

Additional Clarification on CAC 2012 Recommendations to the Executive Council

1. Citizen Engagement – Educate Our Youth

(a, b, d) What kinds of commitments are being asked of MB members on the environmental literacy policy? There seemed to be a lot of misunderstanding or assumptions about it at the August meeting.

- CAC believes environmental education is important enough to elevate it to the Executive Council level. If there was work already being done at the CBP in this area, then CAC was not aware of it. CAC will have more details on this issue after the CAC meeting when they will host a panel with NOAA and the jurisdictions. The EC recommendations are:
 - States and DC Approve/Adopt the Mid-Atlantic Elementary and Secondary Environmental Literacy Strategy.
 - Establish Two-Year Milestones for achieving environmental literacy for all students in the watershed.
 - Formalize the U.S. Dept of Education's involvement and support of State and Local efforts for the environmental literacy by signing an MOU between the CBP and DOE.

1. Citizen Engagement – Educate Our Youth

(f) What is the purpose of establishing an MOU with the Bay Program and the Bureau of Land Management and the Office of Surface Mining?

- CAC believes that in order to meet the 2025 deadline for water quality restoration we must reduce nutrient and sediment loads from *all sources* by achieving TMDL reductions and preventing pollution or *degradation* to water quality, which includes for example, impacts associated with hydro-fracking and acid mine drainage. Both these Department of the Interior agencies have programs which contribute to conservation, recreation and water quality improvements in the watershed, but do not have a formal seat at the table assisting in restoration. An MOU would encourage full partnership with these agencies and help to address some issues that CAC feels are not currently being addressed by the CBP, but has impacts on the TMDL.

4. Accountability – WIPs and 2 Year Milestones

WIPs and 2 Year Milestones — how is the recommendation different from the progress reports and state of the CBP Report already produced?

- Currently, the CBP partners only issue 2-year milestone reports on nutrient and sediment reduction. This recommendation advises the jurisdictions to expand the reporting and for example, include: (1) progress on responding/revising State and DC nutrient credit trading programs to be in line with EPA's recommendations (even if they are administrative changes made in the program), (2) report on environmental literacy (administratively, if the plans are still in development and programmatically, how many school children have completed the requirements each year), (3) – 2-year milestones may not be the best forum for this- but, report where pollution reduction efforts are

falling short and explain the measures that will be pursued in the coming years to address the gaps, and (4) show the public how they are improving enforcement to meet nutrient and sediment goals.

- Does the state of the CBP Report or the Bay Barometer show details on the State/DC progress in these areas?

5. Communications – Beyond Water Quality

"The jurisdictions should set goals for restoration of fisheries, living resources and habitats, and stewardship." Is this different from the goals being set by the GITs currently?

- For right now, we can view this as primarily a communications recommendation. CAC believes that because the general public will not relate to language like TMDLs and WIPs, that the Program partners should talk more about how the clean-up plans- the outputs of the watershed recovery- are linked to restored fisheries, habitats and stewardship- the outcomes of the clean-up plans. Ultimately, the overarching goal of the Bay Program should be a restored ecosystem that has clean water for drinking, swimming and fishing. Using language that is plain and that links TMDLs and WIPs to relatable concepts will help the public to better understand what is being done and why.
- For future discussion because this recommendation has evolved since the EC meeting- This gets back to the issue of 2-year milestones reporting only on nutrient and sediment reduction, hence the "beyond water quality" recommendation. The GIT goals do appear to be different, excepting a major governance change in the way the CBP operates in which case CAC does not know about it, if the jurisdictions (meaning the PSC/EC) have not fully endorsed the GITs goal statements which seem to be based mostly on the Executive Order. This is the alignment/governance issue. The jurisdictions' role in setting the goals is unclear, therefore CAC asks, "Who is in control of the goals, Who is accountable for them?"- This can be viewed as an accountability and transparency issue if the citizens do not know who is responsible for activities beyond the TMDL. CAC also asks, "Will the goals beyond water quality and the TMDL be met if they are not endorsed at the highest level of the CBP leadership?" (We assume this will be addressed in the coming year when the CBP discusses whether there will be a new Chesapeake Bay Agreement. CAC plans to be involved in this issue and would like to offer recommendations on goals and be a part of the discussion. We do not anticipate CAC will be able to offer recommendations on how to fix the alignment challenges, but we think it is appropriate for CAC to ask the partnership to work through these issues for clarity to the public. More to come after the Sept 6-7 CAC meeting.)

6. Communications – Conowingo Dam

Conowingo Dam - is there a specific action the MB should consider or recommend? Does the work being done by the USACE satisfy this request?

- CAC did not have a specific recommendation to this issue (or a solution to offer at this time), but wants to keep it at the forefront of the CBP leadership, because CAC does not see what is happening to deal with the decreasing capacity of the dam to trap sediment and pollution (even with significant work in the Susquehanna watershed). Is the Dam being used as a BMP and is this BMP's efficiency offering diminished returns with the

passage of time or dependent on weather events? CAC believes this could become a hindrance to meeting the TMDL nutrient and sediment goals if nothing is done and it would be a shame to say we missed the 2025 because something beyond our control happened and the partnership did not prepare or adapt for it.

- Unsure if the USACE satisfies the request, but since the States/District are responsible for meeting the TMDL, can the Corps' work satisfy it?