



Stakeholders' Advisory Committee

TO THE CHESAPEAKE EXECUTIVE COUNCIL

Stakeholders' Advisory Committee Meeting Minutes September 18-19, 2024 Williamsport, PA

Stakeholders' Members Present: John Dawes, Andrew Der, Donna Harris-Aikens (Vice-Chair), Matt Ehrhart, Bill Fink, Verna Harrison, Chuck Herrick (Chair), Ann Jurczyk (remote), Hamid Karimi, Julie Patton Lawson (remote), Joe Maroon, Bill Noftsinger (remote), Abel Olivo, Kate Patton, Daphne Pee (remote), Alisonya Poole, Sara Ramotnik, Tim Rupli (remote), BeKura Shabazz (remote), Charlie Stek, Dana Wiggins (remote), and Staff Jess Blackburn & Alex LoCurto

Speakers/Guests Present: Kate Fritz, Amy Handen, Lucinda Power, Kathy Stecker, Peter Claggett, John Wolf, Meg Cole, Laura Cattell Noll, Suzanne Trevena, Adrienne Kotula.

Meeting presentations and materials are located at:

[Stakeholders' Advisory Committee Quarterly Meeting \(September 2024\) | Chesapeake Bay Program](#)

Wednesday, September 18, 2024

The Stakeholders' Advisory Committee Chair, Chuck Herrick, called the meeting to order at 11:00 AM. The meeting objectives are to (1) Finalize key points of 2024 recommendations for the annual Executive council meeting; (2) Receive a briefing on the Beyond 2025 public feedback and the latest guidance from the Principals' Staff Committee on their recommendations to the Executive Council; and (3) Part 2: Stakeholders' Conservation & Land Use Subcommittee priority on land use and land conservation at the Chesapeake Bay Program.

Business Meeting

- The Committee voted to approve the May 2024 Quarterly Meeting minutes as submitted.
- The Committee provisionally approved the 2025 quarterly meeting dates as submitted. The dates are: Feb 20-21; May 21-22; Sept 17-18; and Dec 11-12. Members want to discuss meeting jointly with other Advisory Committees.
- Chuck shared that the leadership and coordinators of all three advisory committees (LGAC and STAC), have been in regular communication. Sharing high-level positions on their respective Beyond 2025 (B25) comments and discussing ideas on better engagement with the Management Board and Principals' Staff Committee.

Subcommittee Chair Reports

- ❖ *Conservation and Land Use:* The subcommittee seeks to address how the CBP handles land use by exploring available planning tools for land use, land cover, and projected growth, which, though accessible, are challenging to use. The subcommittee invited Peter Claggett to present a new land use planning tool to the full committee at today's meeting. The subcommittee would like to receive training on the currency CBP land tools so that they may better understand their usability and performance.
- ❖ *Water Quality:* Matt shared highlights of a virtual panel on the history of the Bay TMDL, its accountability framework, and the proposed tiered implementation approach. There was criticism regarding the lack of accountability in EPA's enforcement of the TMDL backstops. It was clarified that the accountability framework tracks progress through the jurisdictions' Watershed Implementation Plans (WIPs) and 2-year milestone evaluations but is not itself an enforcement tool. Panelists agreed on the need for stronger accountability and better collaboration with local partners on voluntary components. Concerns about the tiered implementation approach were raised, specifically that deprioritizing the water quality of the deep-trench could worsen dissolved oxygen issues and nitrogen recycling, prolonging existing water quality challenges.
- ❖ *Stewardship and Engagement:* The subcommittee seeks to clarify what it means to "actualize" and "institutionalize" DEI within the Bay Program. They desire to improve equitable access to grants for smaller organizations and proposed forming a group to explore strategies for better grant management. They discussed a Bay Program Goal Implementation Team (GIT) proposal for an action learning process to enhance how small organizations receive funding. They suggested involving the Office of Management and Budget in these

discussions. The subcommittee continues to seek ways to create learning opportunities from instances of unintentional harm or exclusion.

Member Updates and Announcements

- ❖ *Agriculture Advisory Committee*: Matt reported that the new committee's draft bylaws are nearly final, with each jurisdiction appointing two members. Discussions have started on logistics, including meetings, funding, and staff support. A draft Executive Council (EC) [Directive](#) to create the new Advisory Committee will be approved at the December 10th EC meeting.
- ❖ *Beyond 2025 Steering Committee*: Julie shared that the Steering Committee has been reviewing public feedback on the B25 draft report, and working to incorporate that feedback into the final report. The Steering Committee took the Advisory Committee letters very seriously and will issue a formal response per the governance of the Bay Program.
- ❖ *Meeting with VA Gubernatorial Appointees*: Donna shared information about the September 3rd meeting led by Virginia's Secretary and Deputy Secretary of Natural Resources with the state's gubernatorial appointees to the advisory committees. The meeting focused on feedback on Beyond 2025 and the partnership structure with discussions centered on improving clarity, coordination, and actualizing DEIJ efforts. The comments Donna shared during the meeting were largely taken from the Stakeholders' letter emphasizing streamlining and making information accessible to all.
- ❖ *Choose Clean Water Coalition (CCWC)*: Sara's updates focused on Beyond 2025. The coalition is working with states to advocate for their priorities and has published opinion pieces in local papers, online, and in the Bay Journal. Sara shared key takeaways from the EPA's 2022 and 2023 milestone reports, noting that states are falling behind on agricultural BMP and urban stormwater reductions worsening in all jurisdictions except DC. EPA has acknowledged this and may increase oversight, a development CCWC is closely monitoring. [Sara shared a table developed by EPA to showcase WIP progress.](#)

Chesapeake Bay Program Updates

Lucinda Power, Branch Chief, CBP Partnerships and Accountability

The December 10th EC meeting theme will be "Charting a Course Beyond 2025." Confirmed attendees so far include Maryland Governor Wes Moore, Virginia Governor Glenn Youngkin, Virginia Delegate David Bulova (Chair of the Chesapeake Bay Commission), and the three Advisory Committee chairs. Efforts continue to secure the in-person attendance of EPA Administrator Michael Regan. Key EC actions include issuing a B25 Charge prepared by the Principals' Staff Committee (PSC) and finalizing a Directive on the formation of the Agriculture Advisory Committee.

Discussions are ongoing among the Management Board (MB) and PSC about increasing engagement between the Advisory Committees (AC) and the partnership, including consideration of new topic-focused charges. The Federal Office Directors (FOD), led by co-chairs Martha Shimkin and Kevin Schabow, meet monthly to coordinate federal agency efforts on Chesapeake Bay restoration. Upcoming priorities include discussing the implementation phase of the Beyond 2025 initiative and accelerating efforts on wetlands restoration as a CBP priority. Additionally, the MB discussed the potential for a need-based honorarium to support AC members. Martha Shimkin and other Bay Program leaders are exploring opportunities to fund this through existing grants or potentially through NGO partners. Lucinda pledged to follow up with Martha about efforts to convene state representatives for further discussions on this issue.

Member Discussion:

- ❖ *Job Title Clarification*: David asked for clarification on what the "Accountability" part of Lucinda's title refers to.
 - Lucinda explained that "Accountability" refers to tracking progress under the *Watershed Agreement*. Her team is responsible for monitoring the achievement of goals and outcomes, collecting data, and publishing it on the Chesapeake Program website. While her role isn't to enforce accountability, it involves providing the necessary data to hold others accountable.

- ❖ *Public Access to FLC and FOD Meetings:* Jess asked whether the Federal Leadership Committee (FLC) or Federal Office Directors (FOD) meetings are open to the public and if it's appropriate for the public or advisory committees to track their activities.
 - The meetings are not open to the public because the FLC and FOD are not formal Bay Program partnership groups. They serve as means of internal coordination among federal agencies. The closed nature of these meetings is meant to facilitate internal federal coordination.

Conservation and Land Use Subcommittee Priority Discussion Part 2: Bay Program Role in Land Use

Peter Claggett, Research Geographer, USGS

Peter highlighted the critical role of land use planning and conservation in maintaining a healthy Chesapeake Bay watershed amid population growth, land use changes, and climate impacts. Since 1983, the CBP has struggled to define its role in these areas, as planning and conservation are largely local government responsibilities. To address this, the CBP's proposed Land Use Strategy, endorsed by the Land Use Workgroup, offers guidance to support sound land use and conservation decisions. The strategy includes five key components: monitoring land use changes across the watershed, forecasting future land use scenarios, assessing the impacts on water quality and ecosystems, promoting smart growth principles, and effectively communicating actionable information to local decision-makers.

Several tools, like the [Chesapeake Bay Targeting Tools Portal](#), the [Chesapeake Healthy Watershed Assessment 2.0](#), and high resolution imaging help identify vulnerable areas and assess the consequences of different land use scenarios. Peter noted that these tools, while easily accessible, require expert facilitation because their use is going to be inherently complicated and technical. The tools also require ongoing development to ensure they provide relevant and high-quality data for local decision-makers. The CBP continues to build capacity to support parcel-scale prioritization for conservation and restoration. Understanding who makes restoration and conservation decisions, what information they depend on, and where they get their information are critical to developing useful tools.

Member Discussion:

- ❖ *Briefing LGAC on Land Use Tools:* Chuck asked Peter if he had briefed the Local Government Advisory Committee (LGAC) on the land use tools and their capabilities.
 - Peter responded that he has not recently briefed the LGAC on the land coverage tools, though he knows that the LGAC coordinator is aware of them.
- ❖ *Source and Availability of Hyper-Resolution Stream Data:* Andrew inquired about the source of the hyper-resolution stream data and whether it is available nationally. He also asked where it can be accessed and whether it includes wetland inventory mapping.
 - Peter explained that EPA had a six-year cooperative agreement with the Chesapeake Conservancy, which used advanced lidar technology to develop methodologies for deriving stream data. The U.S. Geological Survey (USGS) has a national initiative mirroring this effort, known as the National Hydrography 3-D Program, which aims to refine the data for official national use. He confirmed that the data he presented will be published within the next month.
- ❖ *Using Targeting Tools for Prioritization:* Verna asked if the targeting tools could prioritize shallow water habitats, as highlighted in the CESR report to help local or state governments. She also inquired whether the tools could identify areas on Maryland's Eastern Shore impacted by saltwater intrusion where salinity is affecting farming despite subsidies.
 - Peter responded that the high-resolution data presented is watershed-wide but does not penetrate the water's surface to assess tidal habitats. However, the Healthy Watershed Assessment tool can provide comparable data on watershed conditions. Regarding saltwater intrusion, there is currently no tool to identify salinity-affected areas. There are ongoing projects with EPA and the Chesapeake Conservancy that will enhance data development by using satellite records to track landscape conditions, which may help identify areas suffering from saltwater intrusion by comparing productivity and greenness over time.
- ❖ *Inclusion of County Zoning Data and Identifying Hot Spots:* Charlie asked whether Anne Arundel County's recent 10-year master zoning plan data is incorporated into the datasets used to understand development trends at the

county level in MD. Second, he inquired if the tracking tool can identify hot spots posing the greatest threats to water quality in the Chesapeake Bay, which could inform conservation and restoration efforts.

- Peter responded that data from county zoning plans, including from Anne Arundel County, is included in their future growth forecasts. Maryland's Department of Planning has normalized county zoning data to create a generalized state zoning map, which informs projections for urban development. However, the process is challenging due to the varying zoning classifications across counties, which some lack altogether. Regarding water quality, Peter explained that while the EPA has developed analyses to pinpoint areas with disproportionate impacts on deep waters, no analysis exists for shallow waters.
- Kate asked a clarifying question: if the tools can help identify areas for conservation and restoration, could they also predict specific outcomes for planned actions, like planting trees or building solar farms? Peter answered no, that the closest tool for this type of planning is the [Chesapeake Assessment Scenario Tool](#) (CAST), although it operates at a coarser scale.
- ❖ *Inquiry on Historic Land Use Data:* Alisonya asked about the extent of historic GIS layers and land use changes in the ESRI and USGS archives, specifically if there's a digital record of the pre-industrial landscape. Additionally, she wondered how to use the backlog of data to monitor centuries of land use changes, like the conversion of Washington Mall from wetlands to developed land.
 - Peter replied that while some datasets exist, they often use inferred data rather than direct observations, and there are limited detailed historical records on indigenous land use changes. Comprehensive digital mapping prior to the 1970s is scarce, but topographic maps from the 1920s are available, showing conditions like stream locations in Fairfax County before significant development. Although this information exists in picture form, it has not yet been extracted for use in modeling tools. The CBP tends to focus more on rural areas and agricultural runoff. However, given the importance of improving stream maps in urban settings, he suggested that the CBP's role in this area should be reassessed as they move beyond 2025.
- ❖ *Training Local Decision Makers on Land Use Tools:* Daphne inquired whether the CBP had considered training local decision-makers on tools and information regarding land use changes given their expertise in that area.
 - Peter explained that before the pandemic, the CBP regularly held workshops with local governments to design future scenarios, but this has declined due to the shift to remote work. He stressed that while tools are valuable, providing quality data and showing its practical applications is key.

Depart for Turtle Creek Conservation Tour

Savannah Rhoads, Watershed and Program Specialist, Union County Conservation District

Reneé Carey, Executive Director, Northcentral PA Conservancy (NPC)

Jason Fellon, Watershed Manager, PA DEP Northcentral Regional Office

Cameron Englehart, Habitat Manager, PA Fish and Boat Commission

Jill Whitcomb, Acting Deputy Secretary of Water Programs, PA DEP

Members toured a Union County farm stream bank restoration project completed by the Northcentral Stream Restoration Partnership. The restoration work on Turtle Creek started in 2013, within the headwater sections, with word of mouth between landowners continuing momentum downstream. Landowners quickly recognized the benefits of protecting and stabilizing their banks to improve livestock and crop health, enhance water quality and prevent land loss from erosion. Within Union County, the Partnership has completed a total of 23 projects, making up over 20,000 linear feet of stream banks, and have planted 28 riparian buffers. Notably, this segment of Turtle Creek was delisted in early 2024. The site the members toured was completed in 2018 and took two weeks at a cost of \$50,000, covering 2,000 feet of stream.

Thursday, September 19, 2024

The meeting was reconvened at 8:30AM.

Member Reflections from Previous Day

John expressed that the Federal Leadership Committee (FLC) should be meeting regularly, noting that the lack of coordination represents missed opportunities to efficiently distribute federal funding on the ground. Amy Handen added that the Federal Office Directors (FOD), a group below the FLC, recently met with the Environmental Policy Innovation Center to discuss collaboration on projects, particularly given the influx of federal infrastructure funding.

Hamid noted that the site tour gave him a clearer understanding of Pennsylvania's progress in rural areas, especially since his experience is mostly with urban settings. Donna was inspired by the collaboration among the tour partners and appreciated their creative problem-solving around challenges. Chuck valued the "bottom-up" approach of the partnership, emphasizing how shared values were driving community-building efforts. Matt highlighted that targeting specific farms for participation can be more costly compared to focusing on farms that are already prepared and willing. He mentioned that the tiered implementation approach had the potential to excite the local community.

Verna suggested bringing back the tributary strategy approach, as it fostered community collaboration and educated local governments along specific river segments on the broader water quality impacts of development. Like solar farms.. Charlie agreed, noting that Peter's tools, while valuable, aren't being fully utilized by local governments in zoning and development decisions. He expressed frustration that without local adoption, the tools may not reach their full potential. He advocated for a broader planning strategy across river systems that identifies priority areas for development and public access, integrating input from organizations like local Riverkeepers, the CCWC, and local advocacy groups for greater impact.

David expressed that he expected the focus of Peter's presentation to be on tools for land use planning, viewing Peter's tool primarily as a targeting tool. He emphasized that targeting is just one aspect of planning and that many local governments have other tools to utilize, although Peter's tool is superior. Kate voiced her desire to have heard more about planning tools that could demonstrate the impacts of specific actions (like constructing a solar farm) to communities and elected officials, but noted that CAST does not provide that capability.

Overview of the Beyond 2025 Public Feedback

Lucinda Power, Branch Chief, CBP Partnerships and Accountability

All draft B25 report comments can now be accessed at chesapeakebay.net/beyond2025, with a redlined version forthcoming. A five-person drafting team is currently reviewing the comments and recommending edits. Feedback was largely positive, with strong support for reaffirming commitments to the *Watershed Agreement* and streamlining the Phase 2 process. Many respondents supported elevating conservation as a core pillar of the CBP and enhancing accountability for water quality and other goals within the *Agreement*. Further emphasis was placed on addressing local and regional priorities, particularly in relation to climate resilience, environmental justice, land use changes and population growth. Language has been added to the report that explicitly acknowledges the need for collaboration and engagement with partners and communities to ensure an inclusive process as well as providing financial and technical support to target these activities at the local level.

Some comments raised concerns about the feasibility of meeting the 2025 deadline for a full revision of the *Watershed Agreement*. The Phase 7 suite of modeling tools, set to be finalized in 2028, will establish new nitrogen, phosphorus, and sediment allocation targets for the states, with interim targets possibly set between 2026 and 2028.

There are calls for more detailed specifics regarding the "simplification" of the Bay Program structure. Some comments highlighted concerns about unintended consequences that may arise from these changes as well as the tension between addressing climate change and emerging issues while streamlining the partnership structure.

Member Discussion:

- ❖ *Key Planning Elements of Phase 2:* Alisonya asked if there had been discussions about key performance indicators, metrics of success, strategic action plans for implementation, or a communication strategy for phase 2.
 - Lucinda explained that while some outcomes already have indicators updated based on data collection frequency, not all outcomes have metrics, which will be addressed in phase 2. They will assess if missing

metrics can be added and whether some responsibilities should fall to state or local organizations. Strategic planning for phase 2 is under discussion with direction expected from the PSC. Currently, outcomes have longer-term management strategies and two-year Logic and Action Plans, which track progress, identify gaps, and evaluate resource allocation; the effectiveness of these planning documents will be part of phase 2.

- ❖ *Strategic Planning for Phase 2*: Verna asked how a strategic plan for phase 2 could be developed if they don't know whether it ends in 2025 or 2026.
 - Lucinda stated that a decision on the phase 2 timeline will be made soon, with the PSC discussing a potential 2025 deadline. While a strategic plan hasn't been developed yet, partnership discussions are ongoing, and the EC is expected to approve a reassessment of the *Watershed Agreement* and partnership structure.
- ❖ *Curse That Damn Dam*: John asked about how the unaccounted loads from the Conowingo Dam are being factored into the state WIPs, given the large sediment and nitrogen repository and the threat that a major storm could stir up those sediments. He also asked if those loads were divided among the states and what role dredging could play in the process.
 - Lucinda explained that MD, PA, and NY are addressing Conowingo's impact through the Conowingo WIP, with PA bearing most of the responsibility. Maryland has committed \$25 million, which will be spent in PA as an innovative approach, and Pennsylvania has allocated several million for implementing BMPs. The goal is to achieve 25% of reductions in nitrogen and phosphorus by the end of 2025. Maryland has taken the lead on dredging, exploring its potential as a BMP, despite its high cost and varied opinions on effectiveness. While dredging could be useful, there is no definitive solution for Conowingo Dam pollution loads yet, but it is continuously monitored.

Subcommittee Proposed Recommendations

- *Stewardship and Engagement Subcommittee*: Building on their comments from the B25 Report, the subcommittee is concerned about the administration of Chesapeake Bay Program grants. The subcommittee believes that the current processes hinder equity, inclusiveness, and the involvement of new organizations, which are essential for meaningful on-the-ground change. To address this, the subcommittee has proposed five actions:
 1. Review agency case processing manuals to identify flexibility that can improve equity and inclusiveness.
 2. Strategically assess how grants are assigned at the agency level, considering whether recipients are designated as subcontractors or sub-recipients, as this affects the complexity of the process.
 3. Engage grant awardees meaningfully before award dispersal to ensure they understand what is required and aim for success rather than just compliance.
 4. Allow Bay states to transfer funds to smaller, local groups (like conservation districts) for more efficient implementation.
 5. Use award set-aside provisions to create fair administrative categories; grouping similar-sized organizations together rather than with much larger NGOs.
- *Water Quality Subcommittee*: Seeking to emphasize the importance of responsibility and accountability for jurisdictions to meet the goals of the TMDL and *Watershed Agreement*, the subcommittee plans to advocate for the full implementation of existing regulations, including the Conowingo Watershed Implementation Plan (CWIP). Additionally, they expressed interest in understanding the CBP's budget accountability and requested a presentation at a future meeting focusing on operations expenditure details.
- *Conservation and Land Use*: The subcommittee aims to reaffirm the importance of conservation in the post-2025 *Agreement*, emphasizing a commitment to protecting water quality in the most threatened areas. Recommendation #1: The states should prioritize and list their commitment to achieve 30% of land-conservation by 2030 in conjunction with Executive Orders and the Beyond 2025 recommendations- while training local officials on utilizing land tools developed by the Bay program to prioritize areas that are most vulnerable to development and climate change. Recommendation #2: Key actions for agencies to work collaboratively- engaging local communities, officials, Tribes, watershed and conservation groups, land trusts, and local service providers (circuit-riders) to incentivize and allocate funds for protection of forest, tributaries, and existing wetlands.

Action Items:

- Alex will send the links to LGAC and STAC meeting pages so members can look at their agendas and minutes. Will include staff contacts to sign-up as an interested party to receive notifications on future meetings.
- Explore coordinating with the other advisory committees for a potential 2025 joint meeting or gathering of smaller groups across the committees.
- Future Learning Sessions or connections with other Advisory Committees, CBP groups, and others:
 - ◆ Share with S&E Subcommittee:
 - Share recording of session on “action learning” with Dr. Nakamura
 - ◆ Share with WQ Subcommittee:
 - WQ GIT meeting plans to discuss 2-year milestones
 - STAC and policy paper of tiered implementation of the TMDL (once available)
 - ◆ LGAC/STAC- understanding “sandboxing” as mentioned in CESR
 - ◆ Share with CLU Subcommittee:
 - Local resource providers (circuit riders) listed in LGAC’s recommendations letter
 - Recorded presentation on CAST
 - ◆ Continue conversation with the CCWC on the spotlight chart that visually tracks WIP progress
 - ◆ Briefing on the Conowingo Watershed Implementation Plan
 - ◆ Briefing on the science of “network of networks”
 - ◆ Briefing on how CBP/EPA is defining “shallow waters” and how that relates to a tiered implementation TMDL
- Jess will request Lucinda provide a chart to visualize the many upcoming deadlines around the phase 7 models updates to understand timing and implication for TMDL and new interim targets for the jurisdictions and milestones
- December Meeting- detailed presentation of the EPA and CBP’s budget

Stakeholders' Committee 2024 Meeting

December 12-13 (Washington, D.C.)
Chair, Vice-Chair, and Subcommittee Chair Elections
Set Annual Priorities