

Final MINUTES  
March 23-24, 2017  
King George, Virginia

*LGAC Members Present:* Jim Barnhart, Richard Baugh, Ruby Brabo, Philip Briddel (Emeritus, serving as Alternate for Rick Gray), Ed Bustin, Daniel Chao, Sheila Finlayson, Penelope Gross, Larry Land, Leo Lutz, Andria McCellan, Brianne Nadeau, Kelly Porter, Don Phillips, Ann Simonetti, John Thomas, Bruce Williams and LGAC Staff - Mary Gattis and Jennifer Starr

*Speakers/Guests Present:* Russ Baxter (VA DEQ), Jessica Blackburn (Alliance), Carin Bisland (CBPO), Peter Claggett (USGS), Nissa Dean (Alliance), Nick DiPasquale (CBPO), Rachel Felver (EPA CBPO/Alliance), KC Fillippino (HRPDC), Norm Goulet (NVRC), Matt Gripp (NAPA), Ann Jennings (CBC), Zoe Johnson (NOAA), Caitlyn Johnston (Alliance), James Davis Martin (VA DEQ), Elizabeth Nellums (NFWF), Reggie Parrish (CBPO), Phil Stafford (MD DEP), Colin Stief (Chesapeake Conservancy), Jim Sullivan (DE), Chris Thomas (King George Cty), Sylvia Tognetti (NAPA), Chris Werle (King George)

**Meeting presentations and materials:** <http://www.chesapeakebay.net/calendar/event/24384/>

#### **Thursday, March 23, 2017**

##### **Call to Order, Introductions**

Chair Brianne Nadeau called the meeting to order at 11:00 a.m. Brianne welcomed new members Don Phillips and Ed Bustin and asked them to say a few words about themselves. Brianne then asked members and guests to introduce themselves.

##### **Chesapeake Bay Program Updates**

*Zoe Johnson, Climate Change Coordinator, NOAA Chesapeake Bay Office*

*Nick DiPasquale, EPA Chesapeake Bay Program (CBP) Office Director*

Zoe updated members on efforts to engage in a policy dialog related to integrating climate change into the Mid-Point Assessment (MPA) and Phase III WIPs and beyond and identifying local government technical assistance needs. Climate change policy options for the MPA were presented and input was sought with a CBP focus on working cooperatively with agencies, elected officials, and staff at the local level to provide the best available data on local impacts from climate change and facilitate the modification of existing WIPs to account for those impacts. This effort is necessary now as climate change is having an impact on the integrity of best management practices (BMP) already installed.

*Follow-up: Staff will work with Zoe to identify case studies that are taking climate change into account and help with developing needed messaging.*

Nick talked about the current Administration budget proposal that zeroed out funding for EPA's regional geographic programs even though two thirds of the \$73 million CBP budget goes out to States thru grants. The current continuing resolution ends April 28<sup>th</sup> and it is hoped it will be extended to October 1. States are still on

the hook to meet the Bay Agreement even without EPA support. Members discussed writing a letter to the Executive Council urging support for continued funding and debated if such a letter would be from LGAC solely or written in conjunction with the Citizens Advisory Committee and the Scientific and Technical Advisory Committee.

Nick announced publication of Bay Barometer. Copies will be mailed to members. Nick alerted members to proposed adjustments to the midpoint assessment timeline schedule due to discussions about land use data and model delays. Management Board will consider this adjustment at its April meeting. He thanked LGAC for their work on Local Area Planning Goals Task Force and said he wants LGAC to serve as a sounding board on local engagement and communications strategy. He hopes members will work with jurisdictions on Phase 3 WIPs.

He and Carin Bisland requested LGAC input during the Biennial Strategy Review meetings that will be held during Management Board meetings. Members will receive materials ahead of time so that they can provide input on progress being made on Watershed Agreement Goals and Outcomes.

*Follow-up: Staff will draft a letter to the Executive Council urging the restoration of federal funding for the CBP. Communications Director will mail the Bay Barometer and one-sheet to Members.*

#### **York County Consortium Stormwater BMP Calculator Tool**

*Colin Stief, Chesapeake Conservancy*

Colin presented a York County stormwater BMP tool that could be applicable to other watershed communities. The tool combines mapping analysis, reduction estimates and project management. It is described as easy to use and is a web-based platform. Use of the web-based tool was found to increase the efficiency of reporting for crediting and saved time and money. Drawbacks are that it is dependent on data availability and could be costly. It was economically feasible in York County due to a very well organized Consortium but may be difficult for one local government. Questions were asked about other similar tools.

#### **Base Year Land Use Conditions for Phase III WIPs and Crediting Conservation**

*Peter Claggett, USGS Coordinator, Land Use Workgroup*

Peter provided an overview of land use considerations for the Phase III WIPs and possible crediting options for conservation. The Land Use Workgroup has developed a suite of alternative future scenarios to help in setting the Phase III WIPs on land use, for crediting land conservation and land use planning at best management practices, and identifying forests and farms at risk from development. Proposed alternative future scenarios include "historical trends" where growth follows patterns prevalent over the previous decade; "current policy" with zoning where direct growth occurs to areas either zoned for it and/or with necessary infrastructure and capacity to support it. Other proposed future scenarios are also being considered.

Members questioned zoning categories and how loads are being assigned. The complexity of the considerations and the demand within communities to use the correct land use data drew members to encourage one reasonable tool for local governments to use to determine land use.

*Follow-up: Staff was charged with developing a day-long land use forum in June 2017. Volunteers to work as advisors in developing forum agenda and framing the problem statement to use as guide.*

## **Wastewater and Stormwater Community Affordability**

*Sylvia Tagnetti, National Academy of Public Administration (NAPA)*

Sylvia introduced NAPA's efforts to develop a community affordability framework for water and wastewater projects. This effort is an integrated planning approach and will study the role of cost benefit analysis and seeks innovated solutions to help meet Clean Water Act standards. Sylvia asked members if the use of this framework would help local governments have greater flexibility in compliance schedules. She asked everyone to participate in a survey and encourage others to participate.

## **Tour of Dahlgren Denitrification Plant**

*Chris Thomas, King George County Service Authority*

Ruby introduced Chris Werle, Board member for King George County and Chris welcomed Members and guests to King County. Chris then introduced Chris Thomas, General Manager for the King George County Service Authority. Chris T then provided an overview of the Dahlgren wastewater treatment plant nutrient upgrade project. This project successfully is removing total nitrogen and total phosphorus below 3.0 mg/L and 0.3 mg/L respectively and consistently achieves 90% to 98% removal efficiency of all organic nitrogen. Members then toured the plant.

## **Friday, March 24, 2017**

Jurisdiction meetings were convened over breakfast.

### **Call to Order**

Brianne called the meeting to order at 8:30 a.m. Russ Baxter was invited to speak and he, in turn, welcomed Members to Virginia. Russ then introduced the "World Premiere" of a Public Service Announcement by Governor McAuliffe encouraging support of local government efforts to support Bay restoration.

### **Jurisdiction Breakfast Meeting Report-Outs and Member Updates**

*Pennsylvania*-Members discussed involvement in the Pennsylvania State Association of Township Supervisors and support of Stormwater 101 workshops to inform local elected officials. Members also supported LGAC writing a letter to the Chesapeake Executive Council urging full funding for the EPA Chesapeake Bay Program.

*Maryland/West Virginia*- No report for West Virginia and Kelly reported they are still working to fill the two open MD spots on LGAC. Members support LGAC writing its own letter to the EC and not a joint one with CAC.

*Virginia*-Ruby said the VA members supports a short and concise letter from LGAC to the EC. She reported April 6<sup>th</sup> Mary, Russ Baxter and Ruby will be on a local radio show talking about the Phase III WIPs. She also reported they hope to have a meeting at the end of May with Molly Ward. VA has one LGAC position to fill on LGAC and would like to suggest someone from a soil conservation district.

*Delaware*-Don expressed his appreciation for being a new member and representing Delaware.

*District of Columbia*-Daniel reported the DC Mayor has proposed a \$7 million green infrastructure bank for residents to apply for funding. In addition DC is offering a \$13 million solar innovation program for residents. DC still has on unfilled slot on LGAC.

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

### **LGAC Initiatives**

*Local Government Engagement Initiative*—Ann updated the Members on LGEI activities including the production of a one-page infographic of key dates and a fact sheet for elected officials to use as a mailer. The fact sheet

can be edited to include local contacts or other information of local importance. Members suggested adding a date to the fact sheet.

*Chesapeake Bay Awareness Week*—Larry talked about the inaugural June 10<sup>th</sup> Back to the Bay Day to be held at Mason Neck Park in Northern Virginia. It will be an all-day event that is planned to be a signature event showcasing the progress towards Bay restoration. This event is falling during Chesapeake Awareness Week of June 3-10, 2017. LGAC

*Chesapeake Legal Alliance-Environmental Finance Project*—Penny summarized activities to date on this project. The project scope is to look at procurement policies as they relate to the three priorities that came out of the Environmental Finance Symposium Report and PSC/Action Team follow ups, starting in Pennsylvania. Specifically to identify ways to reduce barriers to increasing “pay-for-success” projects and alternative procurement efficiencies that can be implemented within the traditional procurement framework (identify and define P3s and pay for success). Next steps include CLA and the CLA volunteer attorney reviewing initial feedback and conduct background research, identifying key definitions needed, drafting a list of potential deliverable objectives and scheduling a second Scoping Committee meeting as needed.

Local Government Forum—Based upon Peter Claggett’s presentation, Members strongly support a Local Government Forum on the Land Use Decision options during to the June LGAC quarterly meeting in Annapolis.

*Follow up- LGAC to work with state affiliations to encourage local governments to pass resolutions in support of Chesapeake Bay during Chesapeake Bay Awareness Week. Staff is directed to facilitate the organization of the Local Government Forum on Land Use on June 7<sup>th</sup> in Annapolis on the first day of the LGAC Quarterly meeting.*

### **LGAC Recommendations to the Chesapeake Executive Council and report**

This year the Executive Council will meet in Annapolis on June 8<sup>th</sup>. Members discussed recommendation topics and decided the letter to the EC should include mention LGAC now has headwater representation from West Virginia and Delaware. Also to be included is a thank you to Governor McAuliffe for leading the effort to develop a public service announcement in support of local government involvement in Bay restoration. Recommendations were discussed and the Members find gaps in the availability of technical assistance and how it is delivered effectively. Also agreed upon is the long time it takes to apply for funding and ultimately receive it. Other related issues are new jurisdictions that have MS4 permits and do not know about technical assistance options and rural communities that must meet very stringent requirements in order to receive funding. Another recommendation is to support the growing effort to engage local governments in the Phase III WIPs.

### **Business Meeting**

*Annual Election of Chair (MD) and Vice Chairs (one per jurisdiction)*

The Chair opened the floor for nominations.

Penny Gross nominated Bruce Williams to the Chair position and Ann Simonetti seconded.

John Thomas nominated Ann Simonetti as PA vice-chair and Leo Lutz seconded.

Sheila Finlayson nominated Kelly Porter as MD vice-chair and Bruce Williams seconded.

Ruby Brabo nominated Richard Baugh as VA vice-chair and Penny Gross seconded.

Jim Barnhart nominated Daniel Chao as At-Large vice-chair and Don Phillips seconded.

The December 2016 meeting minutes were approved following a motion by Ann Simonetti and seconded by Ruby Brabo.

### **Coordinator's Report (Mary Gattis)**

Mary updated members on recent staff activity, including:

- Convening elected official roundtables in PA
- Local Government Forums
- Coordinating the Stormwater Panel for the Stormwater Forum
- LGEI
- Baseline local officials capacity study methodology
- Watershed education for elected officials with the Hughes Center
- Water quality goal teams, Communication Workgroup, Finance Action Team, Climate Control Team and other CBP workgroups and meetings as needed.
- STAC Workshops

### **Executive Committee Report**

Members decide to support a letter from LGAC to the Executive Council in support of Chesapeake Bay Program funding.

Brianne attended the Biennial Strategy Review System Meeting in Cambridge, MD and reported on the 31 outcomes. Don also attended the meeting and, as a new LGAC member, found it very helpful.

### **New Business/Future Agenda Items**

- CBF/World Resources Institute Three-County Stormwater Nutrient Trading Project
- Financing Stormwater Programs
- Larry proposed a presentation from the Virginia Coastal Policy Center on Stormwater management for rural areas and various resources. The study should be done next year with a report expected to the General Assembly.
- Integrated water resource management
- Federal agencies and their role in federal funding (suggested by Daniel)
- Partnerships—how is the structure defined and is everyone equal?—101 on Partnerships

John thanked Brianne for her service as Chair.

There being no further business the meeting was adjourned at 11:05 a.m.