**Citizens’ Advisory Committee Annual Recommendations to the Executive Council**

**Ten Years in Review**

**2008-2017**

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| **Issue** | **Recommendation** | **Result** |
| **Environmental Education (EE)** | **2016-** new EE Directive; MOU with US Dept of ED; US Dept of Ed on Executive Order Federal Leadership Team; biannual leadership summit; ensure staffing and funding; host a EE summit with colleges; states tap into ESSA funding; advocate for federal funds for ESSA, B-WET, and EPA EE programs | EE Directive was put on hold during the 2017 EC meeting because the VA Administration wanted to focus solely on the importance of the Chesapeake Bay Program in light of the President’s proposal to eliminate federal funding |
|  | **2015-** CBP sign anMOU with US Dept of Ed |  |
|  | **2014-** include an Environmental Literacy goal in the new Watershed Agreement so every student has one MWEE at each school level | 2014 Watershed Agreement includes an Environmental Literacy Planning, Student watershed experience, and Sustainable Schools goals |
|  | **2012-** CBP sign anMOU with US Dept of Ed and tap into federal education grants; create two-year milestones for environmental literacy; endorse NOAA’s Mid-Atlantic Elementary and Secondary Environmental Literacy Strategy | NOAA’s EE strategy was endorsed by CBP |
|  | **2010-** US Dept of Ed on Federal Leadership Committee |  |
|  | **2009-** support the No Child Left Inside Act, create State environmental literacy programs |  |
| **Environmental Education**  **Update:** | In October 2016 Governor McAuliffe disbanded the VA Office of Environmental Education and laid off its staff.  Indications are the EE Directive will move forward for Executive Council signature during the 2018 annual meeting.  In 2015, 32 out of 140 (23%) local education agencies that responded to a Chesapeake Bay Program survey self-identified as well-prepared to put a comprehensive and systemic approach to environmental literacy in place. Local education agencies is a term that refers to school districts that operate public elementary, middle and high schools. 53% of the respondents are in MD; 44% are in VA, and 3% (one agency) is in PA. | |
| **Oysters** | **2016-** caution on crediting for TMDL and trading; support federal/state programs for native oyster restoration | Expert Panel recommended estimates of pollution reduction for oyster tissue as BMPs for in-water restoration; jurisdictions must decide how/if to implement |
|  | **2008-** use the precautionary principle when considering the introduction of non-native oyster species | Non-native oysters were not used for oyster restoration |
| **Update:** | In spring 2018 the Expert Panel will issue the report on estimates for pollution reduction from harvested oyster shell.  EPA Office of General Counsel issued its legal opinion supporting the use of oysters as in-water pollution reduction practices for nitrogen and phosphorus. |  |
| **Engaging Locals** | **2016**- communicate economic, environmental and quality of life benefits of locally restored waters; develop communication strategies |  |
|  | **2015-** allocate funding for local programs for Chesapeake Bay Agreement; develop local report cards; develop local community visions; incorporate local action into Agreement Management Strategy Workplans | Local actions added to the Agreement Workplan templates developed by the Goal Implementation Teams |
| **Engaging Locals, con’t…** | **2014-** demonstrates local benefits and the value of healthy local natural resources in the Agreement Management Strategies |  |
|  | **2007-** message the Tributary Strategies so they relay local benefits of good land use decisions |  |
| **Update** | CAC has been following the jurisdictions’ plans for developing the Phase 3 TMDL Watershed Implementation Plans (WIPs). Nov 2017 presentation from DC; Feb 2018 presentation from MD. |  |
| **Accountability and Transparency** | **2015**- fund verification of implementation practices; create a task force to look for cost savings; review recommendations for independent verification of BMPs |  |
|  | **2014-** continue to work toward strengthening BMP verification and follow the protocols that afford the jurisdictions defensible credit in the Chesapeake Bay computer model; provide adequate staff and funding towards the commitments required to meet the goals and outcomes and outline the anticipated funding that will be used to meet outcomes | The Bay Program completed their BMP verification protocols that States are required to meet in order to get credit for BMPs in the Bay Model |
|  | **2013-** better verification of BMPs reported to the Bay Model |  |
|  | **2010-** third party verification of BMPs; tougher enforcement of regulation; increase regulatory oversight |  |
| **Update:** | In early 2018 States are supposed to respond to addressing needs EPA identified in their approved verification plans and outline their strategy for implementation of the verification plans. By the end of Dec 2018 state practices submitted for nutrient and sediment credit reduction in the Bay Model must be in compliance with the BMP verification protocols |  |
| **Federal Funding** | **2017-** Fully fund the EPA Chesapeake Bay Program and other federal agencies in response to the Trump Administration budget proposal to eliminate or drastically cut federal funding | EPA Chesapeake Bay Program received level funding after Congress issued a Continuing Resolution |
|  | **2015-** Take Advantage of untapped federal funding like:Rivers of the Chesapeake**;** POWER Plus;Army Corps Chesapeake restoration funding | Governors sent a joint letter to Congress for Rivers of the Chesapeake FY17 funding |
|  | **2014**- take full advantage of federal funding that may be available for meeting the goals |  |
|  | **2011-** concern over cuts to EPA’s Clean Water Revolving Fund, NOAA, NPS, Dept of Ag, ACOE, and US FWS- how will federal agencies meet the Executive Order? |  |
|  | **2010-** US Dept of Transportation in the Executive Order Federal Leadership Committee to get assess to Transportation Enhancement program funds and increase public access to waterways; FERC to reduce impacts from transmission power lines |  |
|  | **2009-** Do No Harm with Stimulus Funding |  |
| **Governance** | **2013**- Don’t allow jurisdictions to Opt-Out of the goals in the new Chesapeake Bay Watershed Agreement | Jurisdictions can decide where they prioritize their resources, but VA and MD indicated they would participate in all of the Agreement Goals |
| **Side Note:** | In 2008 CAC told the PSC that “consensus was more important in the science and goal setting phases of the Program, but now that we are in the implementation phase consensus as an operational procedure is less important than achieving measurable results. If some jurisdictions are willing to move forward on an initiative then they should not wait for consensus to do so.”  In 2014 during the drafting of the CBP Governance Document, CAC told the PSC CAC does not support the use of “super-majority” votes in workgroups and Goal Implementation Teams and that “if a workgroup or GIT is unable to reach consensus (the traditional operating procedure for the Bay Program, which CAC fully supports) then you as the PSC should be notified and asked to help resolve the decision through a consensus process.” ----As a result the workgroups and GITs can no longer vote, but must reach consensue.  The Water Quality GIT has requested a change in the Governance Document to reinstitute the voting privileges of the GITs and workgroups. This will be addressed by the Partnering and Leadership GIT in the coming months. | |
| **Toxic Containments** | **2013**- include a Toxics Goal in the Agreement | Toxic Contaminants Goal with Research and Policy/Prevention Outcomes |
| **Climate Change** | **2013-** The Agreement should recognize the need to adapt for climate and the Management Strategies should so howimplementation will be addressed for changing conditions | Climate Resiliency Goal with a Monitoring and Assessment Outcome |
| **Update:** | In November 2017 the PSC recognized that climate change is increasing frequency of storms and precipitation which delivers more nutrients and sediment from stormwater runoff. Current estimates show that by 2025 an additional 9 million additional pounds of nitrogen and 385,000 pounds of phosphorus per year will be reaching the Bay.  The States Phase 3 WIPs will describe broad approaches for addressing the additional climate change pollution, but will not receive numeric targets until 2021. At this point, the climate change reduction loads will not have to be implemented by 2025. |  |
| **Conowingo Dam** | **2013**- Since it will not be in the new Chesapeake Bay Watershed Agreement, how will the sediment capacity behind the Dam be addressed? | Included in the Bay TMDL Appendix for addressing in the 2017 Midpoint Assessment and may be incorporated in the Phase III WIPs |
|  | **2012-** consider the cost of inaction to addressing the sediment build-up behind the dam |  |
|  | **2010-** include FERC on the Executive Order Federal Leadership Committee to talk about their role in the impacts of the dam; concern with potential scouring of sediment from large storm events |  |
|  | **2009**- address the sediment build-up behind the Dam |  |
| **Update:** | During the 2017 Midpoint Assessment the Dam was found to be filled with sediment sooner than predicted when the TMDL was created in 2010. Approximately 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorous a year are reaching the Bay.  December 2017 the PSC agreed that the Bay jurisdictions will contribute a portion of their federal funding to fund and implement pollution control to reduce or offset the additional loads from the Dam. MD will seek contributions from Dam owner, Exelon. Additionally, MD has begun a pilot project to explore innovative dredging options. |  |
| **Citizen Engagement/ Public Access to Waterways** | **2012-** Increase Public Access to Bay and Rivers | The 2014 Watershed Agreement includes a goal for adding 300 new public access sites |
|  | **2010-** identify new public access sites |  |
|  | **2009-** protect and increase public access sites, especially in underserved communities |  |
| **Update** | Between 2010 and 2016, 132 public access sites were opened to the public. This marks a 44% achievement of the goal to add 300 new access sites to the watershed and brings the total number of access sites in the region to 1,271. |  |
| **Land Conservation** | **2014-** support the federal designation of the Chesapeake Bay Watershed as a high priority landscape in the Collaborative Landscape Conservation Initiative |  |
|  | **2012-** provide funding for land conservation and support the Land and Water Conservation Fund |  |
|  | **2008-** States must address land conversion and the Sprawl Goal in *2000 Agreement (C2K)* |  |
| **Update:** | By 2025, the Bay Program models predict increased growth in the amount of people, farm animals, and developed land, along with the loss of forests will result in an additional 4 million pounds of nitrogen and 154,000 pounds of phosphorus entering the Bay.  Forecasts of growth will be incorporated into the nutrient reduction goals given to the states for them to address in their Phase 3 WIPs. This may allow for future credit to states for protecting lands like forests from development. |  |
| **Acid Mine Drainage** | **2015-** via POWER Plus, Advocate in Congress to approve the funding for acid mine drainage remediation |  |
|  | **2012**- Bay Program sign an MOU with Bureau of Land Management and Office of Surface Mining |  |
| **Water Quality Trading** | **2012-** Transparency, Verification and Public Involvement in Jurisdictions’ trading programs; preserve local water quality |  |
| **Update:** | In Aug 2017 EPA released ‘Discussion Paper: Considerations for Interstate Trading and Offsets in the Chesapeake Bay Watershed’ to outline the coordination required among the different state water quality trading programs to allow for intra-basin and/or multi-jurisdiction trading. |  |
| **TMDL and Water Quality** | **2016-** articulate what local planning goals in the Phase III WIPs mean; include soil and water conservation districts in Phase III WIP development; contact new Presidential Administration early to support NRCS and FSA programs |  |
|  | **2012-** Phase II WIPs should be enforceable and enforced; EC should regularly report on progress |  |
|  | **2011-** enforceable, transparent reporting, critical to ensure voluntary nonpoint sources are doing their part |  |
|  | **2010-** strong reasonable assurance in the Phase I WIPs |  |
|  | **2009-** Create 2 Year Milestones to measure progress, strong reasonable assurance in the Bay TMDL | In 2012, the jurisdictions submitted their first set of 2-Year Milestones to EPA for review as a part of the TMDL Accountability Framework |
|  | **2008-** Create 2 Year Goals in the Tributary Strategies to measure progress, target resources and develop consequences through enhanced enforcement |  |
| **Update:** | In2013 federal Supreme Court ruling upheld the legality of the TMDL.  States are developing their Phase 3 WIPs following the 2017 Midpoint Assessment. | |
| **Independent Evaluation** | **2011-** create a permanent function in the CBP;Clean Water Act 319 grant funds to match state funds for contracting third party verifications and technical support |  |
|  | **2009-** create a permanent independent evaluator | 2009 The PSC approved the funding of a contract for independent evaluation. EPA and Jurisdictions funded NAS to conduct a two year study at $500,000 |
| **Independent Eval, con’t…** | **2008-** create a permanent evaluation function to the CBP that is truly independent and focus on impediments to implementing the Tributary Strategies | The 2008 CBP Reorganization included a box as a place holder on the new organizational structure labeled Independent Evaluator |
| **Update** | 2014 Chesapeake Bay Accountability and Recovery Act called for the creation of an independent evaluator to be appointed by the EPA Administrator. No money was allocated for this function. The 2016 PSC decided to delay recommending evaluator options to EPA since the drafters of the legislation did not intend to divert funding from implementation for evaluation. *Status to date: Unknown* | |
| **Marcellus Shale Natural Gas Drilling** | **2011-** develop new regulations and transparency for water quality and human health impacts; enforce permits and setbacks from waterways, wetlands and private wells |  |
|  | **2010-** Do No Harm on drinking water and local water quality |  |
|  | **2008-** concern about negative water quality, quantity and drinking water impacts of hydro-frack drilling**,** policy makers should look comprehensively at impacts on local communities, stressed infrastructure and downstream |  |
| **Leadership** | **2010-** EPA should lead by example in reducing stormwater in DC since 30% of land is federally owned |  |
| **Human Health** | **2009-** consider human health impacts of water quality decisions, especially toxins and endocrine disruptors |  |
| **Urban Nonpoint Source Pollution** | **2009-** new regulations and legislation |  |
| **Agriculture** | **2014-** support the designation of the Chesapeake Bay Watershed as a high priority landscape in the 2014 Farm Bill’s Regional Conservation Partnership Program |  |
| **Update** | In October 2017 CAC sent a letter to PSC Chair encouraging the coordination of the Bay States for a strategy to increase bay-wide conservation funding in the 2018 Farm Bill.  In November 2017 the House and Senate introduced the Chesapeake Bay Farm Bill Enhancement Acts of 2017 for consideration to reauthorize the Farm Bill in 2018 |  |

**Quick Glance of CAC’s Executive Council Recommendations by years:**

2017- Urge Congress to restore federal funding for agencies supporting Chesapeake Bay restoration, education, monitoring and jobs

2016- Environmental Literacy/Education; Oysters; Local Engagement on Phase III WIPs

2015- Take Advantage of Federal Funding and Untapped Resources; Make the Water Agreement Relevant on the Local Level; Enhance Accountability by including Verification as an Element of Implementation

2014- Emphasize Local Benefits in the Watershed Agreement Management Strategies; Commit to the Resources Required to Meet the Commitments in the Agreement and use federal funds; Continue Strengthening Consistency in BMP Verification

2013- Focused on Watershed Agreement- All jurisdictions should participate in all of the Agreement goals (concern about the Opt-Out provision); Transparency Principle supports BMP verification; Environmental Literacy goal should be included; Include a Toxic Containment goal; Acknowledge Climate Change and show in the Management Strategies how practices will adapt for it; Conowingo Dam;

2012- Environmental Literacy; Public Access to Waterways; funding for Land Conservation; Water Quality Trading; Phase II WIPs must be enforceable and enforced, EC should regularly report on progress; set goals for fisheries, habitats, living resources and stewardship

2011- Independent Evaluation; WIPs- enforceable, transparent reporting, critical to ensure voluntary non-point sources are doing their part; Federal Funding cuts and Executive Order; Marcellus Shale Drilling impacts

2010- Executive Oder; Equity- both regulated and non-regulated sources do their share and bring in U.S. Dept of Education, U.S. Depart of Transportation, FERC, and EPA lead by example in DC with federally owned lands; Accountability, “Do No Harm”- Marcellus Shale, increasing stormwater pollution from impervious surfaces, and Conowingo Dam; Citizen Engagement through Public Access to waterways

2009- Accountability- 2 Year Milestones, Independent Evaluator, Do No Harm with Stimulus Funding, Reasonable Assurance in the TMDL; Accelerating nonpoint pollution controls with new regulations and legislation; Citizen Engagement- support No Child Left Inside, create state environmental literacy programs, protect and increase public access to waterways, especially in underserved communities; consider human health impacts of water quality decisions (toxins and endocrine disruptors), address the sediment build-up behind the Conowingo Dam

2008- Independent Evaluator- truly independent and focus on impediments implementation of the Tributary Strategies; support 2 year goals to measure progress and target resources and develop consequences through enhanced enforcement; states must address land conversion and the C2K Sprawl Goal; Emerging Issues- Marcellus Shale Drilling Impacts, use the precautionary principle when considering the introduction of non-native oyster species