



LGAC Members Present: Richard Baugh, Ruby Brabo, Janine Burns, Shelia Finlayson, Penny Gross (Thurs.), Larry Land, Ernest Lehmann, Brianne Nadeau, Kelly Porter, Ann Simonetti, John Thomas, Bruce Williams and LGAC Staff – Mary Gattis and Amy Robins.

Speakers/Guests Present: Karen Anderson (FOSR), Carin Bisland (CBPO), Jessica Blackburn (CAC Staff, Alliance), Woody Bousquet (Shenandoah University), Frank Dukes (IEN), Greg Evans (VA DOF), Eden Freeman (City of Winchester), Kelly Henshaw (City of Winchester), Terry Lay (FOSR), John Maxey (Blue Ridge Watershed Coalition), Joe McCue (Friends of the Middle River), Elizabeth Minor (City of Winchester), Elizabeth Nellums (NFWF), Reggie Parrish (CBPO), Matthew Pennington (WV DEP), Lucinda Power (WQ GIT), Joan Salvati (VA DEQ), Philip Stafford (MD DNR), Al Todd (Alliance), John Willingham (City of Winchester).

Meeting presentations and materials: <http://www.chesapeakebay.net/calendar/event/22710/>

Thursday, December 3, 2015

Call to Order, Introductions

Chair Janine Burns called the meeting to order at approximately 11:00 a.m. The members and guests introduced themselves.

Winchester, Virginia – A Chesapeake Bay Watershed Community

The Honorable Elizabeth Minor, Mayor

The Honorable John A. Willingham, Council President

Kelly Henshaw, P.E., City Engineer

Eden Freeman, City Manager

Mayor Minor greeted LGAC with a warm welcome to Winchester, Virginia. Council President Willingham provided general stats (population, size, budget, etc.) for the city along with an overview of its rich history and mission and vision statements for the future. The City Engineer Kelly Henshaw stated that due to the 2000 census Winchester was classified as a Small Municipal Separate Storm Sewer System (MS4) locality with its first cycle beginning in 2003. Due to the first cycle, the city has a water protection ordinance that addresses water quantity and quality. Programs that support those issues include the Virginia Erosion and Sediment Control Program, Virginia Stormwater Management Program, and the National Flood Insurance Program. The land within the city drains to five streams, three of which are listed as impaired and covered under the Opequon Creek Watershed TMDL Implementation Plan approved in 2008. They fully acknowledge the need to do their part because they are part of the Chesapeake Bay watershed, however, they pointed out there was not a lot of guidance when creating the TMDL. Since Winchester is the only MS4 in the Northern Shenandoah Valley Planning District (?) they face challenges relating to compliance, enforcement and economic competitiveness. As in many other localities, Winchester does not have enough funds to cover all of their program costs and would like to see more federal and state support as well as clarity from the Department of Environmental Quality (DEQ). They mentioned information from DEQ often is not sent out in a timely manner and the local DEQ office and the Central office do not always appear to be on the same page. The city does not have a Stormwater fee and all Stormwater projects are covered by the general fund. They attempted to establish a stormwater fee but after a two year study it was determined the fee would put them at a competitive

disadvantage in the region. Their current residential tax rate is almost forty cents greater than the surrounding localities and the commercial rates are higher. They would like to see a more regional collaboration possibly with Harrisonburg.

Working Lunch – Member Updates and Group Discussion

Penny Gross (VA) provided an update on the upcoming April 25-26, 2016 Environmental Finance Symposium at the University of Maryland. She stated that the steering committee and speakers are represented primarily by state and federal governments. Penny requested that any members who knew of strong local government speakers to forward suggestions to her. Penny emphasized her concerns about local interests being served by the Symposium.

Ruby Brabo (VA) received an invitation to meet with Governor McAuliffe in January 2016 to discuss cross sector job growth. Virginia members cited concerns of the potential of fracking within the Taylorville Basin. Currently there is an MOU between the Bureau of Mining and DEQ but it only provides guidance not protection and the MOU could be dissolved at any time. The Virginia members are interested in seeing the MOU codified.

John Thomas (PA) reported that Hampden Township issued their first stormwater fee bill to thirty thousand people in eleven thousand households in October. They used newsletters to educate the public that the fee was based on impervious surface and that all impervious surface including highways were being billed. The average fee for residential household is around \$13.25 a house. Currently, the Navy and PennDOT have not paid their fees.

Midpoint Assessment (MPA) and Phase III Watershed Implementation Plans

Lucinda Power, Coordinator, Water Quality Goal Implementation Team

Lucinda provided an overview of the Bay TMDL which establishes limits for nitrogen, phosphorus and sediment needed to meet water quality standards. She explained that the jurisdictions' Watershed Implementation Plans (WIPs) outline how the limits will be met and that 2-year Milestones provide additional details regarding implementation actions necessary to achieve pollutant load reductions.

The 2017 Midpoint Assessment (MPA) is to review whether the jurisdictions have enough practices and controls in place to achieve the 60 percent interim target of the nutrient and sediment pollution load reductions necessary to achieve applicable water quality standards. By 2025, the jurisdictions are to have all practices and controls installed to achieve the Bay's water quality standards as laid out in the Chesapeake Bay TMDL. There was confusion around the 60% and 100% targets as presented by Lucinda. Potential consequences for not meeting the TMDL targets could include withholding grant funds or having EPA take over the stormwater programs.

Members asked about monitoring data, extent of network, etc. Janine stated that locals need local monitoring data. Mary referenced the Citizens and Non-Traditional Monitoring program which the Alliance is leading under a cooperative agreement awarded to the Alliance in partnership with the Izaak Walton League of America (League), the Alliance for Aquatic Resource Monitoring (ALLARM) at Dickinson College, and the University of Maryland Center for Environmental Science Integration and Application Network (UMCES IAN) } The purpose is to provide technical, logistical, and outreach support for the integration of citizen-based and non-traditional monitoring networks into the Chesapeake Bay Program partnership.

The Phase II & III WIPs are intended to ensure that local partners understand their role in helping implementation of their state's WIP strategy.

Lucinda provided an overview of strategic issues of the MPA that included the Conowingo Dam; James River Chlorophyll-a Criteria Assessment; Climate Change; BMP expert panel and workgroup recommendations; Land

Use Classifications. Land use data will be accepted through May 2016 to be plugged into the new 6.0 Bay Model. There will be a two week window in January 2016 for localities to review the land use data.

Mary – County Commissioner Association of Pennsylvania has been leading the effort in PA. Maryland is conducting webinars. Joan Salvati with VA DEQ stated they will be working to have a broad reach in VA. Mary reminded the committee she has been attending the monthly land use workgroup meetings and at the September 2015 LGAC meeting Carin Bisland requested recommendations for beta testers of the website that will be available for reviewing land use data. Janine Burns pointed out that some jurisdictions would not provide data because they did not know the end game. Clarification was provided that the national data that is being used for those jurisdictions that did not provide local data was found to not be significantly different.

Frank Dukes, Institute for Environmental Negotiation, University of Virginia

Frank provided an overview of the draft Chesapeake Bay Program Phase III WIP Stakeholders Assessment report. He held a series of conversations with stakeholders from federal, state, local, non-governmental and industry organizations to identify lessons learned from the Phase I and II WIP process that should be applied to the Phase III WIPs in order to facilitate local engagement and implementation. Three perspectives emerged from the interviews: those for whom implementing the Chesapeake Bay TMDL is of the highest priority; those that it's an important priority largely because of regulatory or institutional mandates and are juggling Bay TMDL demands with other priorities; and those who feel it's an unfair burden that impinges on other priorities of equal and greater importance to them. These comments and lessons learned will help improve the Phase III WIPs that are due to EPA in draft form in June 2018. Many shared concerns and ideas about equity, communication and collaboration, accountability and flexibility, need for support, schedule, and role of the Bay Model.

Members and guests asked when EPA and the CBP would be reaching out to local governments. Currently, no date is set but it was noted that could be programmatic goal. Carin Bisland pointed out that LGAC played a role before with publications and outreach.

Follow Up:

- 1. Provide members with location of monitoring stations (tidal and non-tidal)*
- 2. Provide feedback on opportunities to strengthen local government in the Phase III WIP process*

Offsets and Growth Tracking System – Forestland Retention Study

Gregory Evans, Mitigation Program Manager/Chesapeake Bay Program Lead, VA Department of Forestry
Greg presented the CBP funded Forestland Retention Study which was conducted on behalf of the Healthy Watersheds Goal Implementation Team. The study found that \$125 million could be saved if certain parcels of land were retained as forestland instead of being developed. LGAC members shared many concerns about land use controls. Greg asked if LGAC would sign on as partner for the next phase of the project, which involves working with Phase I partners, local government officials within the Basin, as well as Pennsylvania representatives to develop the tool box of criteria, incentives, etc. that could be used in land use policy and zoning situations to accurately identify and assign appropriate values to high conservation value forest land. LGAC members stated they would like to follow the project study as an advisor but pointed out the importance of local governments controlling land use.

Follow Up:

Notify Greg Evans of LGAC's decision to serve as an advisor on the project.

Watershed Agreement Workplans

Mary identified workplans that referenced LGAC as a Participating Entity and asked for members to affirm their involvement. . Members quickly agreed they saw no harm in being referenced in the workplans so long as it was clear that they were volunteers with limited time and that staff will serve as the primary point of contact for the committee unless otherwise noted

Follow Up: Mary will continue to update members, as needed.

Friday December 4, 2015

Call to Order

Janine Burns called the meeting to order at approximately 8:45 a.m.

Bay Program Updates

Carin Bisland, Chesapeake Bay Program

Carin reviewed the timeline for the workplans and encouraged local government to be active. The high resolution land cover is being developed and will be available for review by local jurisdictions. This data will be made available to local governments in the future. The CBP is planning for webinars on Chesapeake STAT and Chesapeake Progress in 2016. Carin also gave a brief update on the Spring 2016 Environmental Finance Symposium to enhance communications, strategic alignment, and discuss funding.

Reggie Parrish, Chesapeake Bay Program

Reggie provided an overview of the Local Leadership Outcome to increase knowledge and capacity of local officials. The focus is on improving and expanding existing programs, developing a baseline, analyzing the content gaps, and increasing peer to peer interactions.

Business Meeting

September 2015 meeting minutes were approved following a motion by Ann Simonetti and second by Sheila Finlayson.

Communications Subcommittee Report (Sheila Finlayson, Chair)

Sheila reported on the Communications Subcommittee meeting which was held during the LGAC meeting recess. LGAC Members received a short presentation from Ben Alexandro with Choose Clean Water Coalition (CCWC) and the Maryland League of Conservation Voters. The CCWC is gathering case studies highlighting local governments implementing stormwater best management practices. The case studies will include cost and funding sources of each project. It was suggested that these case studies which are currently focused on Maryland possibly live on the MOST website. Members suggested that the LGAC press release include conversation from the Winchester presentation and clarification of the 60/100% goals.

Executive Committee Report (Janine Burns, Chair)

Chair Janine Burns asked that we have a brief presentation on the Alliance's Business for the Bay program at the next meeting. She also noted that she did not re-run for her elected position within Mathews County, Virginia. She plans on remaining on LGAC through her appointment as a legislative advisor.

Delegation Reports (Vice Chairs)

Virginia - Ruby reported that the delegation will be working with Joan Salvati on Phase III WIP engagement, possibly including a one day workshop on Chesapeake Bay/Stormwater 101 through VACo and VML. The delegation noted the need to clarify the 2017 and 2025 targets and requested that EPA issue a press release clarifying the targets. The delegation suggested that EPA should hold their own meetings/forums in advance of the Phase III WIP development.

Pennsylvania - Ann concurred that the 2017-2025 targets are confusing and need to be clarified. The delegation noted that there needs to be easier access to information about what is required of local governments. The delegation would like to schedule annual meetings with PA's Principals Staff Committee representatives (Secretaries).

DC – Brianne reported that they are closing in on another appointee to fill out the DC roster.

Staff Report (LGAC Coordinator, Mary Gattis)

Mary highlighted the Bay Journal article on Riparian Forest Buffer that Sheila Finlayson wrote. She will be drafting an RFP to hire a contractor to assist with establishing a Baseline for the Local Leadership Outcome. Bruce, Ruby and Brianne volunteered to serve as advisors.

Mary requested approval of 2016 meeting dates. The following dates were approved:

- March 24-25
- June 9-10
- September 29-30
- December 1-2

Tour: Friends of the Shenandoah River's Water Quality Laboratory at Shenandoah University

LGAC members received several short presentations regarding water quality monitoring from volunteers and employees of the Friends of the Shenandoah River and toured the water quality lab at Shenandoah University. Members stated that the interactive watershed display would be a good learning tool to use at association conferences.

Follow-up:

Look into setting up watershed display at association conferences.

The meet adjourned at approximately 1:00 p.m.