

Draft MINUTES
December 1-2, 2016
Maryland Inn
Annapolis, MD

LGAC Members Present: Jim Barnhart, Richard Baugh, Ruby Brabo, Philip Briddel (Emeritus, serving as Alternate for Leo Lutz), Daniel Chao, Sheila Finlayson, Rick Gray, Penelope Gross, Larry Land, Ann Simonetti, John Thomas, Robert Willey, Bruce Williams and LGAC Staff - Mary Gattis and Jennifer Starr

Speakers/Guests Present: Monica Billig (Alliance), Carin Bisland (CBPO), Kerry Darragh (Hatcher), Rachel Dixon (STAC), Rachel Felver (EPA CBPO/Alliance), Elaine Hinrichs (STAC), Zoe Johnson (NOAA), Elizabeth Nellums (NFWF), Reggie Parrish (CBPO), Matt Pennington (WV), Joan Salvati (VA DEQ), Mike Schuster (USACE), Dawn Stolfus (Hatcher), Sarah Taylor-Rogers (Hughes Center), Al Todd (Alliance), Brian Vogt (NOAA), Jennifer Walls (DE), Julie Winters (CBPO), Kyle Zieba (EPA Region 3)

Meeting presentations and materials: <http://www.chesapeakebay.net/calendar/event/23477/>

Thursday, December 1, 2016

Call to Order, Introductions

Acting Chair Bruce Williams called the meeting to order at 10:45 a.m. Sheila welcomed everyone to Annapolis. Bruce asked members and guests to introduce themselves. Bruce discussed how LGAC fits into the Chesapeake Bay Program and the role the Committee plays advising the Executive Council. Penny added that, as elected officials, Members are well respected in Bay Program meetings and with Mary as Coordinator, LGAC is getting more opportunities to participate and have the elected officials' voices heard.

Streamlining Green Infrastructure Implementation

Richard Baugh

Richard discussed the latest version of the Report from the June 9th Workshop. The draft report was distributed to workshop participants with instructions to select and prioritize 3-5 recommendations that the Local Government Advisory Committee could help advance through the Chesapeake Bay Program partnership. Participants were also asked to identify any of the recommendations their organization could commit to taking responsibility for implementing. Staff received responses from several people, although there are several people we believe we need to follow up with, such as David Bulova who had suggested we solicit feedback on the priorities. The priorities identified by those who responded included several that deal with local government capacity, such as establishing peer to peer networks, hiring "circuit riders" to assist communities, establishing dedicated fees, working with funders to ensure project eligibility requirements that support green infrastructure, and working on BMP design standards. Several of the respondents said they were in a position to help with implementation including PENNVEST and the Maryland Association of Floodplain and Stormwater Managers who Mary presented these findings and recommendations to in October.

Members discussed how many counties, including rural ones, are struggling with economic barriers and no funding to support a dig once strategy.

Follow-up: Staff will draft Next Steps section of report based on any additional feedback we get and then seek guidance from the Executive Committee on how to proceed.

Larry, Rick, Matt P and Richard will participate on a dig once strategy for the Committee

Local Government Engagement Initiative

Ann Simonetti and Dawn Stoltzfus (The Hatcher Group)

Ann reminded Members this is an LGAC-led initiative to coordinate federal and state local engagement efforts during the midpoint assessment and Phase III WIP development. She then provided a brief update on activities since the last LGAC meeting including a November meeting of Initiative Partners to share lessons learned from prior engagement effort and prepared several tools to assist the states with developing their local engagement strategies. Also a detailed Roadmap for states has been drafted to use as a guide in identifying audiences, messengers and messages for things that need to be communicated and for charting out plans for engaging local governments in developing strategies for meeting 2025 pollution reduction targets. In addition, an Info-graphic has been prepared which will help keep everyone on track, and a fact sheet on the Midpoint Assessment and Phase III WIP. Maryland just completed a round of 5 regional meetings and Virginia has conducted several presentation and other jurisdictions are generally on track.

Ann introduced Dawn Stoltzfus who presented a proposed Message Box for Member input. Members discussed emphasizing local benefits. Members suggested changes to the Message Box.

LGAC input was requested and discussed on some of the issues that have come up- what is role of LGAC members in local engagement process? Are members willing to serve as hosts/conveners of meetings during this process? Will Members submit articles for association newsletters? Will Members request meeting with associations to discuss MPA and Phase III WIP? Who are the messengers jurisdictions could rely on to get information to you? What are best modes for delivering that information – Ruby suggested USPS.

Finally, LGAC's involvement with this work is being funded in part by grants obtained from Town Creek Foundation and National Fish and Wildlife Foundation and the Committee and Initiative Partners need to think about how to continue this work after funding runs out at the end of December.

Follow-up-Additional funding will be researched and Initiative meetings and efforts will continue to be directed and supported by staff.

Lunch with Director Lynn Buhl, MD Department of Environment

Lynn welcomed the Committee to Maryland and expressed a strong interest in working more closely with LGAC and local government in general. She shared there are many private investors supporting efforts for Bay restoration. Members encouraged efforts to maintain projects once completed as this is where many problems occur—i.e. who is watering trees after they have been planted.

Climate Change and the Chesapeake Bay TMDL

Zoe Johnson, Climate Change Workgroup Coordinator, NOAA

Zoe discussed efforts to consider the impact of climate change within the Chesapeake Bay watershed. With a clear trend of increased precipitation and extreme rainfall events, STAC organized a workshop in March 2016 to develop climate projections to use in CBP assessments. The Workshop take-away messages included a wetter and warmer Northeast and sea levels rising faster than the global average and rates are increasing. Impacts include increased coastal erosion, saltwater intrusion, tidal flooding, and damage from storm surges. As part of the mid-point assessment there is a commitment to conduct a more complete analysis of climate change effects on nitrogen, phosphorus, and sediment loads and allocations. LGAC areas of engagement include guidance on implementation priorities, engaging in the policy dialog related to integrating climate change into the mid-point assessment and Phase III WIPs and identifying local government technical assistance needs.

Annapolis Sustainability Tour

Maria Broadbent, Office of Environmental Policy at the City of Annapolis organized a tour of local projects. Members saw the Visitors Bureau stormwater project, the City Dock bulkhead project with Lisa Grieco as guide, the Annapolis Maritime Museum living shoreline with Alice Estrada and Chris Becraft (MD DNR) as guide, and the St Luke's stream restoration project with Betsy Love as guide.

Technical Assistance Program Sufficiency

Bob Willey and Monica Billig

Moderated discussion

Participants: Mike Schuster (USACE), Elizabeth Nellums (NFWF), Sarah Taylor-Rogers (Hughes Center for Agro-Ecology)

Bob introduced the discussion with a goal of developing recommendations for undertaking an evaluation of technical assistance programs, as called for by the Executive Council in the 2016 Resolution Supporting Local Government Engagement. Staff requested direction from LGAC on whether this topic should be the focus of June 2017 local government forum. Before teeing up the issue for Members, Bob showed a map of Easton and challenges he has faced, including lack of consistent staffing and engineering support.

Monica then provided the definition of technical assistance as any specialized service or skill that a local government does not possess within the organization, but which it may need in order to operate more effectively in complying with the TMDL and implementing the Chesapeake Bay Watershed Agreement.

Technical assistance services may include watershed planning, BMP planning and design, BMP installation/project management, financial planning, TMDL and other regulatory report development, education and outreach strategy development and implementation, regional/multi municipal coordination, and infrastructure inventory and assessment.

Sarah Taylor-Rogers, Harry Hughes Center for Agro-Ecology, shared what they've done with the Healthy Waters Roundtable that was focused on Eastern Shore jurisdictions. She included what they saw as the priorities and have written a draft proposal to try and get technical needs met that are broken down into two stages: initial stages of technical assistance where communities need help developing plans, and the advanced stages to help in specific areas/expertise to implement projects. Sarah shared findings from the regional workshops they held in partnership with Maryland state agencies, and not surprisingly found communities' critical needs are (1) Funding; (2) Tracking & Reporting; (3) Sewer extension

policies; (4) Circuit riders; (5) Clearinghouse for information and procurement; and (6) BMP Maintenance. Sarah also shared a number of recommendations they've suggested as a result of working closely with MD communities such as circuit riders, focusing the message locally, project replication, etc.

Elizabeth Nellums, NFWF, then provided a brief history of evolution of the technical capacity grant program. She shared that the program is designed to be very adaptive and willing to change. NFWF has a list of 126 approved technical assistance providers and a very interactive website with a number of case studies. There are three cycles for grant consideration – agriculture, stream restoration, and stormwater. NFWF is beginning to engage for-profit groups to offer additional support and is focused on regional rather than local proposals to have a greater collective impact. Grant program intended to provide initial technical support that is then followed up with implementation funding, but many factors lead that to not always be the case. NFWF is open to feedback and is evolving program to best support local governments.

Mike Schuster, USACE, then talked about a number of Corps technical assistance opportunities and efforts to improve getting the word out on what they have to offer. USACE offers aid in floodplain management and technical services, planning assistance to State programs and Silver Jackets-which focuses on flood risk management. USACE typically has waiting list for interested projects/communities since programs are underfunded.

Based upon these three programs, Members then discussed efforts to improve and organize technical assistance. Topics considered included impediments to accessing technical assistance services, should program be functioning as opportunity for replication, and expectations for sharing lessons learned, peer assistance. Members agreed there needs to be a mechanism on how to coordinate technical assistance and work to clarify the various stages of assistance needs including planning, design, implementation and maintenance.

Follow-up- Staff was charged with submitting a Letter of Inquiry to Town Creek for a grant to develop white paper on this issue and host a forum. Volunteers to work as advisors in developing forum agenda (June 2017) and framing problem statement to use as guide.

Friday, December 2, 2016

Jurisdiction meetings were convened over breakfast.

Call to Order

Bruce called the meeting to order at 8:45 a.m.

Jurisdiction Breakfast Meeting Report-Outs and Member Updates

Virginia-Ruby reported there is strong interest in development of a circuit rider program and the Local Area Planning group could be a good launch point for such a program. The NACO resolution was adopted and an anti-fracking bill was passed by the Governor. There is strong support to reinvigorate the LGAC Communications Subcommittee with all the communications needs down the line and this topic needs to be discussed at the March meeting. Penny is writing an article for VaCO on the impact of Phase III WIPs. Virginia members are interested in a presentation on the historical understanding of Phase I and Phase II WIPs as a future agenda item. Penny is a panel invitee for VaCO on how to engage at the local

level on the watershed. Also Fairfax County is investigating a stormwater fee to pay for the maintenance of stormwater projects.

Pennsylvania- Ann said Reggie is looking into focus groups in an attempt to better understand how PA can realistically address meeting TMDL goals.

Maryland-Bruce says they are still working to fill the two open MD spots on LGAC.

District of Columbia-Daniel shared a recent press release on climate change considerations and the attendance by the DC Mayor to the International Climate Change Conference in Mexico City. Now the DC goal is a 40% green area tree canopy requirement.

West Virginia-Jim said all is good.

Delaware-A new member, Donovan Phillips, has just been appointed to LGAC.

Chesapeake Bay Program Updates

Carin Bisland, EPA SCBO, Associate Director

Carin opened a constructive dialogue on the mid-point assessment and looking at the responsibility of each state to get credit for the work they have done. The roles of the CBP and the Partners was discussed regarding the various levels of responsibility to meet the TMDL. She stated the 2017 mid-point assessment is a time for review and reflection on how tools can be improved, what are the changes to the environment and how equity can be adjusted for compliance responsibility. She talked about new high resolution land use/land cover data. BMP verification efforts are expected to be added to the Model and the goal is giving credit to jurisdictions for the work completed. Members discussed the concerns over the Model's ability to reflect local government's efforts. There was also frustration over the integration of environment and economy. Land use data set application was debated as tools need to be developed to make this information accessible to local government and staff. Concern was raised that with so much invested in this product, it may not be disseminated correctly.

Carin said grant guidance language LGAC suggested has been added and there was discussion around LGAC delegations working with their jurisdictions so this information is made known. Carin offered to give a presentation on how funding comes from Congress. Kyle Zieba, with the EPA Region 3 office, offered Bay briefings with Congressional delegations.

Bruce Vogt, NOAA CBO and Sustainable Fisheries GIT, made an appeal for local government input on Fish Habitat issues. Climate change impacts, upland land use and shoreline modifications are threats to tidal wetlands and the species that rely on those wetlands for survival. There were no volunteers or recommendations offered.

Environmental Finance Symposium Report

Penny Gross and Monica Billig

Penny updated Members on the newly formed Environmental Finance Symposium Report Action Team. Mary was appointed by the Chair to represent LGAC on the Action Team. The Team has been consolidating top three priority input from the various interest groups and will present recommendations for further work at the December PSC meeting.

Penny reported that she, Monica and Mary met with Mary Clemmensen from Chesapeake Legal Alliance (CLA), who had offered their assistance to LGAC. CLA will be reviewing recommendations that came out of the Environmental Finance Symposium Report, with a focus on issues related to procurement and transactional costs that serve as obstacles or drive up the cost of implementation.

Follow up- LGAC staff coordinating with CLA to determine which recommendations should be focus and frame out CLA's process.

Business Meeting

September 2016 meeting minutes were approved following a motion by Ann Simonetti and second by Penny Gross.

Coordinator's Report (Mary Gattis)

Mary updated members on recent staff activity, including:

- LGEI funding is about to run out and there are discussions about how to continue this effort. If funding is not found the Alliance will approach the EPA Project Officer about revising the LGAC Support workplan to allow for continued work on the Local Government Engagement Initiative.
- A letter of inquiry to Town Creek Foundation to fund engagement efforts was submitted.
- A proposal to implement a local leadership watershed education program was submitted to the Chesapeake Bay Trust by the Alliance in partnership with the Hughes Center.
- The Bay Journal local government edition will be published shortly. LGAC members may be invited to serve on an Advisory Panel.

New Business/Future Agenda Items

Daniel presented a Resolution acknowledging Diane Davis' service and it was approved and adopted by the Members.

- 2010 v 2025 Land Use Decision
- Financing Stormwater Programs
- York County Consortium Stormwater BMP Calculator Tool
- Maryland Three-County Stormwater Nutrient Trading Project by CBF and World Resources Institute

The meeting was adjourned at 11:35