

Members Present: Diane Davis, Dave Dunmyer, Sheila Finlayson, Penny Gross, Leo Lutz, Sheila Noll (Chair), Emily Rice (alternate for Adriana Hochberg), Debbie Ritter, Ann Simonetti, John Thomas, Bob Willey, Bruce Williams, Rosemary Wilson.

Staff Present: Mary Gattis (LGAC Coordinator, Alliance for the Chesapeake Bay), Amy Robins (LGAC staff, Alliance for the Chesapeake Bay), and Al Todd (Executive Director, Alliance for the Chesapeake Bay).

Speakers/Guests Present: Rich Batiuk (EPA CBPO), Russ Baxter (VA), Carin Bisland (EPA CBPO), Jessica Blackburn (CAC), Anthony DiGirolomo, Kelly Heffner (PA DEP), Rhonda Manning (PA DEP), Reginald Parrish (EPA CBPO), Marel Raub (CBC), Peter Tango (STAR, CBPO/USGS), Dana York (CBPO BMP Verification Workgroup), Dan Zimmerman (Warwick Township Manager).

Meeting presentations and material: <http://www.chesapeakebay.net/S=0/calendar/event/21409/>

Thursday, June 5, 2014

Call to Order, Introductions

Chairwoman Noll called the meeting to order at approximately 10:00 a.m. LGAC members and guests introduced themselves.

Monitoring: A Tiered Approach

Peter Tango, Science, Technical Assessment and Reporting Team Coordinator, EPA Chesapeake Bay Program Office

Peter described the complexity of the Chesapeake Bay watershed. Monitoring trends indicate that the health of the Bay is generally improving. Core dead zone is from Annapolis to the mouth of the Potomac. There are about 295 monitoring programs in the watershed currently. They can be broken into four major categories: fisheries; habitats; water quality; and watersheds. Speaker and members discussed the importance of monitoring funds being available, what to do when monitoring fails to show desired results and the importance of managing expectations of the media/public. Peter stressed that monitoring is needed for adaptive management.

Take aways/follow-up items:

1. Monitoring programs should be designed to meet a particular priority and/or interest, e.g. regulatory versus non-regulatory/planning.
2. Monitoring the benthic macroinvertebrate community (aka stream bugs) is useful in determining the ecological health of streams. This is a relatively low cost type of monitoring that engages local stewards. It may be used to help local governments target BMPs. See slide # 37 regarding Montgomery County, MD.
3. Monitoring can be thought of as “environmental intelligence”
4. Principles of communication (slide #43) can be applied to LGAC communications:
 - a. Provide synthesis, visualization and context
 - b. Respect your audience
 - c. Don’t be a geek
 - d. Make it look good

LGAC Member Discussion on Bay Program Indicators

Coordinator Mary Gattis posed the following questions to each LGAC member:

- Which indicators/concerns/needs are of most interest to you/your peers? Responses included toxic contaminants, land use, trash, public access, overall water quality, regulation changes (e.g. MS4 permits), oysters, urban/agricultural stormwater and stormwater fees, sustainability, floating wetlands and other specific BMPs, realistic interpretation of monitoring data, success stories, local benefits e.g. tourism and economy, wetland restoration, riparian buffers, farm land to forest conversions, bay grasses (don't use "SAV"), wildlife, residential education, wastewater, visual sediment issues, and budgeting cost.
- How is the information best conveyed to local governments?
 - Target Environmental Advisory Councils, municipal managers and others who have the ear of elected officials.
 - Employ electronic communications with links to read more if desired. Elected officials will generally only read the first few lines.
 - Use terms people understand (e.g. trees not forest cover & tree canopy, **polluted** stormwater **runoff**, bay grasses not SAV, streams **and rivers**)
 - Statewide associations tend to preach to the choir. Try to work at more regional scale, e.g. Councils of Government, Planning District Commissions, county chapters of statewide associations.
 - Focus message on benefits to the community.
 - BMP clearinghouse
 - KISS

Lunch

State delegations met over lunch to discuss jurisdiction specific issues. Virginia delegates were joined by Russ Baxter. Pennsylvania delegates were joined by Kelly Heffner and Marel Raub. Maryland delegates prepared for 2:30 meeting of the Maryland Bay Cabinet (attended by Dave Dunmyer).

BMP Verification Framework

Rich Batiuk, EPA Chesapeake Bay Program Office

Dana Young, Chair, BMP Verification Committee

Dan Zimmerman, Warwick Township Manager, BMP Verification Committee

Russ Baxter, Deputy Secretary for Natural Resources, Virginia

Kelly Heffner, Deputy Secretary, PA DEP Bureau of Water Management

Rich and Dana briefed the committee on the status of the BMP Verification Framework, which was recently sent to Advisory Committees and Goal Implementation Teams for review and comment. See [presentation](#). They focused on the Verification definition, BMP Verification Life Cycle the Jurisdictional Verification Protocol Design Table. Dana shared the six Rs she uses to explain BMP Verification: Right amount of Rigor to Reliably Report BMPs in the Reality of Resources. LGAC's 2014 report to the Executive Council provided the inspiration for the last two Rs. Rich noted that there are currently 185 approved practices. The process of getting new BMPs approved generally takes about 2-3 years.

Mr. Zimmerman shared his experience of representing local government on the BMP Verification Committee. He emphasized that people should focus on practical, common sense practices. In Warwick Township they are already experiencing life cycle issues with BMPs implemented 20 years ago. He suggested that local governments should focus with anyone and everyone to get data they need, e.g. conservation district, ag preserve boards, and others.

Rich posed the following questions to LGAC and requested increased engagement of the committee:

1. How do we best approach and communicate to local governments on BMP verification and the Partnership's expectations?
2. Should we tailor such outreach and communications differently with each jurisdiction and, if so, how?
3. What can the CBP Partnership/CBP Office do to support local governments enhancement of their existing BMP verification programs?

LGAC members echoed the earlier morning's discussion and requested good common sense information in simple streamlined manner. Rich requested that LGAC form an ad-hoc group to work with the CBPO as they move through the final steps of the approval process. Chair Noll said that members need to consult with their constituencies before responding.

Deputy Secretary Baxter presented his [Perspectives on Verification](#). He noted that a spot check of 355 BMPs scored a 91.27% passing rate. Those BMPs not in compliance received follow up inspections. He emphasized that some corrections to the model are needed. Currently there is not enough land for all the BMPs and the model needs to include planned obsolescence. He further emphasized the need to rely on current programs for reporting and tracking.

Deputy Secretary Heffner agreed with Deputy Secretary Baxter on most issues. She pointed out that visiting all farms in PA would be impossible stating there were over 66K in the Commonwealth and 44K within the Chesapeake Bay watershed. PA conducts farm inspections every 4-5 years. 97% of those inspections are good. She assured LGAC that PA is engaged.

LGAC member asked the panel how LGAC could help. Deputy Secretary Baxter encouraged the committee to stay engaged. Rich said LGAC's help in drafting language for communications would be helpful.

The committee asked how to report the BMPs? Dana suggested using existing systems that work, like NRCS. Emily noted that instruction on data management is needed ASAP. Deputy Secretary Baxter pointed to the RMP for agricultural BMPs. He also suggested following Alliance for the Chesapeake Bay and their work with the SMART tool for tracking homeowner BMPs. Deputy Secretary Heffner stated that using remote sensing data was a good option when appropriate. She also encourages NRCS & EPA to work together so data can cross programs/agencies and save money.

Debbie Ritter asked about the role of federal facilities who have their own MS4 permit. What is their obligation to the local jurisdiction? LGAC members commented that federal facilities must participate with local governments to achieve WIP goals.

Take aways/follow-up items:

1. Comments on the draft document are due by June 30 and a revised document will be available by July 15, 2014 with distribution of the final draft framework document in August. The document will then be presented to the Management Board in September with final approval by the PSC in October 2014.
2. Instruction on data management is needed ASAP.
3. Respond to CBP request for small group of LGAC members to assist with communications and feedback to program.

Bay Program Updates

Carin Bisland, Assistant Director, EPA Chesapeake Bay Program Office

Carin reviewed the status of the Chesapeake Watershed Agreement and reviewed FY 14 CBP budget. CBP FY2014 Budget increased from \$54M to \$70M. The President's FY15 Budget Request is \$73M. See [presentation](#) for additional details.

She identified three issues related to headwaters representation on the Advisory Committees: 1) should they be represented (yes); 2) How should they be appointed (Governors); 3) are resources available (maybe as part of new contract for LGAC coordination services). The Executive Committee will be convened to develop recommendations regarding representation of headwaters states.

Other CBP partners present were invited to brief the committee. Kelly Heffner thanked LGAC for coming to Pennsylvania. She said that PA wants to get additional local implementation \$ from EPA distributed as quickly and efficiently as possible. Moving funds is easier if existing contracts like the ones with Soil & Water Districts already exist. Decisions will be made at the end of June. LGAC input is welcome.

Marel Raub, PA Director of the Chesapeake Bay Commission called attention to the CBC's 2013 Policy for the Bay handout (in packets). She highlighted concerns that phosphorus levels are rising due to legacy sediment issue from stormwater eroding stream banks. Diane Davis voiced concern that CBC is over represented in the Bay Program Partnership since the District does not have a seat at the table.

Business Meeting

March 2014 meeting minutes approved on a motion by R. Wilson and second by D. Ritter.

Coordinators Report:

The committee received the following requests for input/feedback from the CBP and/or their partners:

1. BMP Verification Framework Document (May 2014 Draft) Review: The CBP Office (Rich Batiuk) requested LGAC's careful review and comment on this revised, restructured draft framework report by Monday, June 30th. Members received this report and should submit comments to Mary by mid-June.
2. NFWF INSR/SW Grant Applications Reviews: NFWF requested that LGAC assign a liaison to the review committee. Reviews need to be completed by June 19, 2014. Since no LGAC members were available to assist, Mary will review if time allows.

Other activities include:

1. Scheduling contacts for workshops and roundtables have all been made for 2014. RFPs for 2015 have begun.
2. Developed talking points / presentation. John Thomas will use to present at PSATC convention on June 13, 2014 and then provide feedback to Mary if revisions are needed.
3. Attended meetings regarding Watershed Agreement and other CBP committees and workgroups.

Sheila Finlayson reported on outcomes of a recent meeting of the Communication Committee. Meeting notes are posted to the Communications Workgroup page at Chesapeakebay.net. The committee reviewed and commented on the presentation developed by Mary. She noted that Megan Lehman created a Facebook page in July 2013. The link was shared with members and they were encouraged to "Like" the page. Mary will resend the link for those who were unaware. Sheila asked members to provide Mary with response about availability for state conventions.

The next meeting will take place September 25-26, 2014 in Shepherdstown, WV. Future meeting topics/locations suggested: Green Street in Takoma Park. Bruce Williams will let Mary know when it would be good to visit. The committee directed Mary to develop a summary of topics from past meetings.

There being no further business the meeting was adjourned at 4:20pm.

Executive Committee Meeting, June 5, 2014

Members present: Chair Noll, Vice-Chair Wilson, Vice-Chair Thomas, Vice-Chair Davis, Vice-Chair Finlayson

Staff present: Mary Gattis and Amy Robins

Guests present: Jessica Blackburn, CAC Coordinator

Chair Noll called a meeting of the Executive Committee immediately following the June 5, 2014 LGAC meeting for the purpose of discussing the committee's recommendations regarding Headwaters States representation on LGAC. The Executive Committee unanimously agreed to recommend that one member each from New York, West Virginia and Delaware be appointed to serve on LGAC. Mary was charged with drafting the recommendations for Chair Noll to send to CBP Director, Nick DiPasquale. Mary will contact Carin Bisland about funds needed to support the addition of headwaters representatives.

The Executive Committee briefly discussed preferences for the pre-Forum workshop to be held in conjunction with the September LGAC meeting. There is interest in developing a strategy for expanding citizen monitoring programs in support of local government implementation measures. Members suggested that the pre-Forum workshop be held on Thursday, followed by the LGAC meeting on Friday morning.

The Executive Committee meeting adjourned at approximately 5:00 p.m.

Post Meeting Tour June 6, 2014

LGAC's PA Delegation (represented by Simonetti and Thomas) hosted a Green Infrastructure Tour for elected officials from the Capital Region on Friday, June 6, 2014. LGAC members and staff present included Davis, Dunmyer, Finlayson, Gattis, Noll (Chair), Porter, Rice (alternate for Adriana Hochberg), Robins, and Wilson. They were joined by twelve guests from the region including three elected officials. The tour highlighted three projects:

- BMPs on Lower Allen Township Municipal Campus, 2233 Gettysburg Road, Camp Hill, PA. Hosts Tom Vernau, Manager and Dan Flint, Community Development Director and Township Engineer, Lower Allen Township
- Complete Street, Lemoyne Borough, PA. Host: Robert Ihlein, Manager, Lemoyne Borough
- Trees and Trails Environmental Center, 1731 S. York Street, Mechanicsburg, PA. Hosts Paul Garrett and Edwin Charles.

Joe Deinlein from the Central Penn Business Journal accompanied LGAC on the tour. Special thanks to PA DEP for providing vans and to Rhonda Manning and Ted Tessler for driving.