



CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE

Meeting Summary-DRAFT

March 17, 2023

LINK TO ALL MEETING PRESENTATIONS AND MATERIALS:

<https://www.mwcog.org/events/2023/3/17/chesapeake-bay-and-water-resources-policy-committee/>

DECISIONS AND ACTIONS:

- Members approved the FY 2024 Regional Water Quality Work Program and Budget.
- Members approved the summary of the January 20, 2023 meeting.

1. WELCOME

Chair Mackie thanked new members who attended the March 10th New Member Orientation. Her take aways from the orientation included: Appreciation for the staff liaisons who attended the orientation and welcomed them to continue attending CBPC meetings, and that members are interested in establishing goals.

Chair Mackie reminded members of the March 22nd PFAS Summit and the May 12th agricultural tour with the FARM committee. She went on last year's agricultural tour and found it interesting.

2. MEETING SUMMARY APPROVED

Members approved the draft summary of the January 2023 CBPC meeting.

3. FY 2024 RWQM WORK PROGRAM AND BUDGET APPROVAL

COG Water Programs Director Steve Bieber presented program highlights from FY '23 and plans for FY'24, and CBPC members approved the program and the budget which includes a four percent increase for next year.

4. CHARLES COUNTY'S OYSTER RESTORATION AS EXAMPLE OF MARYLAND'S INNOVATIVE STORMWATER CREDITING

Charles Rice, Charles County stormwater manager explained Charles County's partnership with Wicomico River Oyster Cooperative, LLC which is expected to produce stormwater credits for County by 2025.

- Charles County is uniquely surrounded by the Potomac, Patuxent and Wicomico Rivers, and the fisheries include blue crab, fish, and oysters.
- Oyster aquaculture is a growing market in Maryland and a significant part of the local rural economy.
- The Wicomico Oyster Cooperative (LLC) has 54 members. In 2020 the Cooperative approached the County for support to replant about 12 million juvenile oysters in what had been a productive oyster area prior to the heavy rains of 2018 (too much freshwater) which really decimated the population.
- In 2022, the Charles County Board and the Oyster Cooperative, LLC made an agreement that the county would commit \$50,000 per year for five years to fund the oyster project and in return, the county would receive state-certified stormwater restoration crediting.
- Benefits of this project include enhanced local habitat, supporting the local seafood industry, outreach, and education, and serving as a model for other areas.
- Gregorio Sandi, Maryland Department of the Environment, expressed enthusiasm for this project given the innovative partnership and multiple water quality benefits. The Maryland water quality trading program was set up in 2018, as a bridge to compliance with the goal of



encouraging innovative technologies and practices.

Member Discussion

- Chair Mackie asked how winter salinization is affecting the tidal water oyster beds. Mr. Sandi said that is unknown and would make an interesting graduate study.
- Councilmember Honzak asked whether there are other examples of MDE stormwater crediting in a freshwater basin. Mr. Sandi said there are some industrial permit holders that are using trading.
- Steve Bieber mentioned that this project is a good first step which may open the door to additional trades in agriculture.

5. HUGHES CENTER MARYLAND FOREST COVER AND TREE CANOPY TECHNICAL STUDY FINDINGS

Josh Bollinger, University of Maryland Hughes Center for Agro-ecology presented findings of the tree technical study they completed in partnership with the Chesapeake Conservancy and University of Vermont (high resolution forest mapping) The study fulfilled requirements for Maryland's Tree Solutions Now Act of 2021 and was funded by the Maryland Assembly. Here are some of the core findings:

- While Maryland has been losing forest since 1960, the rate has declined since the Forest Conservation Act of 1991. There is an opportunity to transition from forest and tree canopy loss to gain.
- The study documented the net loss of trees relative to trees planted by county. Montgomery and Prince George's County have had the greatest net loss of trees, due to development.
- The study looks at forests and tree canopy.
 - Forests are contiguous and have many ecological values including water filtration, stormwater mitigation, cooling, and wildlife habitat.
 - Fragmentation is the greatest threat to forests, leading to patchiness. This leaves the forests more vulnerable to storms and especially invasive species. Most forests are on private lands, so they are hard to manage. Forests in protected areas did better.
 - Tree canopy consists of individual trees in urban areas which are important for cooling effects and beautification, among other things.
 - Urban tree canopies are mostly threatened by development and invasive species.
- The Hughes Center was also asked to research whether Maryland is reaching the Bay Agreement's goal of 70% tree canopy cover in riparian buffer areas by 2025. Riparian buffer helps with erosion and cooling. Maryland's progress on average is 58%, but it varies by jurisdiction.
- They assessed two types of tree banks—planted and retention banks. Planted are new trees being planted and retention banks maintain current forest stands. There have been competing bills in the general assembly to phase out retention banks by 2024 and potentially to restore retention banks.
 - Tree plantings in 2018 and 2019 covered 1854 acres and is probably an underestimate. Plantings are expected to accelerate with the Tree Solutions Now Act.
- Mr. Bollinger demonstrated an interactive web viewer to see GIS layers of the study's data. The study made a few recommendations to consider while making policy:
 - Policies impact portions of Maryland differently as seen in these trends—a one-sized policy approach will affect areas differently.



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- Consider policies that will reduce forest fragmentation and protect forest health.
- Continue to do forest monitoring, and work towards consistent statewide forest and tree data collection.

Member Discussion

- Councilmember Davis said that Greenbelt has a forest conservation area. Some forest conservation areas are suffering from oak loss due to climate change factors. She asked whether this study covered forest health. Josh Bollinger and Susan Minnemeyer, Chesapeake Conservancy, replied yes, it is a part of the study, and bacteria and other diseases appear to be affecting oak species because the trees are weakened by drought and heavy rain cycles. However, oaks are reaching their life expectancy of roughly eighty years and it is impacting even-aged forests.
- Supervisor Gross inquired about the status of CEEPC's Tree Canopy Report. Staff will notify CEEPC.
- Councilmember Gonzalez was a member of planning board for downtown Bethesda and now on the Montgomery County council is leading a report to examine how Montgomery County is doing in reaching the Forest Conservation Law goals, and what can be done to increase tree planting in higher density areas and in stream buffer areas.
- Both Councilmember Gonzalez and Shannon Moore stated they have utilized the Hughes Center report.
- Shannon Moore asked about methodology: Whether the same satellite data is being used for this report as for the CEEPC report? Susan Minnemeyer said the lidar data will be used in the next round of reports and Bay Program analysis.
- Councilmember Whitney asked which bill was getting rid of retention banks. HB 991 Tree Solutions Now Act, passed in 2021 phases out retention banks by 2024. Current proposed legislation, HB 723¹, reinstates retention banks under some circumstances.
- Councilmember Honzak commented that perhaps new development needs to be vertical versus outward which causes tree loss. The region's population and housing demand are expected to continue to grow.

6. STAFF & MEMBER UPDATES

A. Legislative Highlights

COG staff Heidi Bonnaffon and Katie Dyer presented the outcomes of the Maryland and Virginia legislative sessions to-date. Their report is summarized in the presentation available via the above link.

B. PFAS

COG staff member, Lisa Ragain, shared EPA's draft limit for PFAS in drinking water was released in early March, set at 4 ppt. It will be a major driver for drinking water, wastewater, and biosolids technologies and economies. COG held a PFAS Summit on March 22nd. You may access Summit presentations and recording [here](#).

¹ MD HB 723 passed. Details of the bill:

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0723>



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C. Member Updates

- Chair Mackie announced that College Park passed a better bag bill banning single-use plastic bags and mentioned that College Park is doing a lot of tree planting to increase tree canopy.

7. ADJOURNMENT

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

PARTICIPANTS

Members and Alternates:

Beth Groth, Charles County Council
Cara Honzak, City of Falls Church Council
Ingrid Watson, Prince George's Council
J. Davis, City of Greenbelt Council
Kate Doyle Feingold, City of Fairfax Council
Kenny Boddy (Vice Chair), Prince William County Supervisor
Libby Garvey, Arlington County Council
Maria Mackie (Chair), College Park Council
MC Keegan-Ayer, Frederick County Council
Natali Fani-González, Montgomery County Council
Penny Gross, Fairfax County Supervisor
Susan Whitney, College Park Council
Andrea Crooms, Prince George's County
Heather Gewandter, City of Rockville
Jessie Maines, City of Alexandria
Jonathan Champion, DOEE
Khandikile Mvunga Sokoni

Maureen Holman, DC Water
Michelle Blair, City of Laurel
Nasser Kamazani, Montgomery County
Shannon Moore, Frederick County
Steve Shofar, Montgomery County
Tiffany Wright, City of Bowie
Zach Kershner, City of Frederick Public Works

Guests:

Beth Growth, Chesapeake Bay Conservancy
Charles Rice, Charles County
Karen Wiggins, Charles County
Gregorio Sandi, MDE
Josh Bollinger, Hughes Center for Agro-Forestry

COG Staff:

Ata Adeel
Brian LeCouteur
Christine Howard
Clark Mercer
Heidi Bonnaffon
Katie Dyer
Lisa Reynolds
Steve Bieber
Wyetha Lipford