

Friends of Casco Bay
Board Meeting – Minutes
Hybrid Meeting: In-person at GMRI and Online via Zoom
Tuesday, May 16, 2023, 5:30 p.m.

In Attendance

Board: President Sandy Marsters, Steve Bushey, Howard Gray, Pat Ianni, David Kaufman, Kirstin Piacentini, Malcolm Poole, Seb Milardo, Joan Samuelson

Staff: Will Everitt, Sara Freshley, Ivy Frignoca, Heather Kenyon, Robby Lewis-Nash, Sarah Lyman

Welcome – *President Sandy Marsters*

Sandy announced that Steve Bushey has accepted his request to join the Executive Committee. Sandy asked the group the check-in question: where do you take family when they come to visit you?

Minute for the Bay: Howard said the Portland Phoenix reported an interesting story about cruise ships. Portland and South Portland have proposed docking systems for cruise ships where they can plug into the grid instead of burning fuel onboard to generate electricity. Cruise ships are allowed to dock for up to 18 hours, so electricity generation can create a lot of air pollution.

Action Item – *Acceptance of Consent Agenda including Bud Higgins's letter of resignation*

Malcolm moved, David seconded: *PASSED*

Sandy read Bud's letter. Will said Bud served on the board for nearly 20 years, serving nine as board president.

Executive Director Update – *Executive Director Will Everitt*

Will said our staff remain excited about implementing the first year of our new strategic plan. We will share the strategic plan with our closest donors soon and post it on our website. Robby worked on a simple design layout for the plan. We also have a pocket-sized version of the plan that Will shared with board members.

Will asked how many board members have friends who boat on the bay. Staff passed out bilge skimmer packages for board members to share with their boater friends. Malcolm donated two or three dozen of these for us to use as part of our boater outreach. Inside each of these packages are:

- A bilge skimmer, which is a high tech sponge that absorbs oil and chemicals in the bilge of boats.
- A boating Habits for a Healthy Bay brochure on how boaters can protect the Bay while they are out enjoying it.
- A short set of directions for how to use the bilge skimmer.
- A membership envelope

Will said there are many “mark your calendar” events noted at the bottom of the agenda. Two of those events are called, “Coffee with the Casco Baykeeper.” At the end of the month, on Tuesday, May 30th and Wednesday, the 31st, board members are invited to grab a cup of coffee and join a Zoom call with Ivy to discuss our biggest advocacy priorities. These events are only for board members. Ivy will cover

our Rivers Network and PFAS work at the first event, and our Climate Change and Offshore Wind work at the second. This is a chance for board members to ask questions that we do not have time for at board meetings and to sharpen our talking points on this work. If these conversations are interesting and successful, we may invite our members, Water Reporters, and other audiences to similar events in the future.

Will shared an update on our bank accounts. Due to the banking crisis and our accounts being uncomfortably above the FDIC insured level of \$250k, we opened a few new CDs and money market accounts. A document included in the board package describes these accounts in detail. We opened these accounts balancing our need for liquidity with our desire to earn better interest rates.

Will announced that Pumpout Coordinator Chris Gilday has been working on our boats and we will officially begin the pumpout season on the Tuesday after Memorial Day. We will likely have a soft opening for our current pumpout customers before that.

Steve asked for an update on our office search. Will said we continue to look and that he and Jeff saw two spaces this month. Neither of them met all of our needs. Will is also looking into space at GMRI with their expanded real estate holdings.

Baykeeping Update – *Casco Baykeeper Ivy Frignoca*

Ivy updated the group on the MS4 permit. Our appeal is moving forward. As a reminder from last Board meeting, Maine Board of Environmental Protection (BEP) admitted the federal Environmental Protection Agency's (EPA) letter to the Maine Department of Environmental Protection (DEP) to the appeal record, and dismissed the Cumberland County Soil and Water Conservation District's (CCSWCD) motion to dismiss our appeal. The letter is important because it supports our position and it provides a basis to apply the ruling on appeal state-wide, rather than just in our watershed. Since our last Board Meeting, the BEP set a time for other parties to reply to the appeal. The CCSWCD did so and basically said that our position is correct, but that they believe the BEP should allow the municipalities to do what they want to do and that the State should revise its statewide stormwater rules instead (not something controlled by the MS4 permit). Today, Heather and Ivy met with the staff at EPA who wrote the letter to DEP. DEP has not responded to the letter, which was sent in January. EPA plans to push DEP on this.

Pat asked who at DEP manages the MS4 permit. Ivy said Greg Wood does, but there are many vacant positions in the office, including the position that should manage the permit. David asked about the rationale for low staffing at DEP. Ivy said she recently spoke to one of the higher-ups in the water quality division. It sounds like they have been very slow to hire, and when there is a supervisory role open they want to hire that person first so they can hire their subordinates.

Ivy said we are nearing the end of the legislative session and it is very busy. Last week we supported a bill to create a fund for stormwater infrastructure that DEP would manage (a fact sheet is included in the board package). DEP opposed the bill, which stunned Ivy. There are many moderate and constructive positions they could have taken. Pat said this is a mess from an outside perspective, where DEP is also opposing good environmental bills like this and a pesticides bill. Ivy agreed with Pat, and said that she shared her concerns about DEP staffing with EPA.

Ivy said that the other bill we supported is a four-year moratorium on new discharges into the Class C stem of the Presumpscot river, from downtown Westbrook to head of tide. We tried to upgrade to Class B last year, as it functions at Class B by some criteria (the upgrade would bring stronger legal protections for water quality). This moratorium would not affect businesses or current discharges. It simply prevents new mills and similar dischargers from opening. We expect DEP to oppose it. It is our obligation as advocates to move the needle and keep this issue in front of the legislature. Sandy commended Ivy for her approach and persistence.

Ivy shared the cruise ship research that our spring legal extern, Lee Foden, has helped us with. We know that cruise ships are going to be an important issue moving forward. We asked Lee to research current cruise ship regulations. As part of her research, Lee created a table that lists the names of the cruise ships that will dock Maine this summer. Cruise ships are regulated by a Vessel General Permit under the Clean Water Act. However, the federal government is creating new national standards for cruise ship regulations under the Vessel Incidental Discharge Act. When those regulations are completed, they will replace the VGP.

Because Casco Bay is a No Discharge Zone and we have state law regulating gray water, we know that cruise ships are not discharging their blackwater or greywater into the Bay. The Coast Guard also assured us that cruise ships are not discharging ballast water in the NDZ. With these sources of pollution regulated, Ivy is concerned about the scrubbing systems that clean cruise ships' exhaust. Open scrubber systems use and discharge waste water, which could end up in Portland Harbor. Referencing the table, 16 of the 34 ships that will dock this summer do not have scrubber systems, so they are emitting air pollution. Two of those with scrubber systems may be discharging into Portland Harbor. This information comes from bio-compliance reports that cruise ships submit to EPA, which are linked to in the final column of the table. Ivy wants to use the information in the table to help us address cruise ship pollution. We can also use this information to track water quality conditions while these ships are in the harbor.

Ivy noted that she will be on Maine Calling tomorrow responding to questions about cruise ships. Seb said he thinks all of this work is fantastic and wishes that our members knew about all of the work we do.

Community Engagement Committee Update – Vice President Kirsten Piacentini

Kirsten reviewed the last Community Engagement Committee meeting (the minutes are included in the board package). We mainly talked about our new photo contest, board members soliciting raffle items for the Film Fest (board members should make six asks for items with a goal of having three items to contribute, and have them by September board meeting. Remember you are not asking for yourself, you are asking for a worthy cause!), and house party hosts. Sarah passed out raffle item solicitation letters and said board members can request electronic letters, too.

Environmental Justice, Diversity, Equity, and Inclusion Committee update – Pat Ianni

Pat said the group has been meeting since November. We have moved on from writing definitions and are drafting an organizational statement on EJDEI to update the one that is currently on our website from 2020. That statement will be presented to the board when it is ready. Pat said the group also discussed recruitment of new board members with respect to our upcoming discussion tonight. Joanie said that the

committee is doing a great job, we couldn't have a better team. Joanie agrees that we need to look seriously at recruiting new board members.

Action Item – *Approval of Pat Ianni as Chair of EJDEI Committee*

Howard moved, Kirsten seconded: *PASSED*

Board representation, skills, and recruitment: group work and discussion

Sandy said that it is easier to look at others and their problems than to reflect on your own. Tonight we are going to look in the mirror, work on some exercises and discussions, and think about our governance. This includes looking at our bylaws and recruiting new board members. Sandy split everyone into two groups to discuss who we want on our board and what skills they should have.

After small group discussions, everyone met to look at the board member qualities we brainstormed. Seb said the groups came up with very different lists. Pat thinks they are different and complementary. Kirsten agreed with Pat and suggested we should use these lists together to map our gaps and figure out what we want from new board members.

Steve expressed concerns about bringing in board members from up the watershed. Are we taking over the turf of other organizations who we work with well already? Malcolm said we are simply asking to bring in new voices from afar.

Seb asked Will to share what he thinks. Will shared that it is of the utmost importance that the board discuss what it needs to look like and act like in order to meet the vision in our strategic plan. He also shared that more diverse decision-making bodies make better decisions overall. He also said we are not working to take over other turf from other organizations. We are doing watershed work in partnership with other organizations.

Kirsten said her group talked about the expected financial commitment of board members. Do we need to have a different approach to accommodate new board members? Sandy reminded us that we do not have a specific board gift amount, merely that it be appropriate per board member and that whatever the size, that *Friends* is at the top of your giving list.

Will asked the group to identify the brainstormed board member qualities we think are most important. Everyone was given six dot stickers to select what is most important to them. **The results are attached.**

Will asked the group: what would we need to do to recruit people with the qualities we identified as important? Pat suggested recruitment parties where we are more open with our members about what we are looking for. Sandy said that we do that in some ways already, where we present to groups and then connect with the people who are most interested. David asked how many board members we have had in the past. Malcolm said we ideally have 15 or more and that at one point we had 21 board members. Pat said participation was much better when she first joined the board. With Bud leaving the board we will have 14 board members, and Joanie will term off at the annual meeting in August. Pat asked Malcolm for his expertise as someone who has brought on many board members. Malcolm said we need to start reaching out to organizations and asking to connect with people who are passionate about clean water.

Kirsten said we should reach out to large organization's human resources departments. Many of them require employees to serve on boards. Malcolm agreed that reaching out to institutions is the way to go. David said influence is important too: Bud, for example, has many connections in the medical field, and Joanie is well-known.

Ivy said that she does implicit bias training as a lawyer. The idea is that if we continue to use the systems that we have in place, we shouldn't expect different results. Looking for board members from our existing networks will reproduce our current board. Pat agreed. Pat thinks that some bigger corporations can provide diversity, but that we also need to think outside the box. Seb suggested we invite people to attend our Community Engagement Committee meetings to integrate diverse perspectives into our work. Malcolm said there is precedent for this. We used to invite outside speakers to our board meetings frequently.

Sandy said there is more of this discussion ahead and thanked everyone for their participation.

Adjournment – Sandy adjourned the meeting at 7:33 p.m.