

Maintain Healthy Watersheds Meeting

U.S. Fish and Wildlife Service Office, Annapolis

April 22, 2013

Participants: Owen McDonough, Laura Gabanski, Debbie Hopkins, Dan Baldwin, Bevin Buchheister, Lee Epstein, Dan Murphy, Sally Claggett, Mike Fritz, Peter Claggett, Anna Stuart, Pat Buckley, Diane Wilson, John Balay, Kris West, Ben Sears, Angel Valdez, Jim Baird, Jack Frye, Mark Bryer, Doreen Vetter, Beth Zinecker, Todd Janeski, Natalie Gardner, Fred Suffian, Anne Hairston-Strang, Carrie Decker, Mike Slattery, Genevieve LaRouche, Donnelle Keech, Tony Shaw, Kristen Schlauderaff

ACTION ITEMS

- Mark will contact TNC Boston to make the Active Ricer Area data available (for the FWG before their joint LUWG meeting on May 1st)
- Remind GIT 4 that Jack invites input for the CBC report
- GIT 4 will further discuss and look into the four policy options presented by CBC
- Jim Baird will forward American Farmland Trust study on costs of community services from development
- At the June/ July GIT 4 meeting, the GIT will help distribute and emphasize the CBC report
- Mark will consider how to advance the CBC report
- Send follow-up ideas on getting the report out to Bevin Buchheister
- Get the Coldwater Land Conservancy Fund map of EBTJV sub-watersheds that help prioritize project selection (contact Kris West about this layer)
- GIT 4 members: advocate for key contacts at the local level (including local elected officials) to attend the CB Watershed Forum
- Talk with ACB on marketing after the sessions are accepted
- Anna Stuart will send the WF session proposals to the GIT
- Have a follow up conference call to further discuss WF+
- Include a footnote in CSTAT that notes that mineral rights are not included in “protected lands”
- Contact NY, DE, and WV about opportunity from OWOW for pilot project funding
- Refine the land protection goal for the new Bay agreement
 - Include the protection of hydrology and ecological flow as a fundamental driver

Updates

- Happy Earth Day: Mark recommends watching a documentary called “Greenfire” which is about the Leopold family
- Update on the Water Quality GIT Response to the GIT 4 STAC Workshop Report
 - The Land Use workgroup (LUWG) is working to create new land use designations. There will be a joint meeting between the Forestry Workgroup (FWG) and the Land Use workgroup on May 1st.
 - Has there been an active river area assessment? TNC has done the assessment, but it might not be available to CBP yet.
 - Mark Bryer will get the Active River Area Assessment to the Land Use workgroup before the joint FWG/ LUWG meeting.
 - Jim Baird wants to make sure forested lands and floodplain protection on farms are counted.
 - It is challenging to assign loading rates to new land uses.
- Jack Frye update on the Chesapeake Bay Commission (CBC)
 - CBC works on policy issues for the Bay, and was established by state law (PA, VA, MD)
 - CBC is finalizing the “Crediting Conservation” Report
 - C2K: over 100 commitments, 5 broad goals
 - TMDL has led to 1 main goal of water quality that eclipses the other goals and draws the majority of the resources
 - Can’t just focus on nutrient reduction, must also consider habitats, and fisheries, and conservation (hard to replace/ restore ecosystem services)
 - Please give any input to Jack Frye about the four Policy Option Concepts
 - The TMDL “devalues” land conservation as a tool to protect the health and resilience of the Bay
 - Report is a next steps, scoping opportunity
 - CBC is ready to assist with state and federal policy making
 - Mark Bryer will commit to advancing the next step of this report
 - Questions:
 - Did you look at conservation as a form of “reasonable assurance?”
 - Does the report discuss how the decision on “reasonable assurance” would be made? No, that is part of the next steps.
 - How do you legislate “common sense?” seems a shame that CBP doesn’t emphasize cost effectiveness of conservation and analysis and mandate that more people look at this.
 - Still struggling to prevent detrimental development at the local level, having a hard time implementing the “policy option concepts”
 - Dan or Jim will forward study about growth (cost of development in pollution and community services)

- Please send ideas based on this conversation to Jack Frye.
- ChesapeakeSTAT and Chesapeakebay.net

New York Case Study: Kris West

- Finger Lakes Land Trust has traditionally focused on the Finger Lakes areas because of development threats
- In the last several years, the Susquehanna watershed has had improved transportation systems and increased development as a result
- Conducted a Conservation Focus Area Assessment: identified 11 focus areas for conservation in the Susquehanna watershed
- Were able to get funding to complete the project.
- The conservation easement does not lead to a lower tax rate, but can get a 25% tax credit that they might owe on income tax (or can get a refund)
- Did the ARA analysis by TNC play a part in their conservation focus?
- There are some rural towns that have no zoning (but they encourage people to stay out of the floodplains). Economy is stagnating in parts of NY, so there is local pressure to develop

Communications Work Plan Overview: Donnelle Keech

- GIT 4 submitted two Watershed Forum proposals
 - Reprisal of the overview session from 2012 “Healthy Watersheds: Status, Trends, and Opportunities.”
 - Capturing local benefits from local watersheds. Background and overview that provide support for the maintenance of healthy watersheds. Breakout groups with situation diagrams to look at real examples. **GIT 4: Think about who we can encourage to attend this session.**
 - Have a conversation with the Alliance for the Chesapeake Bay about marketing the sessions
 - Send these proposals to the GIT: ASB
- Want to give input to Watershed Forum Plus
 - The most enthusiastic idea from talking with state members was field trips.
 - **Will have a follow-up conference call to brainstorm further ideas.**

SRBC Ecological Flow Management Study: John Balay

- Goal: to determine ecological flow needs for the Susquehanna river and its tributaries
- Working to increase supply as well as reduce demand (for surface water sources)
- The SRBC is the governing body for withdrawal (interstate agreement)
- Can this be used to protect instream flow from fracking withdrawals?

Shale Gas Development: Gottschalk

- Impacts from fracking are only part of the story. Also have well pads, roads, pipelines, holding ponds, and access roads
- 45,000-110,000 acres of forest cover could be cleared by Marcellus gas by 2030. However, half of wells are not in forest (primarily in Ag.)
- Wells have water quality and quantity effects
- Workshop focused on Effects (vs. impacts)
 - Why can't we incorporate it into land use land cover data?
- 15,000 wells in PA currently listed as forest or farm land use
- Dirt roads aren't captured in the CBP model. But working to add new land uses to the 2017 model.

Vulnerability Discussion

- **Mike Fritz**
 - Demonstration of vulnerability and protection of state ID healthy watersheds on CSTAT
 - PA: land protection means nothing if mineral rights are not protected as well.
 - Vulnerability is the second leg of a three-legged stool (identification, vulnerability, protection)
- **Peter Claggett**
 - Vulnerability = exposure, sensitivity, and resilience
 - Sprawl is prevalent
 - Land demand for development is a threat
 - 100 variations of urban and residential growth models, to get a probability that a healthy area will be threatened
- **MD: Dan Baldwin**
 - MD has identified ecologically important lands.
 - Look at status, vulnerability, and development threat
 - This lets you look at the stability of rural resource lands
 - Use for scenic byways in western MD
- **PA: Tony Shaw**
 - PA IDs healthy surface waters and then provides regulatory protection
 - There is no statewide planning arm, but rather local planning commissions
 - DEP: activities where a permit is required if it will have an impact to the receiving water, then there is water quality protection
 - Anti-deg program: define designated protected uses. Exceptional Value and High Quality

- DCNR is not interested in undertaking a vulnerability assessment (not a lot of resources to undertake an assessment in PA). Citizens can petition to add the EV designation to a body of water
- **VA: Todd Janeski**
 - Heritage program has been tabled due to funding issues
 - Compare the 303d list and HW ID list. Trying to come up with “healthy” definition. There is less than 20% overlap between healthy and impaired watersheds.
 - There was a resource land assessment in VA to help guide conservation. Was vulnerability a part of that? Can it be translated into the healthy watershed context? Being redone in Heritage program because it was 10 years old.
- **Pilot Project Opportunity: Laura Gabanski**
 - There is a budget for healthy watersheds and assessment.
 - Can provide contractor help for a “well defined” project.
 - Want to reach out to the other states (WV, NY, DE) to see if they are interested in assessment projects.

New Business and Next Steps

- Want to make protection a part of the new Bay agreement.
 - Over arching goals and specific agreements. Fairly simple and short (unlike C2K).
 - Commitment to develop strategies that the states will agree to.
 - Think of much more focused and targeted goals for identified healthy watersheds. Also look at protecting healthy watershed ecological flow regimes.
 - Need to also consider social commitment (citizen stewardship) in terms of protection.
 - EPA has a tool with MD (Doug) to find social indicators and tools.