



Protected Lands Workgroup
September Meeting

Tuesday, September 2 – 2:00 – 4:00 pm

Meeting Location: Virtual

Meeting Link:

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Meeting ID: 210 289 874 156 6

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Meeting Materials: (can be found on the [meeting webpage](#))

- [Call For Chair](#)
- [Agenda](#)
- [Changes to Protected Lands Language Presentation](#)
- [Protected Lands Forestry Target Presentation](#)

2:00 PM Welcome/ Introductions

Sophie Waterman: Hi all! For the sake of time, if everyone could put their name and affiliation in the chat so we can get attendance. Looks like we still got some people coming in. You'll notice that you are muted and your cameras are turned off for the new security protocol. If you'd like to speak, all you have to do is raise your hand and Daniel will give you permission to show your beautiful face and you can say what you need to say. I'm gonna go ahead and get started as we have a really packed agenda.

I'm Sophie Waterman, coordinator for Protected Lands Workgroup. We have a few announcements that I'll share later, and we'll talk about some of the public feedback we've received so far. Coral will talk about the protected lands indicator, the final stamp of approval from the work group. This is just to make sure that we have crossed our T's and dotted our I's and she will go through the data one more time. And we will hopefully get a thumbs up for the indicator before moving on to the next steps.

The meat and potatoes of today's discussion is the forestry target. We will be talking about some options for our forestry target and then I will let you have the rest of your day back!

2:05 PM Announcements

Call for Workgroup Chair: The Protected Lands Workgroup is still seeking a chair! For more information about the position please see the [announcement](#).

Chair nomination form: <https://forms.gle/JcngUMuNofFCLHRu5>

Public Comment Period: Public Comment Period for the revised Watershed Agreement is now closed. The Review Team will be in communication with us on how the workgroup wants to address feedback received related to Protected Lands.

Management Board Update: A redlined version of the Outcome language using the Public Feedback is due by September 12th.

Call for a Workgroup chair: We still need a chair! Please let us know if interested, we would love to have you. It's not a big lift, you would be working with Daniel and I and we are just looking for guidance and support in this new world.

The Public Feedback period is over, and we will be working through them to incorporate into our target language. A redlined version of the outcome language with revisions is due by September 19th.

Management Board Updates: Now to talk really quickly about the protected lands target and what we need from the management board and get feedback from you all.

First is related to the 2 million or 1.5 million additional acres. We are split down the middle from jurisdictional and partner input. It's time for the Management Board to take control of picking one of the two numbers. There isn't heartburn over 2 million from partners. Hitting 2 million acres or more is 11.3 acres total by 2040, and 1.5 million acres would hit 10.7 million acres by 2040. I am putting it in the hands of the management board because we are split down the middle. The other option is to just say 11 million acres as a total by 2040.

On this topic, instead of saying an additional 1.5 or 2 million acres, can we just call out the total acreage? So by 2040, permanently protect a total of 10.7 or 11.3 million acres of land throughout the watershed at the federal, state, or local level. What are people's thoughts?

Cassie Davis: Would we include the current number of protected lands if we say 11 million?

Lydia Binkley, in chat: Same as Cassie, we'd need the starting point- context

Sophie Waterman: Yes absolutely we could.

Cassie Davis: I think we would need that to show we are not starting at 0.

Kevin DuBois, in chat: In their comments to the MB today, CBF has asked for a goal of an additional 2.5 million acres.

Katie Brownson: Yeah, I wanted to jump in in favor of the total acreage goal, and I see what Cassie is saying about needing the baseline in there for context. I think this is the case for a lot of outcomes where we are setting a cumulative goal without saying where we are currently, and I don't know if that goes in a supplemental material along with the agreement explaining how we arrived at the new targets, and maybe that detail would fit there? But that's a bigger conversation for the partnership since it is for more than just this outcome. I think having a total acreage goal makes a lot of sense considering challenges I understand you all have had

around the date of establishment and not getting a grasp of change between indicator updates. Setting that cumulative goal sets that goal line without needing to muddy the waters. There's some reasons why I feel like a total acreage target for forests makes more sense too and having that be consistent with the protected lands total acreage target and would help make the numbers be more easily comparable.

Chase Douglas: Thank you and thanks Katie for that on the forest side of things. I would say I think that whether as a total acreage goal or not, I think the biggest piece to be beneficial here would be the larger acreage goal. Pushing for a larger number gives more opportunity to keep the resources flowing through the watershed region in order to meet that goal, and I just wanted to throw that out there.

Sophie Waterman: That's helpful and I will be emphasizing that to the Management Board that 2 million is preferred by partners around the watershed, and that it's not totally unreasonable to accomplish and push towards. Like Katie noted, we will be talking more about the specifics in the language we use when we talk about forestry. I will work on phrasing this with the current acreage of protected lands and see how that flows. Any other comments on this phrasing edit?

The next thing is that it's become clear that nobody wants the XX placeholders in the agreement. Folks from the public and Management Board have said having blanks will not fly. So we need to edit the language to emphasize the target areas but dropping the acreage goal in the language. We can do this in a couple of ways.

We can take out our XX's and say by 2040, permanently protect a total of (11?) million acres of land throughout the watershed, for example. Then say by 2027, define and identify target goals for all of the current areas of focus.

The other option is to remove the language of defining a goal and just have it within our management strategies. This would make them an internal number, and we would define it through a management strategy process. I prefer the first option and think it makes more sense to have goals to reach and not just have them be an internal number. Jurisdictions have expressed support for taking the time to define these goals. We can do forests right now as it is easy to pick up in our high resolution data, so we can cross that one off as done, but the other ones will need more time to define and work through and calculate. We are still saying yes we will define these, but that we will need until 2027. Either way we would still be defining goals, it's just if they are more internal or public facing. What are folks feeling between these options?

Ashley Rebert, in chat: Ashley (PA) I support the total acreage goal and agree we need to set the baseline. I support the 11 or 11.3 million acre total.

Kevin DuBois: To me, it all comes down to accountability. If there's no accountability for whether the targets are met or not, it doesn't matter if they're listed publicly or if it's done through management strategies internally.

Sophie Waterman: Yes, accountability is important.

Kevin Dubois: If you say 1.8 million acres of forests by 2040 and that's not met, then what difference does it make if it's in the agreement or not?

Sophie: I see what you're saying. The point of having it in the agreement is having something for folks to point to, as a lot of folks utilize our agreement for justifications in grants and such.

Kevin DuBois: But if it's the management strategies, wouldn't it be identified there also?

Sophie Waterman: Yes it would be, I just don't know what's a stronger argument, it being in the management strategy or a goal.

Katie Brownson: I think accountability will be an issue for all of our targets, asking what is our accountability mechanism. But when you look at the alternative language to say have an emphasis on these areas, what is our mechanism for tracking that in a public facing way or driving funding towards those areas? An emphasis on forest protection is way weaker than a specific number of acreage for forest protection. We were asked for SMART goals, and saying 'emphasis' doesn't necessarily meet that mark. I think having the numeric target in the agreement gives an incentive to track and report on progress.

Sophie Waterman: Yeah I agree. Are there any jurisdictions on the line who have thoughts on either of these options?

Anne Hairsen-Strang: This is similar to how we've been managing the buffer strategy where you have a concrete number to look at but not necessarily the jurisdiction level call outs at the top level. But you know what your internal targets are and some of them we've just not been able to meet. I think Maryland's on a good track so we may not be the member to look at to say what would be limiting for permanent protection. I think there's certainly mechanisms for accountability with political will.

Sophie Waterman : Yeah it's the political will of pushing some of this forward.

Anna Killius: For ease of managing this through the process, the second management strategy route I would anticipate would be easier to navigate. The version with the specific callout for forest, I think you would find comments asking to keep 'like with like'. So forests targets together and wetlands targets together, from public perception. We know in the partnership there will be cross-working between outcomes, but the public would prefer seeing them grouped together.

Sophie Waterman: I think that's fair, I think the protected lands workgroup is trying to emphasize that it's not like these aren't related, it's just another way to enshrine protection of these areas.

Kevin DuBois, in chat: Anna's comments make sense to me. I think having differing goals in multiple outcomes is confusing to the public.

Anne Hairston-Strang: What is the percentage of protected lands associated with 11 or 11.3 million? Like 30 by 30 calls for percentage? We should try to show progress towards those goals.

Coral Howe: I think it comes up to 25% if we add an additional 2 million of where we are at now.

Sophie Waterman: Any other thoughts on this? This will be posed to the management board for them to discuss as well.

Chase Douglas: I like the language that provides less of the X and more of the identified goal, just to follow up with what Anna was saying earlier.

Anne Hairston-Strang: Have we had discussion on 10.7 vs. 11.3?

Sophie Waterman: That is the 2 million vs 1.5 million conversation. We are resolving that by going to the management board, as we are split down the middle with support for both of them within the workgroup.

Chase Douglas: One question: Some targets like tribal lands and community greenspace, I know there was discussion on how to flesh that out into greater details, but is that still going to be included?

Sophie Waterman: Yes, that is part of the process, whether it will be this language or the other one. We will be fleshing that out between now and 2027 to have targets for those figured out.

Ok! I will hand it over to Daniel to talk about public feedback.

2:15 PM Update on Public Feedback Received So Far- Daniel Koval, CRC

Daniel Koval: Hi everybody. [This document here](#) goes over all the comments we've gotten from the public feedback period. Anything with red text are recommended actions given by the review team for the workgroup to take. The MB identified people to look over the feedback and process it and give recommendations to the workgroup when going through it. Not every comment has a recommendation from the Review Team, but many do and their feedback is very helpful. Blue text is from Sophie, our lovely coordinator, and her thoughts on the feedback. After this meeting, I'll clean up the document, add discussion notes and send it out to the workgroup to review.

Lots of the comments are overhead focused, and don't necessarily need specific action but they do show a lot of support. It is nice to see that there is lots of support for this outcome.

Sophie Waterman: Also, please leave comments in that document if you feel like it! There are lots of supportive comments and support for protection.

Daniel Koval: The constructive comments section calls out specific language in the targets. The first one discusses looking at the work done by CCP and their language with how they focus on long term conservation. This could be used when we dive into management strategies when moving forward with implementation.

Sophie Waterman: There are some new comments that were added to the bottom of this document that we just got last Friday, so I will be adding notes to those as well this week.

Daniel Koval: Lots of the constructive comments highlight the importance of definitions in terms of how we are tracking.

Anne Hairston-Strang: One thing I found when working on 2007 forest conservation goals is really not just looking at permanent protection of forest lands, but you may want a specific goal associated with that, but also make sure that we are focused on a larger target that may have a lower conservation threshold, particularly as it relates to local jurisdiction land use planning. Have something that can incentivize them wanting to keep rural lands as a practical part of the watershed because that's a really big deal for watershed function. Things like easements that may keep the land use like forest or ag. A lot of times, we have not counted some of the federal lands because they won't enter into easements but they may have long-term commitments for conservation in their natural resource management plans.

Daniel Koval: Yes, that's good to note. Going off a little on that, many comments emphasize the importance of bringing in and centering the work of rural land trusts and other conservation organizations outside of jurisdictional lead. I'm going to keep scrolling and raise your hand if you have something to point out.

Sophie Waterman: This exercise has been really helpful for the planning side of this to identify organizations to reach out to, especially the ones who have taken the time to comment. So this is one way to identify champions of some of this work and it will be a useful tool to see if there's some overlap of folks within those organizations who may want to be a part of this process. I'm now re-reading some of my comments that I wrote in there; the intermediate milestones comments was brought up a lot, with people asking for interim goals to meet alongside the big end goal. What are jurisdiction thoughts on that?

Kevin DuBois, in chat: So far, I don't see how these comments have incorporated CBF's comments or the call for a single check in point for all outcomes.

Daniel Koval: And Kevin, I see your comment in the chat. If you want to come off mute and discuss that a bit, feel free to!

Kevin DuBois: Yeah, I know the Bay Foundation in their comments list specific targets. Numerical targets for the X's, which are beyond the 2 million acres, and they talk about tribal sovereignty and how that would impact the targets that were developed. And they're echoing what I've heard from other public comments about having a single target for all of the outcomes as opposed to having different ones. I've heard the arguments both ways, but at the last management board meeting there was this idea that was put forward that unlike the TMDL where it's like everything is supposed to be in place to reach this target by this date because it is regulatory standard, there was an idea that was floated by STAC to say that we could have a uniform check in period where we would reassess where we are in all the targets as opposed to saying all the outcomes would be completed by that date, but instead have a check in date. That might mollify some of the public comments about different outcomes having different end dates. It could be hard to track. We should have one year just like we have in 2025 where we reassess where we are and make any adaptive management and move forward while still trying to meet the overall outcome. I don't see those kinds of things so far reflected in this document and I'm sympathetic as I understand you're taking what you got so far and putting it together for the management board but it doesn't seem to reflect some of the major concerns the public has had.

Sophie Waterman: Yeah, we just got CBF's comments so I have not had time to review that yet.

Kevin DuBois: Yeah, they were the ones who sued the EPA and resulted in the TMDL so I would pay close attention to theirs.

Anna Killius: I anticipate this being on the management board agenda to talk about the outer boundary date and whether we want to set one for this agreement. This is something the MB will determine what they want to recommend. This group should just be aware that that date may be set in the next month and there may be some instruction for outcomes to be adjusted to take that date into consideration.

Sophie Waterman: Yes, and incorporation of those comments will happen and we will be sharing that and those suggestions when we get them.

This document will be open for you all to continue to read over and add your own thoughts and opinions! If you're a jurisdiction, just note what jurisdiction you are from.

Jeff Lerner, in chat: It sounds like there are some comments linking protection with long term stewardship and/or BMPs that help the watershed. Preserved farmland should incorporate Bay-friendly BMPs. Same for forests, urban open space, etc.

Coral Howe: I want to present where we are right now. We've gone through an extensive process and created a first draft that was reviewed, a second draft that was reviewed, and last meeting we presented a final draft. We are sharing that again with jurisdictions to make sure we had arguments to document any changes from the previous indicator, whether those changes were corrections to the data or omissions for whatever reason. There have been some data corrections: omissions that were intentional because they are data corrections, and also omissions that were not intentional but not enough time to incorporate the updates into the data by the jurisdictions. We are just going to roll with what we have. There are also some boundary corrections that have been part of the process of improving the data. And asking jurisdictions to work with their own data which will change how we measure things. I will go briefly over each state: Delaware had a 1% increase from last indicator to current. DC had virtually no changes but we changed slightly how we process the data and the NPS have updated their boundaries so we used updated boundaries. So there's a slight decrease in DC but a reflection of updated boundaries. Maryland stayed pretty much the same with some properties that we are aware of that are not included in the dataset and MD is working to update their datasets. New York looks flat percentage wise. We did not have a final review of New York by their jurisdiction so we are going with the data we had. Pennsylvania had a 1% increase overall with some changes in the joint category, and eventually those properties get sorted out if needed. Virginia is increasing in protection. West Virginia it looks like we had a decrease in protections, and we went back and forth a few times with the data. The local lands were missing so we added PADUS local lands. The overall picture shows that we went up to have 23% of the watershed being protected, which puts us to 90% of our 2 million goal.

Next steps to discuss are finalizing documentation for the new indicator and preparing press releases. We will want to discuss the timing of these data calls to give states time to update their data when needed. There is still work to be done for the date of establishment to track the rate of protection. We want to emphasize the need for a standardized schema, which will be discussed with a community of practice. This could be a state specific schema or a unified schema for all the jurisdictions. We also have to discuss whether we remove waterbodies from the indicator and represent protected lands versus protected areas. As we improve our dataset, we will discuss all of this.

Congratulations to everyone that put effort and time into protecting lands and let's see what we can do in the future!

Sophie Waterman: From the workgroup, as we move forward, are there any final 'stops' to take into consideration? Otherwise we will move this forward and communicate with the comms team. Thank you Coral for all the work you did on this.

Chase Douglas: Just to clarify, with WV showing a decrease, is that a decrease in the amount of conservation taking place, or is it saying that because of how the data was understood with what is currently protected now vs what was thought to be protected? I just want to better understand because I saw that a number of times and like even federal lands, every time it seemed like there was a lesson.

Coral Howe: The problem of not having a date of establishment is that we don't know the actual answer to that question. There have been corrections in boundaries and in removing properties that were not really permanently protected which seems to still be an issue, and that was the correction the federal government had in the last iteration with removing designations and proclamations because they are not legally protected.

2:55 PM Forest Lands Target Presentation and Discussion- Sophie Waterman, USGS

Sophie Waterman: For forestry conservation, I have put together some numbers to discuss and review. We have our lovely friends from the forestry workgroup who will also be a part of this conversation!

Last week, I worked with Michelle Katowski to run some numbers to consider for the forestry lands. The protected lands data was converted into 10m resolution data, and identified a little over 9 million acres protected. Of that protected land, 7 million acres are forested, which is 76%. That is our baseline of where we are at currently.

There are two options:

1. Maintain the 76% Forested Goal.
2. Increase to 80% Forested Goal.

The edited targeted language would call out the emphasis areas but specifically say the forest metric, although earlier it was said that people may prefer putting the numbers in the management strategies instead. We can discuss that further.

Katie Brownson: To pick up on my earlier comment about setting a goal for forests that is a total acreage goal rather than a new acreage goal, you get addition to the issues related to date of establishment not showing trends in how we are quantifying the protected lands footprint. For forest in particular, having that total acreage goal would better enable us to track the changes in forest cover within the protected lands footprint. Workgroup members said there are areas put under protection but the protection status isn't protective of forest cover. Ag easements for example have no stipulation that forests under ag conservation stay as forests, so we could actually be losing forests that we are counting as being permanently protected under the Protected Lands Indicator. Having that ability to better consider how to maintain a forest cover within the protected lands footprint would be helpful and also enable us to track gains within the protected lands footprint. If a buffer is planted and put under a conservation easement right away, we're not going to be picking it up as a forest actually so we'll be able to better track the growth of forests overall rather than just having that acreage number focused on the number of new forests.

Regarding the conversation about if a permanent protection goal for forests would live under protected lands:

I could see it either way, whether living under the protected lands or the forest conservation goal. I understand the confusion with that. I think we could be open to moving the numeric

target for forested protected lands under the forest conservation target. Although I will say we do already have 2 numeric targets under that target, so it would be a loaded target if we moved it over there. When we talked about in the workgroup, we discussed that it makes sense to have it under protected lands because it would increase the focus of the protected lands community on protected forested lands. I do want a numeric target though, wherever that lives.

Kevin DuBois: Question: you mentioned slowing down or stopping the loss of forests. Some of that is going to occur with sea level rise as wetlands take over coastal forested areas, so how does that factor into the long term goals as there may be losses that we have no control over (i.e development)?

Katie Brownson: For the forest conservation target, we've been talking about focusing on loss that is a conversion to another land use like a loss to development or a loss to ag. I don't think we would be counting that sort of more natural based transition of a forest to a wetland as a permanent loss in our forest conservation target, as opposed to loss of forest to development. But it is new, so this will be something to figure out as we move forward.

Cassie Davis: There might be a benefit to including the protected forestry target in with our current healthy forests and trees outcome because our other outcome is forest conservation. It could be good to get ahead of any confusion between conservation and protection of forested lands. At first glance, you could think of conserving the forest as protection. So for clarity, it could move.

Anne Hairston-Strang: Regarding conversion from forest to wetlands, it brings the question that Coral raised of if we should include water acreage. When we look at percent of forest in the watershed, we look at the land acres unless we have some mechanism for protecting water. In Maryland, we are seeing a lot of loss of acres of forest to salt and water. And it's significant.

Sophie Waterman: What are people's thoughts on the numbers: 80% vs 76%

Chase Douglas, in chat: 80% would be wonderful

Kevin DuBois: That's part of the reason why I asked the question about losses. So instead of going from 76 to 80 it might go, I'm just throwing numbers out there, to 70 because of loss of forest to sea level rise. I don't know if I would go up to 80 because I don't know if that's what's going to happen on the landscape.

Katie Brownson: from the 2022 Protected Lands Indicator (PLI) update, we are seeing an increase in forest cover within protected lands to the 2024 PLI which is good. I would be inclined to be more ambitious and say that we want more forested lands within the protected lands footprint.

Kevin DuBois: But wouldn't the wetlands people say the same thing? Wetlands have been underrepresented so we want even more wetlands in the protected lands, which would drive the percentage of forests down.

Katie Brownson: There's also forested wetlands. It's not always one or the other. We are trying not to have the big goal be a pie of one or the other, but ideally things are layering on top of each other.

Sophie Waterman: Yeah that would be a double dipping situation. A forested wetland would count towards the forested target and the wetlands target. Also if we look at our forestry planting data from the last couple years, we've seen a big push of planting new trees and we will start to see those on the landscape as we update our high resolution data.

Katie Brownson: Except for the concern of potential increases in loss in coastal areas, I'd be curious if folks have major concerns about proposing the 80% of whatever the high level protected lands target will be.

Jeff Lerner, in chat: Is the 80% ultimately meant to be the overall % of protection across the entire watershed?

Anne Hairston-Strang: Jeff's putting out that 80% is the ultimate protection target. Thinking long term.

Katie Brownson: Yeah, it is the percent of protected lands that are forested.

Cassie Davis: I think whether we do 76 or 80% we should just use the number of million acres and avoid confusion. We wouldn't want the case where lots of grasslands get protected and it drives the percentage down.

Sophie Waterman: Yes, absolutely, we would put acreage in the language.

Matthew Keefer: So 76% is the current rate, not necessarily a goal.

Sophie Waterman: Yeah, so of the lands we have protected, 76% are forested lands. Do we want to maintain that 76% footprint as we see an increase of protected lands, or do we want to see an increase of our protected lands be forested?

Matthew Keefer: So the protected lands number, that includes ag easements, like in PA? We are not looking to displace acres that would be protected in the ag easement program?

Sophie Waterman: Correct

Katie Brownson; We also don't want to lose forests that are currently protected in the ag easement program.

Anne Hairston-Strang: our Ag easements generally allow it. I don't know for other jurisdictions, but Maryland's allows it.

Jeff Lerner: I hope I'm not confusing things. I was trying to clarify for myself where we were headed with all of this as I know there has been research looking at forested watersheds and suggesting that we should be trying to keep anywhere from 75 to 90% of watershed lands in forests. I didn't know if that's where we are ultimately heading, but it sounds like this percentage will just apply for the protection goal for the next 10 years. Do we have a larger long term goal of protection in line with those threshold targets for protection of watershed lands?

Sophie Waterman: Currently no. But that is definitely something that we could consider.

Katie Brownson: At the forestry workgroup, we were looking at an even smaller number. The healthy watershed assessment said 72 or something. We did a bit of an exercise to see what it would take to get us to a point where we are not losing forest in the watershed. Even that is going to be a huge stretch and in the spirit of setting realistic goals, the math we could do to get us to the point of just barely achieving forests is going to be a huge stretch. We weren't ready to set a forest cover target that we thought we could achieve in the next 10 to 15 years. Right now we are trying to get to the point where the gains are outpacing the losses because right now they are not.

When we get to the management strategy development phase, thinking about what tools are for setting more targeted goals for forest cover could be an interesting path to go down.

Daniel Coy: So I don't like this goal at all. I like it as a measurement, but in this we all talk about this it's like the 76% is our current state and I think that's something we should be measuring. When we look at plans and there's a forest on site that we're not permanently protecting, it doesn't count. If we want this to be a goal, it should specify protected forests, not just protected areas that happen to be a forest. I don't know if that's necessarily a goal we want for reasons we went over earlier. I like goals that are measurable, but when it comes to protected forest land, I do want an increase. We do need to increase the amount of protected lands that are protected specifically in forest. We need to do either one of two things: the first is to set a goal to increase by how many acres of protected forest land specifically protected, or we need a separate measurement that measures only protected land that is in forests and then set a goal based off of that metric, not this one.

Katie Brownson; I'm trying to wrap my head around that second option you were saying, I think that's what we're doing, we're saying protected lands in forest.

Daniel Coy: So the 76% is the current state of protected lands in forest. So I'm saying we need to set a goal of this percentage of land that is protected forest. Not just protected and happens

to be forest. So I'm thinking specifically of ag protections that are also a forest, as opposed to dedicated forest protection.

Anne Hairston-Strang: State land ownership, federal, and local land ownership will not have specific protections. That's a whole can of worms

Katie Brownson: I like the idea and I don't think that's possible with our current data set. I think that would be an interesting case to delve into the future if we get the data.

Anne Hairston-Strang: It's the right thing to do, but it's hard to do it. And even in categories like donated easements, because each easement can be specific to the landowner, it gets even more in the weeds.

Matthew Keefer: I might have more questions now. So state lands don't count?

Anne Hairston-Strang: they count, but can we meet that level of surety?

Katie Brownson: that it would be protective of forest cover.

Anne Hairston-Strang: Yeah, can you clear some of your forests and put up a barn? I think you can.

Matthew Keefer: If we report new acres of state park or forest acquisition, they don't contribute to this goal?

Anne Hairston-Strang: They do. I'm just saying if we make the goal that precise.

Sophie Waterman: Yeah. if we look at protecting land that is forested and having protection for those trees on that land. This is more general saying the land is protected and has forest on it.

Matthew Keefer: Ok I got it.

Anne Hairston-Strang: The way we do it is trackable, but it doesn't lock up in forest. The direction I'd encourage us to look at is how do we have this work with some of the other land use metrics so that when we're working more closely with local jurisdictions that they are getting the data they need to make ongoing management decisions that encourage forest land use. Right now it wouldn't make any difference to planning officials whether it's crops vs. trees, or maybe crops are preferred because of local business interest or something like that.

Matthew Keefer: For 76 to 80%, so we have the new forest conservation target and that's now going to be measured with 33% reduction in loss. So that's forest conservation, which means it could have zero protection. I think having the increase from 76 to 80 is consistent. In the healthy trees and forest, we are adding forest conservation as a target, and here we are saying

to be consistent, we want an additional amount of those protected forests specifically to increase as we're looking to enhance forest conservation overall.

Katie Brownson: Yes, exactly

Kevin DuBois, in chat: If an entity wanted to protect tidal wetlands, then that would drive down the % of forest in protected lands. So with an 80% goal, would there be a disincentive to protect other non-forested land?

- **Katie Brownson, in chat:** I don't see it that way Kevin- I believe the wetlands workgroup was also looking to set other targets for protected wetlands so they could be incentivized by that target

Sophie Waterman: I like the idea of putting this with the healthy forests and trees outcome for consistency and communication sake.

Katie Brownson: That would involve adding a third sub target to our forest conservation target that would set a total of either 8.6 or 9 million acres of protected forest lands by 2040.

Although that timeline is not great since we set our other targets for 2035 for Healthy Forests and Trees so we might need to visit that. Sophie is this something that you were gonna ask the management board to weigh in on as well?

Sophie Waterman: Yeah my plan was to propose both options I proposed to you all and give them the run down of what we talked about today. I think that's the appropriate thing to do unless others have opinions on that. I was not going to have them weigh in on the number of the forested lands part though, that is for us to decide. But the way that the number is served up I was going to ask them to weigh in on.

Katie Brownson: So to clarify, were you going to ask if they wanted it with protected lands or to move to healthy forests and trees?

Sophie Waterman: Yes.

Cassie Davis; the 80% forest goal, just to give us an idea of what would be possible for acreage numbers, but in the future we are not going to look at if we achieved 80%, we will look at achieving the acreage number?

Katie Brownson: Yes, the total 8.6 or 9 million acres.

Sophie Waterman: Yes, there will be no percentages of the language we put forward, this is just a way to think about it and convey the two options.

Chase Douglas, in chat: I think it works well under protected lands.

Katie Brownson: I mean, if it stays under protected lands, then you're basically doing the first option that Sophie put up earlier where there's one target for forests and the rest are kind of placeholders to be developed by 2027.

Sophie Waterman: Yeah, so if we keep the forestry target within the protected lands, we would propose this as the way to phrase it (the first option in the slide show). The other way is to just say the emphasis areas, but have no target or path for developing a target in the agreement. They would be in the management strategies instead.

Daniel Coy: Not to be pedantic, but I think in stating “by 2040, permanently protecting a total of X million acres” (side note I think X should be 9), that we are saying that acreage needs to be permanently protected in forests. I think we could side step that and say that acres of forested land.

Katie Brownson: I think that’s a good point. I’m curious to hear what other forestry or protected lands workgroups think about moving the forested lands target into the healthy forests and trees outcome.

Anne Hairston-Strang: I’m fine with either or both as long as they are consistent and clear.

Katie Brownson: I think one of the comments we are going to get is that some people have a specific definition of conservation which is permanent protection, and they think that we are misusing that term in our forest conservation target. So if we embed the protection target into our forest conservation target, that could help ease that.

Anne Hairston-Strang: It's a more easily defined place to stand on, but we need so many more options beyond permanent protection to really get where we need for keeping forests on the land.

Cassandra Davis, in chat: I think we will just need to be prepared to clarify the difference between the forest conservation target and forest protection target

Emily Heller, in chat: Conservation and preservation are two different terms

Sophie Waterman, in chat: As currently defined by the Chesapeake Bay Program, “protected lands” are understood as lands permanently protected from development, whether by purchase or donation, through a perpetual conservation or open space easement or fee ownership for their cultural, historical, ecological, or agricultural value. This definition includes non-traditional conservation mechanisms, including transfer of development rights, programs that require a conservation easement for the “sending” property, and purchase of development rights programs. Lands protected through easements and purchase of development rights typically remain in private ownership.

- **Emily Heller, in chat:** I'm trying to look for that definition on our website or out immediate documents - where did you get that Soph? Thanks!

- **Sophie Waterman, in chat:** This is from our protected lands indicator methods doc. I can send you the doc!

Protected lands include acres protected through federal, state, county, municipal, township, and tribal ownership; designated open space and recreational land; publicly owned forests, wildlife management areas, natural areas, habitat areas, and wetlands; privately owned working farms or forests with conservation easements; historically important lands, such as protected battlefields, colonial towns, and farms, parks and recreational areas.

Matthew Keefer: If we move it to healthy trees and forests knowing there is a debate of definition of conservation and protection, without resolving, is that gonna make it more confusing if there's misunderstanding of those two terms?

Katie Brownson: There was not significant feedback on the terms, but there has been suggestion to change the forest conservation target into a forest restoration target. I think restoration is a part of it, but this is where we are trying to focus on reducing loss which I think more of conservation. Keeping what we have as forests. There is a restoration component, but that's not all it is.

Matthew Keefer: I view conservation as including all the actions, protection, restoration, keeping lands working, etc. Protected lands I see very differently as very strategic, requiring funding, specific actions to legally protect whether it's a farm, a forest, or a wetland as distinct but contributing to an additive to the broader forest conservation goal. With that, is it more clear to keep it separate with protected lands?

Katie Brownson: In my mind, the permanent protection piece is a critical piece of the bigger conservation agreement and it does tend to be its own suite of work. If we consider it as one of our strategies for increasing conservation, then maybe having it all under that one umbrella of forest conservation would better show how we define conservation. From a communications standpoint, maybe having them separate is more challenging.

Matthew Keefer: Yeah, preferred it would be all together. It seems it would be a significant change. If forests are 3/4ths of the protected lands, is protected lands still a thing in the bay program? Would ag lands and wetlands carry that work?

Sophie Waterman: It would still be an area of emphasis under protected lands and tracked within the PLI. It's just where it lives, whether in the forestry workgroup home or the protected lands home. Either way it will be tracked and have emphasis on that protection.

Jeff Lerner: Does the wetlands activity live in two places?

Sophie Waterman: Yeah, wetlands calls to the protected lands outcome; they just say look at the protected lands or the protection goal for wetlands. But if we are moving to this, then I would see a similar conversation of wetlands target moving to the wetlands outcome.

Anna Killius: I would advise to get the language the way you like it because at some point the management board is just going to have to set a common rule to apply to all of these situations and go from there. If the language is clear for the folks doing the work and you know where to find it, that's great. We just have to set one clear guideline and we are consistent throughout the document so the public can understand it well.

Sophie Waterman: That's helpful.

Katie Brownson: For the forest target, the language might be different depending on if it's a standalone target under protected lands vs a piece of the bigger target that we are incorporating into the forest conservation. So maybe we have two options, Sophie, that we share with the MB. leaving things too open ended for the MB may not get the result that we want.

Katie Brownson: So if we wanted to propose moving the protected lands for forests under the forest conservation target, we could have that option written out. And we would do some math to adjust the protection targets to 2035 to align with the other forest conservation targets. And then we could have the option that you already outlined there to have it under protected lands. If there is a recommendation coming out of this group that we have a preference, we could put that forward and they could react. It seems like there is interest in moving it to the forest outcome.

Matthew Keefer: part of the EC charge was to help simplify and streamline, and so that does make a good case for moving it, to have all things trees and forests under one.

Sophie Waterman: Do protected lands folks have thoughts on that?

Michelle Campbell, in chat: I think moving it makes sense

Patricia Nylander, in chat: maybe from a reporting perspective, perhaps the Protected Lands team is better equipped to report and track those protected acres.

Matthew Keefer: So would the language read something like 'increase the rate of protected forest lands from 75 to 80%?

Katie Brownson: No, I think it would just add that kind of top level number of the amount of forests we want permanently protected into that list of numeric targets. Something like 'Achieve a net gain in forests over the long term by ... and then we'll have our 3 strategies like reducing the rate of forest loss by conversion to other land uses by 33%; permanently protecting 9 million acres of forested land; and planting and maintaining 155,000 acres of new forests by 2035. I think.

- **Katie Brownson, in chat:** Achieve a net gain in forests over the long term by reducing the rate of forest loss by conversion to other land uses by 33%, by permanently protecting 9

million acres of forested lands, and planting and maintaining 155,000 acres of new forests by 2035

Matthew Keefer: Ok. I ask because understanding what 80% is compared to 76% might be confusing. For the agreement, we don't want that level of confusion.

Katie Brownson: If there was some kind of supplemental material, we could explain how we got to that. I don't think 9 would be the number because we are going for 2035, but for the sake of visualizing it.

The timing of this is challenging too, because we send it to the management board in 2 days and we won't have the chance to fully vet this with the forestry workgroup beforehand.

I think we have until September 19th to provide redlined language to the management board which gives us a little bit more time.

Anne Hairston-Strang: One of the things I think is confusing is the bouncing between 2035 and 2040. Is there any consensus in other goals?

Anna Killius: The management board will be discussing this next week, not necessarily coming to a conclusion on a particular date, but if we want to set one date or not. I don't know if there's consensus for either option, but I do not know where we will fall if we do decide to set one timeframe for this agreement.

Sarah Brzezinski, in chat: There will be a discussion about this at the upcoming MB meeting: <https://www.chesapeakebay.net/files/documents/081125-MB-Draft-Agenda-V3.pdf> - Watershed Agreement Time Horizons agenda item

Anne Hairston-Strang: would it be possible to have some versions of these, a 2035 version and a 2040 version to look at what the rates would end up being?

Katie Brownson: Yeah, it's possible. I'm waiting for some direction before re-running all the numbers. If we get direction to change course to 2040, then we can do that.

Anne Hairston-Strang: Are they based on straight rates, would they be easy to prorate? With the three sub goals under one of the numeric trees and forests goals.

Katie Brownson: I don't think I have time to do that before turning everything into the management board on Thursday but that is something we could look at later. They will likely have to give everyone time if they decide to go to 2040 to rework everything.

Sophie Waterman: We are approaching 4:00, so I want to ask one more time if people have thoughts on acreage numbers for the forestry target. So 2 million and then 9 million of the total land acreage, so 9 million of the 11 million acres.

Chase Douglas, in chat: 2 million

Kevin DuBois, in chat: 9M of the 11M

Katie Brownson: Do we wait until the management board decides on the 1.5 to 2 to set our target?

Anne Hairston-Strang: I'd suggest a recommendation from the people most in the weeds on what it will take to deliver this.

Sophie Waterman: OK! Thanks all for coming, and you will be getting emails from Daniel and myself on materials that we talked about today for your consideration.

Katie Brownson, in chat: Thanks to all the FWG folks for joining another extra meeting this month!!

3:55 PM Wrap Up and Next Steps

4:00 PM Adjournment

Attendees:

Sophie Waterman, USGS
Coral Howe, USGS
Daniel Koval, CRC Staffer
Michelle Katoski, USGS
Peter Claggett, USGS
John Wolf, USGS
Jeffrey Lerner, EPA
Katie Ayers, EPA
Emily Heller, EPA
Sarah Brzezinski, EPA
Maggie Woodward, CBC
Anna Killius, CBC
Katie Brownson, USFS
Faren Wolter, FWS
Michelle Campbell, DC DOEE
Cassie Davis, NY DEC
Ashley Rebert, PA DCNR
David Boyd, VA DCR
Kevin DuBois, DoD

Chase Douglas, Chesapeake Conservancy
Jenna Talbot, DNREC
Christopher Peters, FPAC - NRCS, PA
Daniel Coy, DNR
Kate Patton
Aaron Knishkowsky
Patricia Nylander, DOF
Marilyn Yang, CRC Staffer
Lydia Brinkley
Nancy Sonti, FS MD
Ellen Shepard
Anne Hairston-Strang, DNR
Craig Highfield
Molly Hassett, DEC
Anne Gilbert, DNR
William Byrum, FPAC-NRCS, NC
Emily Beach
Helen Golimowski
Matthew Keefer