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Citizens Advisory Committee

TO THE CHESAPEAKE EXECUTIVE COUNCIL

September 12, 2013

Keith Anderson
Chair, Principals' Staff Committee
Chesapeake Bay Program
District Department of the Environment
1200 First Street, NE
Washington, DC 20002

Dear Chairman Anderson,

At our recent quarterly meeting on August 22-23, 2013, the Citizens Advisory Committee (CAC) to the Chesapeake Executive Council was briefed on the progress and issues under consideration in the proposed new draft Chesapeake Bay Watershed Agreement. As you know, CAC's primary mission is to advise the leadership of the Bay Partnership on matters of interest to the Bay stakeholders. Therefore, CAC respectfully submits the following comments which we believe will improve the final version and ask you and the PSC members to directly consider them as you move forward:

Accountability:

First, in keeping with the CAC's longstanding concerns about ensuring accountability for achieving the goals and commitments of Bay watershed restoration, CAC believes that accountability, independent evaluation and interim progress reporting must be incorporated into every section and aspect of the new agreement. We still want to express our concern that the structure of the Agreement that allows jurisdictions the *option* to participate in outcomes compromises the level of accountability in the Agreement. We believe all the jurisdictions should commit to all of the goals and outcomes that apply to their region. To help balance the inherent lack of accountability in the current structure, we believe the Agreement should include:

Interim Progress Reports: We understand that the Partners are already considering regular internal updates on goal progress. We support this but also think a 12 year time horizon will require periodic issuance of interim reports to keep the Partnership goals on track and the public engaged in the process. The history of past Agreements indicates that without such periodic reports, it is easy for progress to stall. Therefore, CAC strongly recommends that interim progress reports be incorporated into the final Agreement and interim progress reports be issued in 2017 and 2022 as a good way to keep the public informed on progress as well as keep the partners engaged as the deadline approaches.



Chesapeake Bay Program
A Watershed Partnership

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We recommend that this be done Baywide *and* at the county level (river, stream or small watershed level), if possible, to enable citizens to keep informed of the health, “swimmability” and “fishability” of their local waterways and better engage local communities in the restoration effort. We also recommend that progress reports include habitat and living resources, education, conservation, public access, and stewardship benchmarks as well.

- **Independent Evaluation throughout the life of the Agreement** is critical to meeting the TMDL, but is also appropriate for the habitat, watershed, living resources and other goals and outcomes listed in the Agreement. We continue to believe that independent evaluation will help policy makers strategically target limited resources toward measurable restoration results and adaptively manage throughout the life of the Agreement. As CAC has stated in their comments about the need for BMP verification and accountability, we agree with the Scientific and Technical Advisory Committee’s (STAC) Best Management Practice (BMP) Verification Subgroup findings on 6/3/2013 stating the need for periodic independent evaluation and that “the BMP verification process should not focus on documenting the BMP verification paper trail, but rather on verifying actual observations that BMPs exist and are functioning”.

Education, Citizen Engagement and Stewardship:

Second, consistent with CAC’s and the Executive Council’s longstanding view that an educated and engaged citizenry is vital to the success of the Bay restoration and protection effort, we believe the new Agreement should build upon previous Bay Agreement goals and commitments and include strong:

- **Environmental Literacy Goal and Outcomes:** Environmental education -- in the classroom and outdoors -- serves not only a critical stewardship purpose, but advances STEM education and prepares students for college and future careers in the growing job markets for renewable energy generation and energy efficiency, recycling and waste management, water supply, and other resource management, to name only a few. This is particularly important in urban communities where there is high demand for career development and job training to complement environmental stewardship. Specifically, we recommend that by 2017, at a minimum, the 2000 Bay Agreement goal of an outdoor Meaningful Watershed Educational Experience (MWEE) in the Bay or stream for every school student in the watershed before graduation from high school should be expanded to provide at least one MWEE for every student at each of the elementary, middle and high school levels; environmental education and associated teacher professional development be incorporated into the curriculum for all schools in the region; and that metrics be established to accurately measure outcomes related to student participation in teacher supported MWEEs and related activities.
- **Local Leadership Goal:** We strongly support a Local Leadership Goal with outcomes that build leadership capacity, increase the delivery of tools and resources, provide economic incentives to local governments, and increase the number of communities utilizing creative financing strategies. Engaging and empowering our local governments as full partners in the protection and restoration of the watershed is a crucial element to our collective success and has been a difficult challenge in the past. We are concerned that without a specific goal commitment in the new Agreement, proper resources may not be devoted to fully engage local governments in the watershed restoration efforts.
- **Public Access Goal:** We believe public access should be considered an outcome of a **Stewardship Goal**. Better access to the waterways of the Chesapeake watershed for swimming, all types of boating, fishing, and camping are not only in great demand by citizens and visitors to the watershed but, as the 1987 Bay Agreement underscored, “...essential if public awareness and support [of the restoration effort] are to be maintained and increased.” Despite improvements since the 1987 and 2000 Chesapeake Bay Agreements, reports indicate that even today less than two percent of the watershed’s 11,600 miles of tidal shoreline is publicly accessible and that access is often limited to those who own boats. We believe that improvements are necessary not only in the *quantity* of access “points”, but in

the *quality* and *variety* of shoreline, water-based recreational opportunities publicly accessible for multiple uses such as swimming, boating, camping, and fishing.

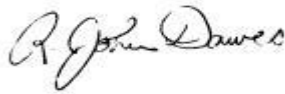
Changing Environmental Conditions:

Third, there are several emerging threats to sustained Bay restoration progress that we believe must be addressed in the preamble, operational commitments or in the management strategies to accompany the Agreement. We recommend language in the Agreement be modified to include new stresses facing the Bay restoration from such concerns as **changing climate** and sea level conditions, **sediment build** up behind dams in the watershed, and **shale fracking**.

Finally, CAC believes that a goal related to **toxic containments** should be included in the new Agreement. We have been briefed by NOAA, EPA and USGS researchers on their Toxics report and were reminded that toxics remain a widespread problem that affects fisheries, public health and water quality. We strongly support a goal be included that, at a minimum, addresses PCBs and mercury, particularly as these toxins in our water have impact on human health.

We appreciate the work of the partners to develop an Agreement that will bring the restoration into the future and help to accelerate implementation toward Chesapeake Bay watershed recovery and protection. We believe the Agreement should be forward thinking as it will serve as the Chesapeake Bay Program Partnership's road map for over the next decade. We commend the partnership for extending the public comment opportunities during the development of the Agreement and for planning to issue statements on how general comments from the public were considered during the drafting and revision period. As your citizen advisors, we look forward to continuing the discussion on these important issues.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. John Dawes". The signature is fluid and cursive, with the first name "R. John" and last name "Dawes" clearly distinguishable.

R. John Dawes
Chair, Citizens Advisory Committee

cc: Chesapeake Bay Program Management Board
Jeff Corbin, Senior Advisor on the Chesapeake Bay, U.S. Environmental Protection Agency
Jim Edward, Associate Director, U.S. EPA Chesapeake Bay Program