

CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE WEBINAR SUMMARY-DRAFT

May 13, 2022

LINK TO ALL MEETING PRESENTATIONS AND MATERIALS:

<https://www.mwcog.org/events/2022/5/20/chesapeake-bay-and-water-resources-policy-committee/>

1. CHAIR'S WELCOME

Vice Chair Maria Mackie, City of College Park, welcomed everyone and explained that she was chairing the meeting on behalf of Amy Jackson.

2. CBPC MEETING SUMMARY APPROVAL

Members approved the draft summary of March 2022 CBPC Meeting.

3. CHESAPEAKE BAY PROGRAM UPDATES

Karl Berger, COG Principal Planner, provided updates about Bay TMDL issues as we approach 2025.

- Monitoring of the Bay's deep-water channel shows it is out of compliance with water quality standards, although doing better. An increased focus on monitoring of shallow water is likely to show non-attainment in areas as well. The shallow water portion of the Bay, along shorelines and tidal provides the greatest habitat for submerged aquatic vegetation (SAV) and living resources.
- Modeling is indicating that the Bay Partnership will not meet the Bay total maximum daily load (TMDL) planning targets set for 2025, due to nutrient reduction shortfalls in Pennsylvania. Overall, there are still approximately 42 million pounds of nitrogen reduction needed by 2025, 32 million pounds of which are in Pennsylvania's allocation.
- Wastewater treatment plant upgrades have significantly helped Maryland and Virginia to be on track to achieve their planning targets (wastewater accounts for approximately 70% of Bay progress). Pennsylvania's loads are primarily in the agricultural sector, which is more difficult.
- The states of Maryland, Virginia, Delaware, the District of Columbia, and the Chesapeake Bay Foundation have sued EPA for not requiring Pennsylvania to develop a Watershed Implementation Plan (WIP) that reflects the nutrient reductions needed.
- Model updates, the Conowingo WIP, and accounting for climate change are all making it harder to achieve 2025 planning targets, because they are adding additional loads.
 - Currently the Conowingo WIP nutrient reductions are primarily slated for the Susquehanna watershed. The Bay Partnership has not coalesced around funding for addressing the loads there; EPA Region 3 threatened that if a funding plan is not achieved the loads could be reallocated across the Bay states, but the Bay Program steering committee advised against this.
 - Climate change negatively impacts dissolved oxygen (hypoxia), driving the need for further nutrient reductions. Based on projected 2025 conditions, an additional 5 million pounds of nitrogen reductions have been added to the Bay diet, and post-2025 there will most likely be additional adjustments for climate change.
- Potential COG policy positions:
 - Based on the CBPC's equity principle, it would not be okay to reassign Pennsylvania's loads to other states, however, COG staff would recommend favoring additional federal funding go to supporting the "most effective basins", many of which are in Pennsylvania. The CBPC wrote EPA Region 3 a letter to this effect. EPA is directing a portion of its new \$55 M federal infrastructure funding to most effective basins.

- Modeling uncertainties in the Bay Program raise the question of whether a single set of numbers is an effective way to evaluate water quality progress.
- Shallow water is the new potential area for future monitoring but could open segments of the Potomac to local TMDLs.
- We need to preserve wastewater capacity to allow for population growth.
- Heidi Bonnaffon briefed members about the CBPC support letter for the Chesapeake Resilient Farms Initiative that the Chesapeake Bay Commission spearheaded, noting that after the COG letter, the USDA announced \$22 M in funding towards a new agricultural program entitled Bay States Partnership Initiative.

Member discussion:

- Councilmember Stehle thanked Mr. Berger for his presentation and said he echoed his comment that engaging the farming community is important since the agricultural sector is a challenge.
- Councilmember Keegan-Ayer said that she agrees that agriculture conversations are important to continue. In Frederick County roughly 80% of the farmers are now participating in no till agriculture.

4. MICROPLASTICS POLLUTION

Matt Robinson, DC Department of Energy and Environment Environmental Protection Specialist and CBP's Plastic Pollution Action Team Chair presented the status of the science of the Chesapeake Bay Program's Plastic Pollution Action Team's research, and areas for future action.

Links referenced by Matt Robinson in his presentation:

California Microplastics Strategy

https://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20220223/Item_6_Exhibit_A_Statewide_Microplastics_Strategy.pdf

National Academies report

<https://nap.nationalacademies.org/catalog/26132/reckoning-with-the-us-role-in-global-ocean-plastic-waste>

- By 2050, there will be more plastic in the ocean than fish.
- Most of the microplastics found in waterways and the ocean are due to the breakdown of larger plastics (bottles, etc.).
- There is a trash TMDL for the Anacostia River. To combat some sources of plastic, the District of Columbia has a plastic bag fee and a ban on Styrofoam and straws, enforcement against dumping and nine trash traps.
- Microplastics are present in the human stool, blood, placenta and in one study, it has been found to alter lung morphology.
- Within the Chesapeake Bay Program (CBP), a report in 2016 found that microplastics were a ubiquitous and widespread threat to the health of the Bay, and in 2019 a second report identified four actions for the Bay Program to take, including doing an ecological risk assessment and developing a source reduction strategy.
- Also in 2019, the CBP formed the Plastic Pollution Action Team to direct research, management and policy development. It has focused on the ecological risk assessment and pathways of plastics in Striped Bass, but it will be shifting its focus to source reduction over the next few years.

Member discussion:

- Councilmember Dybala asked about the roll that COG could play in developing future microplastics policy solutions. Mr. Robinson said microplastics are tied to urban areas.

California has a statewide plan for source reduction with “no regret” approaches and at the same time, furthering research. Mr. Robinson shared a link to the California statewide plan and said COG could follow this approach. NVRC is interested in talking about plastic pollution, and COG’s past work with the Alice Ferguson Foundation’s Trash Free Potomac Watershed program was a good start.

- Vice Chair Mackie inquired how can smaller jurisdictions be a part of the solution. Mr. Robinson replied to try to reduce single use plastics. Some municipalities are covered under county bag bans and Styrofoam bans. Trash traps are expensive, so it would be cheaper to focus on upstream solutions. There has not been much funding available for local government solutions. However, the Clean Water Revolving Fund and the new infrastructure funding could potentially be used.
- Councilmember Davis mentioned that Prince George’s County has legislation under consideration that would discontinue the distribution of single use plasticware (e.g., forks with carry out) unless requested.

5. STAFF UPDATES

Heidi Bonnaffon shared details about the “*Restoration Brings Results*” theme and daily themes for Chesapeake Bay Awareness Week (June 4-12) and said she would be sharing a social media tool kit to help members share messages on social media. She also gave highlights from the written General Updates.

Member discussion:

- Councilmember Stehle requested that Ms. Bonnaffon send the Chesapeake Bay Awareness Week proclamation template to members, which she did after the meeting.

6. PAPER COMPETITION PRESENTATION

Nicole Re, Virginia Tech undergraduate, presented her policy recommendations for creating more “sponge cities” via green infrastructure to absorb the higher intensity and frequency rainfall, and responded to member comments. Afterward, her professor, Dr. Kang Xia, presented background about how she incorporated the paper into her course work, and she said the greatest support COG members could offer her students are to provide guest lectures and provide their great students with internships and jobs.

Member discussion:

- Multiple members said they liked the graphic one-pager that Nicole created and also liked the imagery that the term “sponge city” creates.
- Councilmember Stehle asked Ms. Re what the biggest take away message would be. Ms. Re responded that the summation of smaller actions will make a difference.
- Ms. Crooms mentioned that the Raincheck Rebate (\$3M) in Prince George’s County had an equity challenge: Not everyone could afford to write a big check and wait to get reimbursed, but now the program has shifted to be a cost-share program.
- Mr. Berger said that pervious pavement is expensive, but now an NGO in the region is developing a cooperative effort to buy the materials and maintain them, similar to solar panel installations model.
- Mr. Champion shared information about DOEE’s Riversmart Homes program, offering incentives to install small BMPs at the homeowner level, in yards. Lots of education is needed so the graphic and language is helpful. Targeting larger scale projects to get greater effects.
- Councilmember Dyballa thanked Ms. Re for her interest in this topic. Takoma Park has its own stormwater fee, which is small, but it is newly based on volume, and has spurred a fee credit program. It offers hundreds of dollars in credit relative to thousands of dollars for

implementing the best practices. Takoma Park would be interested in the pervious pavement cooperative.

- Vice Chair Mackie said the presentation was inspiring and thanked Ms. Re.

7. MEETING ADJOURNMENT

Vice Chair Mackie adjourned the meeting at 12:00 P.M.

Members and Alternates:

Caroline Lian, City of Falls Church
Cindy Dyballa, City of Takoma Park
Dan Storck, Fairfax County
Heather Kelley, Charles County
J. Davis, City of Greenbelt
Jon Stehle, City of Fairfax
Keith Levchenko, Montgomery County
Kenny Boddy, Prince William County
Maria Mackie, Vice Chair, College Park
MC Keegan-Ayer, Frederick County
Robert Love, City of Laurel
Allison Deines, Alexandria Renew Enterprises
Andrea Crooms, Prince George's County DEP
Beth Forbes, Gaithersburg
Elaine Wilson, DC Water
Heather Gewandter, City of Rockville
Jessie Maines, City of Alexandria
Jonathan Champion, DOEE
Karen Pallansch, Alexandria Renew
Matt Reis, DC Water
Maureen Holman, DC Water

Michelle Russell, Prince George's County DEP
Nasser Kamazani, Montgomery County DEP
Nicole Hernandez-Rodriguez, Montgomery County
Norm Goulet, NVRC
Shannon Moore, Frederick County DEP
Steve Shofar, Montgomery County DEP
Tiffany Wright, City of Bowie

Guests:

Kang Xia, Virginia Tech
KC Filippino, Hampton Roads Planning District Commission
Matt Robinson, DOEE
Nicole Re, Virginia Tech

COG Staff:

Ata Adeel
Heidi Bonnaffon
Karl Berger
Phong Trieu
Steve Bieber
Wyetha Lipford