

**Friends of Casco Bay  
Board Meeting – Minutes  
Online via Zoom  
Tuesday, April 19, 2022, 5:30 p.m.**

**In Attendance**

Board: Sandy Marsters (President), Steve Bushey, Howard Gray, Megan Hallett, Pat Ianni, David Kaufman, Seb Milardo, Kirsten Piacentini, Malcolm Poole, Joan Samuelson, Lori Thayer  
Staff: Susan Bosco, Mike Doan, Will Everitt, Ivy Frignoca, Robby Lewis-Nash, Sarah Lyman

**Welcome – President Sandy Marsters**

Sandy shared that we hope to have our first in-person board meeting in May at GMRI with remote accommodations for everyone who would like to attend from home. In addition to this in-person meeting, former board member Jack Thomas has offered to host a board-staff social at his barn in Cumberland in June. The social will be time to catch up, drink, and eat together.

**Financials Update: End of FY22, beginning of a new FY – Treasurer Malcolm Poole**

Referring to the FY22 interim financial report, Malcolm explained that for FY22 we are over budget in revenue and under budget in expenses in nearly all categories, and that our balance sheet shows an exceptional asset to liability ratio. Malcolm is tremendously optimistic about our financial future and said the board is leading a strong organization with a responsibility to use our gifts to improve the health of the Bay.

**Community Engagement Committee Update – Committee Chair Seb Milardo**

Seb shared the following topics were covered at the last Community Engagement Committee Meeting:

- Pat updated the Committee on her participation at the Maine Science Festival's, The Warming Sea event. The climate change focused event was held at the University of Maine Orono and featured a symphony about climate change.
- Friends of Casco Bay's Annual Meeting is scheduled for Wednesday, July 20. The Committee brainstormed how to increase turnout at the event, which is also planned to be a major celebration of the 50th Anniversary of the Clean Water Act. Joanie suggested asking Maine Beer Company and Mast Landing to sponsor the event, and inviting a member of the Muskie family to the event. The Committee also considered having live music at the event.
- Our Nabbing Nitrogen event is scheduled for Sunday, August 7. This will be a major community engagement event, similar to our last Nitrogen Nab held in 2016. We want as many volunteers as possible to help us sample water around Portland Harbor that morning. Data from the event will help us advocate for nitrogen criteria in Maine.
- The spring newsletter, Annual Fund letters, and Special Appeal letters will be arriving in mailboxes in May. The letters will ask folks to support our work and be tailored to specific audiences. For our Special Appeal Acquisition letter, we'll be reaching out to residents along the Presumpscot River who do not currently support our work. That letter will include a unique message concerning our river advocacy and the monitoring we will do

in the river this summer. We will send a similarly unique and tailored message to people who live near our Continuous Monitoring Stations in Harpswell, Yarmouth, and Portland.

Malcolm asked about the concern he saw in the minutes that the Annual Meeting is open to everyone and a part of the CWA 50th Anniversary celebration. Malcolm said that having the Annual Meeting alongside a celebration helps with turnout and making the event successful. Howard responded that in his experience, Annual Meetings are exclusive to members and that is why he raised the question. It is helpful to create context for people who are newer to the organization, such as with this event.

#### **Interim Director update and Q&A – Interim Director Will Everitt**

Will said we are officially in a new financial year and that staff are putting our FY23 operating plan into action. Staff have been planning the events we will host this summer, including those Seb spoke about, and others like a walking tour with Friends of the Presumpscot River. Will added that Ivy will attend a World Fish Migration Day celebration in Yarmouth along the Royal River on May 21. Will said the ideas that staff got from the board about our Nabbing Nitrogen event exemplify why we have the Community Engagement Committee: we were about to plan the event for the same day as the Beach to Beacon, which would have presented a major conflict. On the development front, Will said that staff have been working on the Annual Fund, and emphasized the value of having board members write notes on these letters; it makes a big difference. Will said the *RV Payne* is back in the water. The pumpout boat will join it after a quick repair to one of its bow thrusters. Will reminded board members to respond to the email with sign-up dates to join staff on the boat and in the truck for seasonal sampling days this summer. It is a great way to learn from staff, and Will noted that board members are likely to learn more by going in the truck because it is less loud and easier to talk.

Sandy asked if we need any support at the World Fish Migration Day event. Ivy said we will figure that out and follow up with the board if we do. Sandy added that Steve Muskie was a photojournalist he worked with back in the day, and Sandy could invite him to our Annual Meeting.

David asked about the Pumpout Captain search. Will said there have not been many applicants. However, staff will be interviewing a promising candidate on Thursday. Will is hopeful we will have a captain and a fully functioning pumpout boat before the boating season begins in earnest.

Pat said we should provide an overview of why the state does not have nitrogen criteria at the Nitrogen Nab. Will provided the context that we helped pass a law in 2007 requiring nitrogen criteria be developed, but that under the LePage administration there was little appetite to take on new regulatory work. Ivy added that one reason we are organizing a second Nab is to help push this work forward. Ivy had heard the Mills administration wants this work done by November for Portland Harbor and statewide, just in case she is not reelected.

Sandy said the Executive Director Search Committee will be meeting this Thursday to talk about interviewing Will for the ED position, and that they will keep us all updated.

#### **Action Item: Board Consent Agenda**

David motioned, Seb seconded, to approve the consent agenda as presented. *PASSED*.

**Thinking about our Strategic Plan: A generative conversation on how we want to structure our strategic planning cycle – President Sandy Marsters**

Sandy said our strategic plan expires this year. Despite the pandemic and Cathy retiring, the plan was right on target and we are ready for a new plan. The strategic plan is a major board responsibility. We are not making any decisions today. This is a preliminary discussion for sharing ideas, such as how we want to approach the planning process and personal experiences that may inform it. Will added that staff take the strategic plan very seriously. Staff refer to it when drafting our operating plans; it is what guides our work.

Malcolm said he has been the moderator of the past three strategic planning processes. In the 2008 process, the board decided that we should renew the old plan. Creating the past two strategic plans involved a months-long discussion process. Malcolm said they mostly went well, and that every word in the plan is approved by the group. Capturing the wisdom of the group assembled is the goal of the strategic plan. In the last planning process, the board involved stakeholders and community members. We should be thinking about who we want in the room, including outside folks. Malcolm does not think he is the person to lead the process this year, but he would do it.

David was a part of the previous planning process as a stakeholder. He thought the process was thoughtful and went well and hoped Malcolm would continue to help the process.

Howard asked what metrics were used to assess *Friends'* strengths and weaknesses in the planning process. Malcolm said that the metrics are included in the plan and referred to in each operating plan. Development of those metrics were informed by perspectives of people from outside of our board and organization who were invited to take part in the strategic planning process.

Pat suggested sharing an overview of previous planning processes for new board and staff members to enable the group to decide if any changes need to be made. Past meetings were held at homes and in public spaces. They involved people from inside and outside of *Friends*. Every discussion had a moderator. The process takes many weeks, and Malcolm collected and synthesized all input from the meetings.

Sandy said there are many ways we could go about the planning process. We could develop a committee to gather data and recommendations, or involve the whole board. The process will begin in the fall. Malcolm said the process will require four months at minimum; two months of whole groups work, two months of focusing work, and another month or more of finalizing the plan.

Seb said Malcolm did a fabulous job leading the process last time. It is important that we do these meetings in person, it will improve the outcomes. Seb suggests having fewer but longer meetings than last time. Overall though, Seb thinks we should follow the same format. Sandy agreed.

Kirsten said she has a lot of experience in business strategic planning. She likes the idea of a committee leading the work. She suggested pairing someone with Malcolm to lead the strategic planning process, as a way of passing the torch. Kirsten thinks SWOT analyses are not always clear. L.L. Bean has adopted a

new analytical tool that is simpler overall, but that still has room for nuance. It is important for the plan to reground the work in the organization's mission. Kirsten has examples of all of this and wants to be a part of the committee if there is one.

Howard said he has a lot of experience with strategic planning. Plans should help an organization set explicit and measurable goals that can be achieved by the end of the plan's timeline. Howard suggested including goals that have multiple uses, such as helping both advocacy and fundraising.

Joanie said she has experience with planning and agrees with Howard and Kirsten's points. She urged us to consider how fast the world is changing and the need to bring young leadership onto the board. An aging board is a liability and could be detrimental to our future success.

Steve agreed with Joanie, that broadening the diversity of the board and increasing the buy-in of the younger generation is important. We need to be thinking far into the future, 25 and 35 years out. Passing on our work is important.

Megan studied planning in business school but said she has not found it useful in her line of work where conditions can change so quickly. She is looking forward to learning in this process and agrees that we need more young people. She knows many people in the marine industries who need to be a part of our work. Sandy and Malcolm said she should invite those people, and that all board members should recommend people who could join us. Howard added that we should also look for board members with career experience in staff member's areas of work. Those people would be better at asking questions and supporting staff. He thinks it is important to bring in younger people, and additionally important to bring in people who are excited about the actual work we do, and not only hold an enthusiasm for the Bay itself.

### **Baykeeping Update Q&A – Casco Baykeeper Ivy Frignoca**

Ivy explained that most MS4 permits are written as one document. This is not true in Maine, where we have a complicated, two-part structure. The first part is the general permit, which includes the new terms we advocated for to reduce stormwater pollution. The second part consists of "second step orders," which are specific to each municipality and contain additional terms that each municipality must follow under the MS4 permit. The combination of the general permit and the second step orders are a license/permit to discharge stormwater into the municipal storm sewer systems.

Seb asked for clarification about the second step orders. Ivy said most of our work so far has been on the general MS4 permit. The second step orders have been drafted in recent months. The idea with the second step orders is that they give flexibility to municipalities to address the general permit requirements in a way that is specific to their needs. Will added that throughout the process we advised DEP to use a single permit process (without the second step orders). DEP did not heed that advice. Unfortunately, the second step orders make more work for everyone. Ivy added that we can only comment on the second step orders in our watershed. This will make it difficult to advocate for DEP to use consistent criteria state-wide.

Pat commented that a general permit is usually a universally applicable permit, whereas an individual permit is for an individual entity, like a factory. A general permit is more like a collection of regulations that apply to everyone. Pat said this process in Maine seems like a mix of the two, and asked if other

states use this process. Ivy thinks there are very few other jurisdictions in the nation that use this process because it is so difficult. DEP thought they were doing municipalities a favor, but it's not true.

The issues we chose to address with respect to the second step orders relate to the issues we raised on appeal in the general permit. These include making sure the second step orders fully implement the model LID ordinance and contain three measures designed to reduce pollution to impaired waters. The latter area was where currently drafted second step orders were the weakest and where our comments focused. For example, one term required municipalities to educate legislators about a limited liability bill for road salt applicators. However, this requirement will not measurably decrease pollution and the bill does not exist yet and education alone will not reduce chlorides. We also opposed a term that required municipalities to design infrastructure to treat stormwater but only if the town approves the funding to build it. Again, this term does not definitively reduce pollution.

Seb asked if the municipalities are trying to work around the criteria in the general MS4 permit. Ivy said some municipalities proposed to do less than others. Ultimately, it is up to DEP to regulate and set uniform requirements. We are not sure why DEP is not doing that.

Ivy updated the board on our Presumpscot River work. When we realized we could not get unanimous support in Augusta to upgrade the water quality classification of the lower Presumpscot, we developed a plan to collaboratively monitor it this summer. DEP will have a sonde in the lower Presumpscot by Sappi's property, and we will have a sonde in the lower end of the river segment. Together the data we collect will be representative of the river segment. In the meantime, the Westbrook Wastewater Treatment Facility (WWTF) is going to stress test their system to see if they can keep their discharges at a level that will meet Class B standards. This plan draws all the stakeholders together to better understand how the lower segment of the river is functioning. If the data from the summer looks good, there is a legislator who will sponsor a bill to upgrade the lower Presumpscot. We also have a PFAS test kit from the Waterkeeper Alliance that we will use in the river. Will added that because we have an EPA approved Quality Assurance Plan, our data is just as strong as DEP data. It is a key tool we have that informs our overall strategy to protect the Bay.

Pat commented that when we test for PFAS, it will not affect the classification process because PFAS are a class of very toxic chemicals that have no regulatory or environmental standards.

Sandy adjourned the meeting at 6:58 p.m.