to the maintenance of a high quality of life for all of us. A restored Bay and its tributaries go hand in hand with our economic success, and in cases such as our watermen and our recreational and tourist sectors, to our very economical survival. As the population in the watershed continues to grow, the water quality goals of C2K will grow increasingly more challenging.

It's important that the legacy of this Executive Council be the leadership actions necessary to restore our Chesapeake Bay and its tributaries.

CONCLUSION

The Citizens Advisory Committee would like to thank the dedicated staff of the Chesapeake Bay Program Office and the jurisdictions for all the hard work that you continue to do. All parties have responded positively to CAC's requests for information.

CAC fully supports the Executive Council in moving us forward in allocating the funds to meet our C2K goals. We offer the enclosed recommendations and our availability to brief the EC members during the course of the year on the Chesapeake Bay restoration effort. We look forward to an active and successful 2005.

CITIZENS ADVISORY COMMITTEE (CAC) BACKGROUND

The Citizens Advisory Committee (CAC) is proud to reflect on its 20th Anniversary as an advisory committee to the Chesapeake Executive Council (EC). In November 1984 the EC announced the appointment of 25 members to a new CAC. These appointments gave substance to the commitment made by the EC at its initial meeting, in January 1984, to emphasize citizen involvement in the implementation phase of the Chesapeake Bay Program.

CAC provides assistance to the EC, Principals' Staff Committee, Implementation Committee and all Bay Program subcommittees, as needed in implementing Chesapeake Bay agreements. Members communicate with their constituencies to increase understanding of the agreements and programs to restore and protect the Bay. The membership is broad-based with representatives from agriculture, academia, business, conservation, industry, and civic groups. Since 1984, CAC has provided a non-governmental perspective on the Bay cleanup effort and on how Bay Program policies affect citizens who live and work in the Chesapeake Bay Watershed.

CAC is composed of 12 gubernatorial appointments from the States of Maryland, Virginia and Pennsylvania; 4 mayoral appointments from the District of Columbia; and 9 At-Large Appointments made by the Board of Directors of the Alliance for the Chesapeake Bay. This ensures diversity among our membership. CAC meets quarterly, traveling around each signatory jurisdiction to address different priorities.

CAC was actively involved in the drafting of the *Chesapeake 2000 Agreement* (C2K). The EC endorsed this Agreement on June 28, 2000. CAC participated throughout the drafting process, focusing on the importance of addressing land conservation and land conversion in the Agreement. CAC has placed a similar priority on monitoring the progress towards achieving the goals within the C2K, by actively participating in the establishment of keystone commitments and tracking the progress of the tributary strategies.

In 2001, CAC invited four young, non-voting, delegates to participate in CAC. Each signatory jurisdiction is responsible for selecting a young individual to bring a new perspective on Bay issues. The Delegates contribute to CAC deliberations, as well as periodically complete a specific project of their own, focused on a Bay priority. CAC believes the young delegate program introduces restoration and protection of the Chesapeake to a generation that will inherit the Bay. The program has been very successful, with the Young Delegates actively interacting with CAC members and Bay Program committees. Over the course of 2004, the Young Delegates have taken on an outreach project regarding the Scientific and Technical Advisory Committee's report, *Chesapeake Futures*. The Young Delegates have been in contact with Colleges and Universities within their respective jurisdiction, encouraging use of the Future's report into environmental curriculum. One Delegate is working on incorporating the message from the report into a teacher-ready, user-friendly power point presentation. This information is being packaged into a resource binder to be used by professors.

While the membership of CAC has revolved through the years, the message remains consistent: The Citizens of the Chesapeake Bay Watershed are concerned with the health of the Bay and insist that resources be allocated to meet the goals of the C2K.

CAC MEMBERSHIP, 2004

MARYLAND

Robert J. Etgen: Rob Etgen is Executive Director of the Eastern Shore Land Conservancy, a regional land conservancy which has protected over 35,000 acres of Chesapeake Bay landscapes. Rob has been active in Maryland land preservation since the mid - 1980's and is currently on the Boards of Scenic Maryland and Maryland Nonprofits where he serves as Public Policy Committee Co-Chair.

Kathleen W. Glaser: Kathleen is a professor at St. Mary's College of Maryland.

Verna Harrison: Verna serves as the Executive Director of the Keith Campbell Foundation in Annapolis. She retired from the Maryland Department of Natural Resources after serving as Assistant Secretary for 20 years.

Kathleen L. McHugh: Katie McHugh is the Executive Vice President and Legislative Affairs Director for the MD State Builders Association. She currently handles policy priorities for the building industry in the legislative and regulatory agencies. She lives in Annapolis where she enjoys sailing and running.

G. Steele Phillips: A retired farmer from Dorchester County, Steele has been an at-large appointee since 1991. He is a Supervisor of the Dorchester Soil and Water Conservation District, and on the President's Advisory Council and a former Trustee of the Chesapeake Bay Foundation. Steele also sits on the Board of the Eastern Shore Land Conservancy and the Nanticoke Watershed Alliance Board. Steele represents CAC on the Bay Program's Nutrient Subcommittee.

H. Richard Seibert: Richard is the executive vice president and chief operating office of the Annapolis Center, a national non-profit educational organization. Mr. Seibert has also served as the vice president for the Resources, Environment and Regulation Department of the National Association of Manufacturers; has worked for the State of Louisiana in the offices of Camp and Barsh; and worked in the Federal Energy Administration. Mr. Seibert resides in Annapolis and is an avid sailor.

William S. Shepard: Bill lives in Oxford, Maryland. He was the Republican nominee for Governor of Maryland in 1990, and was a career Foreign Service Officer from 1964 to 1985. He has served as National Security Advisor to Senator Robert Dole. He writes on national security topics, and has also started a series of mystery novels. He is a graduate of Harvard Law School and a Fulbright grantee.

Lina Vlavianos: Lina was appointed by three consecutive Maryland Governors to serve on CAC since 1994. She was appointed by four consecutive Anne Arundel Executives to serve on the Severn River Commission and has been its chair since 2001. She was a Supervisor for the Anne Arundel Soil Conservation District (MD) for 14 years. She has served on a number of advisory committees, has made presentations on Sediment Control to MD State Highway Administration and at a National Sediment Control Conference. In 1999 she received the Daughters of American Revolution National Environmental Award, has been recognized by the MD Dept. of Environment for her environmental work and received the Izaak Walton League Chesapeake Bay Conservation Award for Public Service in 1990.

PENNSYLVANIA

Bill Achor: An at-large appointee from Pennsylvania, Bill is the Environmental Coordinator for Wenger's Feed Mill, Inc., a family owned and operated feed mill with locations in Pennsylvania and Maryland. Wenger's serves the poultry and swine industry and was the first feed mill in the Mid-Atlantic to incorporate the use of Phytase in their animal diets. Bill received the Mentor of the Year Award from the Businesses for the Bay program, and is very active in nutrient and renewable energy advisory groups throughout the Bay watershed.

Jim Elliott: Jim serves in an At-Large capacity. He is an attorney with Piper Rudnick in Baltimore, specializing in environmental law. Jim serves on the Bay Program's Budget Steering Committee.

C. Victor Funk: C. Victor Funk is a retired Chief of the NonPoint Source Management Division of the Pennsylvania Department of Environmental Protection. The Chesapeake Bay Executive Council awarded Mr. Funk the "Unsung Hero" award in 1992 for his support to the Bay Program and for promoting cooperation between agencies.

John (Drew) Hadley, Chairman: A resident of Tunkhannock, Drew is the Global Environmental Manager for the Procter and Gamble Paper Products Company. Previously, Drew was the Site Environmental Leader for the Procter and Gamble Paper Products plant in Mehoopany, Pennsylvania, and he has been active in water and air quality issues in PA for the past 20 years.

Dr. Patricia Levin: Dr. Levin is a Registered Nurse, Folklorist and Geneologist. Pat is currently an Adjunct Professor in American Studies at Franklin & Marshall College. An at-large appointment, she is active in planning and community issues in Lancaster County.

Betsy Quant: Betsy is a family business operator, serving as Office Manager, Accountant, and Chief On-Site Assistant for Canoe Susquehanna and Ironwood, an electrical, plumbing and heating firm.

There is one Pennsylvania gubernatorial vacancy.

VIRGINIA

Nancy L. Alexander: Ms. Alexander is an Assistant Vice President at SunTrust Bank, as a systems analyst, residing in Chesterfield County. She is a graduate of William & Mary with a BS in Biology. Her volunteer work with Ducks Unlimited and the Chesapeake Bay Foundation keeps her active in wetlands conservation. She presently sits on the Bay Program's Non-Tidal Workgroup.

J. Carter Fox: Mr. Fox is the retired Chairman and CEO of the Chesapeake Corporation and is currently a director and consultant to American Forest Management, Inc., a forest resource consulting firm. Mr. Fox resides in Burgess, VA and is a Trustee of the Chesapeake Bay Foundation and the American Forest Foundation, and a member of the Dean's Advisory Council of the Virginia Institute of Marine Science.

Andrew Protogyrou: Mr. Protogyrou is an attorney and partner in the firm of Protogyrou & Rigney. He resides in Norfolk.

John Tankard III: Mr. Tankard is Vic-President and Co-Owner of Tankard Nurseries in Exmore. He resides in Eastville.

William J. Whitney: Jack has served as an At-Large appointment since 1989. Jack was formerly the chief environmental planner for Virginia Beach and is now Director of the Virginia Beach Department of Agriculture.

There is one At-large Virginia Vacancy.

DISTRICT OF COLUMBIA

Carl Cole: Serving as an appointee of the District of Columbia, Carl is a Management Consultant for small and minority owned businesses. He is the former Director of the Climate Institute.

William Martin, Jr.: Appointed by the District of Columbia, Bill is a retired Patent Agent with the US Patent Office. He is a member of the United States Coast Guard Auxiliary. A boat owner, Bill is active in boating, fishing and golf.

Jack Nelson: Jack is a Program Manager with the Employment Compliance Technical Assistance Division of the US Department of Agriculture. A District appointment since 1991, Jack is active with the Highland Beach & Venice Beach Citizens Associations.

John McNeill (Neil) Wilkie, Vice-Chairman: An appointment of the District of Columbia, Neil is Managing Director of the Davidson Capital Group, LLC, an investment bank with offices in Tysons Corner, VA and Atlanta, GA. Prior positions since retiring as Vice Chairman of Morgan Guaranty International Bank include serving as Washington Area Managing Partner of Tatum CFO Partners and CEO of Eurotech, Ltd., a DC based public company involved in nuclear waste remediation. Neil serves as Vice Chairman of CAC and served as a Vice Chairman of the Chesapeake Bay Watershed Blue Ribbon Finance Panel.

CAC YOUNG DELEGATES

Maryland: **Jayni Shah**, University of Maryland

Virginia: **Melanie Allen**, VA Department of Transportation

Pennsylvania: **Colleen Haney**, Dickinson College

District of Columbia: **Eric Lind**, University of Maryland

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