

**Chesapeake Bay Program Update  
Management Board Meeting  
Wednesday, May 9, 2012**

**CBPO Calendar**

May 14	CBP Principals' Staff Committee meeting (Annapolis, Md.)
May 24-25	Chesapeake Bay Stormwater Partners Retreat (Sheperdstown, Wv.)
May 31-Jun 1	CAC Meeting (Easton, Md.)
Jun 4-6	Choose Clean Water Conference (Lancaster, Pa.)
June 6-7	LGAC Meeting (Lancaster, Pa.)
Jun (tent)	Executive Council (Lancaster, Pa.)
Jun 10	Bernie Fowler Wade-In (St. Leonard, Md.)
June 19-20	STAC Meeting (Annapolis, Md.)
Jul 11	CBP Management Board (Annapolis, Md.)

**TOPIC UPDATES**

**Final Phase II Watershed Implementation Plans Submitted**

The Chesapeake Bay states and the District of Columbia submitted their final Phase II Watershed Implementation Plans (WIPs) to EPA on March 30, 2012. EPA officials are concluding their detailed reviews of the final Phase II Watershed Implementation Plans (WIPs) and are working closely with the states to ensure the viability of their commitments. The Phase II WIP submissions are available online through the EPA website [www.epa.gov/chesapeakebaytmdl](http://www.epa.gov/chesapeakebaytmdl), which provides links to the plans where they are posted on jurisdiction websites.

**Chesapeake Executive Council 2012 Meeting Planning**

Despite efforts to hold the 2012 EC meeting in Lancaster, Pa. in conjunction with the Choose Clean Water annual conference, June 4, 5, 6 were not convenient for many EC members' schedules. The EC Meeting Planning Team is now working with the jurisdictions and EC Chair's office to identify new dates (in late June or early July) to propose to the Members. The EC Chair has proposed meeting in a more "central location" so venues in the Washington, DC metro area are being explored.

The planning team identified a working theme for the meeting, "Drop by Drop, Step by Step: Implementing the Plan." This theme is intended to help focus attention to local implementation of pollution reducing practices with urban and agriculture each doing their parts. We do not anticipate changing the theme, despite the location change; however how it will be highlighted during the meeting will depend on the meeting site/location and what opportunities are available.

**CBC Issues Nutrient Credit Trading Analysis**

Nutrient credit trading could significantly reduce the billion-dollar price tag for cleaning up the Chesapeake Bay, according to a new analysis done for the Chesapeake Bay Commission (CBC). According to the study, developed for the Commission by economic think-tank RTI International, potential cost savings from nutrient credit trading could range from 20 percent to 80 percent, depending upon implementation parameters. In the study, RTI estimated the potential cost savings when allowing for nutrient credit

trading among several pollution sources (e.g., sewage treatment plants, urban storm water districts, and farms) within a variety of geographic regions (e.g., within a state, within a river basin, or throughout the entire watershed). The results show the potential nutrient credit trading offers to lowering the costs of restoring the Chesapeake. For example, allowing agricultural nonpoint sources to participate in a trading program introduces relatively low-cost options for reducing nutrient pollution. These options are particularly attractive to localities where pollution reduction from urban stormwater sources is particularly expensive. The full study, a summary, and related documents on nutrient trading are available at on the Commission website at: [www.chesbay.us/nutrienttrading.htm](http://www.chesbay.us/nutrienttrading.htm).

### **UMCES Releases 2011 Chesapeake Bay Report Card**

On April 17, 2012, the University of Maryland Center for Environmental Sciences Released its 2011 Chesapeake Bay Report Card at a press event in Baltimore, Md. The Chesapeake Bay scored 38 percent, a D+, in overall health for 2011. The report was the second lowest grade given in the history of the UMCES report cards, primarily attributed to the unique weather conditions during 2011.

The report card provides a transparent, timely, and geographically detailed annual assessment of 2011 Chesapeake Bay health. It rates 15 reporting regions of the Bay using six indicators that are combined into a single overarching index of health. For More Visit: <http://ian.umces.edu/ecocheck/report-cards/chesapeake-bay/2011/>

### **Bay Blue Crab Population Reaches Near 20 Year High**

On April 19, Virginia Governor Bob McDonnell and Maryland Governor Martin O'Malley announced that the Chesapeake Bay's blue crab population is booming. The results of the 2012 Blue Crab Winter Dredge Survey determined the total population of blue crabs in the Chesapeake Bay has reached 764 million, due to four years of a bay-wide stock rebuilding program. This is a 66 percent increase above the 2011 abundance level of 460 million crabs, and is the highest level recorded since 1993. In fact, the bay-wide blue crab stock abundance is now more than triple the record low of 249 million, set in 2007, the year before the stock rebuilding program began.

**For More Visit:** [www.governor.virginia.gov/News/crabtable.cfm](http://www.governor.virginia.gov/News/crabtable.cfm) or <http://www.dnr.state.md.us/dnrnews>

### **Environmental Science Training Center Keystone Species Workshop Series**

Environmental educators around the Chesapeake Bay know more about recent science related to "keystone species" in the Bay, thanks to a recent workshop series hosted by the NOAA Environmental Science Training Center. Educators from traditional and nonformal settings learned from NOAA scientists and experts from other institutions over the course of four daylong sessions. A primary objective of the workshop series was to look at changes in the Chesapeake Bay ecosystem and the ways in which changes have affected the keystone species. Participants explored how today's ecosystem differs from that of generations past. For more information: <http://chesapeakebay.noaa.gov/education-hot-topics/estc-keystone-species-workshop-series>

### **CBP Advisory Committees**

#### **CBP Citizens Advisory Committee**

CAC's last meeting was in Charlottesville, VA on March 1-2, 2012. As a result of the meeting discussion CAC submitted comments to Virginia, Maryland and Pennsylvania

on their draft Phase II WIPs. Priority issues for CAC during 2012 are: accountability in the WIPs, water quality nutrient trading, and BMP verification. Additional topics that CAC will follow are Farm Bill reauthorization; federal legislation impacting Clean Water authorities, and the Bay Program's Independent Evaluator. The top three 2012 recommendations to the Chesapeake Executive Council are accountability and transparency, the value of positive messaging, and the continued importance of non-TMDL restoration activities.

The next CAC meeting will be held in Easton, Maryland on May 31- June 1, 2012.

### **CBP Goal Implementation Team Updates**

#### **GIT 1 – Sustainable Fisheries**

*The Sustainable Fisheries GIT focuses on advancing ecosystem-based fisheries management by using science to make informed fishery management decisions that cross state boundaries.*

The full Fisheries GIT will meet in Annapolis, Md. on June 11-12th. The focus of the first day of the meeting will be on the latest science along with a management discussion session on the future vision of Chesapeake Bay fisheries. The second day will include workshops focused on actionable outcomes on the impacts of land use on water quality, habitats, and fisheries.

The preliminary 2011 blue crab winter dredge survey results indicate that the overall population abundance (764 Million) is the highest on record since 1993. The female population is down roughly 50% from 2010, however, we will continue to monitor the stock throughout the summer and incorporate the latest science in population management. The Chesapeake Bay Stock Assessment Committee (CBSAC) has completed development of female reference points and targets for the female population of blue crabs. Current and future work by CBSAC will be on the development of male specific reference points and targets which will allow greater management control over the blue crab stock.

Oyster restoration efforts continue following the completion of the Oyster Metrics in February 2012. These metrics, which represent a quantitative analysis of oyster reef restoration and our ability to measure success, are currently being applied in selected tributaries (such as Harris Creek in Maryland) that have been chosen for large scale reef restoration activities throughout 2012. Harris Creek has been the primary focus of initial oyster restoration and the Harris Creek Blueprint is not completed. Each selected tributary will eventually have its own unique "blueprint" that represents spatial mapping of restoration sites with quantitative metrics and acreage data for planting projects.

The Invasive Catfish Policy Statement, adopted in January 2012, officially designated both Blue and Flathead catfish as invasive within the Chesapeake Bay and stated that bay-wide jurisdictions agree to take active measures to reduce the harmful impacts of these species on the ecosystem as well as native species. Following this policy statement, the Invasive Catfish Task Force, a group of fisheries biologists, academics, state/fed representatives, contaminants experts, and seafood market specialists, have been assembled to investigate potential options for the jurisdictions to undertake to accomplish the goals of the policy statement. Their report and analyses will eventually be presented to the full GIT who will agree on the proper course of action to take

regarding these species management.

#### GIT 2 – Habitat

*The Habitat GIT is restoring a network of land and water habitats to afford a range of public benefits and to support priority species.*

In June 2011 the Habitat GIT hosted the North Atlantic Landscape Conservation Cooperative's Mid-Atlantic Representative Species Workshop. Habitat GIT members and other regional experts reviewed cluster analyses of nearly 400 species related to regional habitat classifications modeled by the University of Massachusetts Amherst, and sought consensus on a suite of representative species for the Mid-Atlantic region. The Habitat GIT is currently using representative species to simplify the targeting and implementation of habitat restoration projects designed to benefit multiple species within the Chesapeake Bay watershed. This year significant gains were made in biological planning to restore populations of two representative species: brook trout and black ducks.

Brook trout are an important recreational resource in the upper portions of our watershed and a key indicator of the health of headwaters that feed the Bay. Brook trout occupancy data was collected at the fine scale catchment level for the majority of the Chesapeake Bay watershed during 2011. In coordination with the Eastern Brook Trout Joint Venture, researchers have identified groups of contiguous catchments or "patches" that are occupied by brook trout. The Habitat GIT is now working with partners to ensure that this science guides stream habitat restoration in the watershed and that tracking and progress reporting on this species be based on catchment-level monitoring data.

Black ducks were once the most abundant dabbling duck in eastern North America. Populations declined 50% between 1950s-1980s due to habitat loss, competition, and other factors. Currently the Mid-Atlantic region supports the largest proportion of the remaining continental breeding population. Mid-winter aerial surveys estimate the 2009-2011 rolling three year average at 47,269 black ducks, reflecting a 10,000 bird increase from 2007-2009. The Habitat GIT successfully proposed a STAC workshop to incorporate Atlantic Coast Joint Venture research on the Bay's energetic carrying capacity for black ducks into coastal habitat restoration targeting. This will ensure that restoration efforts are providing maximum benefits to this representative species while also adapting to climate change. The Habitat GIT will be building on these efforts during the upcoming spring meeting which will be held on May 22 in Annapolis, MD.

#### GIT 4 – Healthy Watersheds

*The goal of the Maintain Healthy Watersheds GIT (GIT4) is to maintain local watershed health across a range of landscape contexts. GIT4 activities in 2012 include the following:*

- In March, GIT 4 hosted a STAC Workshop, "The Beneficial Effects of Healthy Watersheds on Pollutant Fate and Transport." The purpose of the workshop was to discuss whether there is a scientific basis for changing Chesapeake Bay Watershed Model nutrient and/or sediment retention/loading rates of natural landscape features including forests, streams, and wetlands based on attributes such as land use, flow path, hydraulic connectivity, etc. A STAC Workshop report is due to be completed this summer.

- Based on the principle that "you get what you measure," GIT4 is initiating a project to establish a CBP collective capability to periodically communicate the identity, health status, health threats, and protection status of state-identified healthy watersheds based on existing data and existing monitoring efforts.
- The GIT 4 Communications Workgroup is currently creating a set of key messages and actions to support GIT 4 objectives through communications with key audiences. In addition, the Communications Workgroup is collaborating to incorporate a "Maintain Healthy Watersheds" track into the 2012 Chesapeake Watershed Forum.

#### GIT 5 – Foster Stewardship

*The Fostering Stewardship GIT promotes individual stewardship, supports environmental education for all ages, and assists citizens, communities and local governments in undertaking initiatives to achieve restoration and conservation in the Chesapeake region. It aims to build public support of restoration efforts and increase citizen engagement and active stewardship.*

In April 2012, the Public Access Action Team completed a first draft of the Public Access Plan that was called for in the Executive Order. This plan identifies over 300 potential new access sites, ranks the readiness of the potential new sites for development, identifies gaps in existing public access, and outlines actions for implementation.

As a result of public input and Action Team collaboration, the Public Access Plan will formally increase the baseline of existing public access sites to approximately 1,100 sites, making it the most comprehensive inventory of existing sites compiled in the Chesapeake Bay Region. Action Team members will review the draft Public Access Plan and a final draft will be developed based on their input. Approval of the final draft Public Access Plan will be sought from primary state and federal partner agencies.

The Land Conservation Team is planning a one-day workshop to bring together state, local, non-governmental and federal partners to consider how to strategically focus and advance the conservation of the cultural and natural landscapes of the Chesapeake Watershed. The workshop is being planned for July, 2012.

In March, the Education Workgroup received funding for a Scientific and Technical Advisory Committee (STAC) workshop that will aim to identify research based best practices in K-12 environmental literacy programs and inform the development of associated metrics to track environmental literacy of students in the mid-Atlantic region. The planning process for this workshop is currently underway.

#### GIT 6 – Partnering and Leadership

*The goal of the Enhance Partnering, Leadership, and Management GIT is to continually improve the governance and management of the CBP Partnership.*

Goal Team 6 is facilitating and tracking CBP alignment activities to help implement the multi-step process of program alignment approved by the PSC. The GIT Decision Framework Implementation Workgroup (DFIW) and the Chesapeake State Development Team are supporting the other GITs as they implement an adaptive management process through the newly-adopted CBP Decision Framework. Individual development leads from the GIT have been working directly with each of the other GITs and their

workgroups as invited. During the May 9 MB meeting, the DFIW will provide a progress report on the GITs' work. Overall, most GITs were generally on track and met the March 30 deadline. The progress report will also include a recommended timeline for the next steps of the implementation process for approval by the MB.

The ChesapeakeStat Development Team is working with appropriate staff to add decision framework content for oysters, fish passage, wetlands, wastewater, and watersheds to ChesapeakeStat. Additionally updates are being made to the 2009-2011 Milestones section, and the TMDL tracking pages to reflect the most recent nitrogen, phosphorus and sediment progress runs. This data will come directly from BayTAS. Additional changes are being made to develop and improve the ChesapeakeStat website to support decision making and to reflect progress with implementation of the decision framework.

In response to goal (1) enhance meeting management, GIT6 organized and facilitated a training program for the GIT coordinators and staffers and on effective meeting management skills through the use of web-based learning software program Skillsoft. This training was successfully completed and discussed at the May 3rd Coordinators & Staffers meeting. The GIT solicited ideas for future working development topics and courses and will develop a plan for the next workforce training program in the coming months.

Following a program commitment that responds to a request from the PSC to consider options to address the Chesapeake Bay Program's ongoing need for independent evaluation, the GIT staff is drafting a charge document. The charge will be offered to the PSC for their consideration, and once final, will be returned to the GIT to guide work to develop options.

### **Partner Updates**

#### **Schedule for Virginia Phase II WIP Public Meetings**

Virginia's Chesapeake Bay TMDL Phase II Watershed Implementation Plan (WIP) was submitted to EPA on March 30 and a formal public comment period on the document was initiated and will conclude on May 31. To supplement this formal comment period, DCR is working with its partners to hold a series of public meetings on the Phase II WIP across the state. The purpose of these meeting is to provide a brief update on the status of the Phase II WIP, the next steps in the Chesapeake Bay TMDL planning process and to provide local governments, planning district commissions, soil & water conservation districts and stakeholders with an opportunity to comment on the Phase II WIP. The meeting schedule is as follows:

May 9, 6:30 pm - HRPDC Board Room, Chesapeake, VA  
May 15, 9:30 am - Prince William Development Services Building, Woodbridge, VA  
May 23, 2:00 pm - VCU Trani Life Sciences Building, Richmond, VA  
May 30, 1:30 pm – Union First Market Bankshares, Ruther Glen, VA  
May 30, 9:30 pm - Alleghany Government Center, Covington, VA  
May 31, 9:30 am - James Madison University, Harrisonburg, VA

For more information, contact Gary Waugh, Public Relations Manager, Virginia Department of Conservation and Recreation at [Gary.Waugh@dcr.virginia.gov](mailto:Gary.Waugh@dcr.virginia.gov).

### **Maryland Department of the Environment releases clean air progress report**

The Maryland Department of the Environment announced on April 30 the release of MDE's "Clean Air Progress in Maryland" report. The percentage of Good and Moderate days of air quality has increased steadily in Maryland over the last decade, while the percentage of bad air days continues to decline. The report cites the significant, measurable benefits of implementing the Maryland Healthy Air Act. It also notes that pollution from neighboring states is the top contributor to Maryland's ground-level ozone problem and describes actions being taken by Maryland to address this issue.

For more

info: [http://www.mde.state.md.us/programs/PressRoom/Pages/sm\\_042612.aspx](http://www.mde.state.md.us/programs/PressRoom/Pages/sm_042612.aspx)

### **Maryland Governor Signs Laws to Improve Fishery Management**

Maryland Governor Martin O'Malley signed into law several pieces of legislation to improve enforcement of natural resource laws to aid sustainable fisheries management and aquaculture businesses. House Bill 1306 expedites the shellfish aquaculture lease application process and provides for the establishment of comparable application costs and lease rent for all shellfish leaseholders. House Bill 1372 removes some commercial fishing license transfer restrictions and will enable the Natural Resources Police to more effectively monitor daily fish harvest as well as begin to address cost recovery concerns. The bills were supported by watermen groups, recreational fishing groups and environmental organizations.

Visit: <http://www.dnr.state.md.us/dnrnews/pressrelease2012/050212e.asp>

### **NYDEC Reminds New Yorkers of State Law Restricting Use of Lawn Fertilizers Containing Phosphorus**

On April 10, the New York State Department of Environmental Conservation issued a press releasing urging citizens to be mindful of new fertilizer provisions of the NYS Dishwasher Detergent and Nutrient Runoff Law that went into effect on January 1. The new state law limits the percentage of phosphorus in lawn fertilizers and restricts the time of year and locations where fertilizers can be used.

Under the new provisions of the law, the use of phosphorus fertilizer on lawns or non-agricultural turf is restricted. Only lawn fertilizer with less than 0.67 percent by weight phosphate content may be applied legally. Application of any fertilizer containing nitrogen, phosphorus or potassium on lawns or non-agricultural turf is prohibited between December 1 and April 1. Application of any fertilizer on lawns or non-agricultural turf within 20 feet of a water body or on paved surfaces is restricted. Retailers must display phosphorus fertilizer separately from phosphorus-free fertilizer and must post signs notifying customers of the terms of the law.

### **Recent Events**

March 1-2	Citizens' Advisory Committee Meeting (Charlottesville, VA)
March 1-2	Local Government Advisory Committee Meeting (Washington, DC)
Mar 30	Final Phase II WIP submissions
Apr 10-12	Environment Virginia Symposium, Lexington, VA
April 11-12	STAC workshop, State College, PA
May 8	Virginia Region 3 Consrv Dist Mtg (Culpepper, Va.)