

MINUTES  
September 29-30, 2016  
National Conservation Training Center  
Shepherdstown, WV

*LGAC Members Present:* Jim Barnhart, Richard Baugh, Ruby Brabo, Philip Briddell (Emeritus, serving as Alternate for Rick Gray), Daniel Chao, Malcolm Derk, Penelope Gross, Larry Land, Leo Lutz, Andria McClellan, Brianne Nadeau, Philip Pannell, Kelly Porter, Ann Simonetti, John Thomas, James Wheeler, Robert Willey, Bruce Williams and LGAC Staff - Mary Gattis and Jennifer Starr

*Speakers/Guests Present:* Rich Batiuk (CBPO), Monica Billig (Alliance), Carin Bisland (CBPO), Karl Blankenship (Bay Journal), Jessica Blackburn (Alliance), Nick DiPasquale (CBPO), (Alliance), Rachel Felver (EPA CBPO/Alliance), Elizabeth Nellums (NFWF), Reggie Parrish (CBPO), Matt Pennington (WV), Joan Salvati (VA DEQ), Lisa Schaefer (PA CCA), Philip Stafford (MD DNR), Al Todd (Alliance), Jennifer Walls (DE)

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

**Thursday, September 29, 2016**

**Call to Order, Introductions**

Chair Brianne Nadeau called the meeting to order at 10:30 a.m. New LGAC members Daniel Chao (DC) and Andria McClellan (VA) were welcomed and invited to introduce themselves. New staff, Monica Billig, was also welcomed and introduced herself. Brianne asked members and guests to introduce themselves.

**Chesapeake Bay Program Updates**

*Rich Batiuk (Associate Director of Science, EPA Chesapeake Bay Program Office) and Reggie Parrish (EPA Chesapeake Bay Program Office)*

Rich presented opportunities for LGAC to engage in Chesapeake Bay TMDL 2017 midpoint assessment policy issues. These included local governments review of draft Phase 6 Land Use data, expectations for the jurisdictions' Phase III Watershed Implementation Plans (WIPs), accounting for growth in the jurisdictions' Phase III WIPs, factoring in the implications of climate change into jurisdictions' Phase III WIPs, and local governments involvement in the development of their jurisdictions' Phase III WIPs.

Clarification was requested on the results of Phase 6 land use data as it relates to funding resource allocation and members emphasized that local governments want to get credit for the work they have already done.

Ruby questioned how the Bay Program is calculating growth. She stated that trends may not be accurate. Mary stated that she has been engaged in discussions around this topic as a member of the Land Use Workgroup and that this concern has been raised by others. Leo, Ruby, Andria, Richard, Jim and Matt Pennington agreed to work with Mary to prepare to bring this issue back before the committee.

*Follow-up: Mary Gattis will brief members on the Land Use Workgroup's efforts to forecast growth .*

Reggie provided initial results of the Diversity Profile. Based upon the Stewardship Goal to increase diversity, a June 2016 Survey Monkey Poll was sent to over 750 Chesapeake Bay Program partners. There was a 50% response rate and findings of non-Caucasian participation of 13.4% with 3% in leadership positions. More detailed results of this Survey will be provided at the December meeting. Daniel asked if there is a previous baseline for this effort and Reggie explained this is the baseline.

Reggie then thanked members for providing Grant Guidance review and assured the Committee their comments have been incorporated into the document when appropriate. Carin Bisland will provide more details on this at the December LGAC meeting. A discussion ensued over the need for technical assistance as well as implementation assistance. Members stated that technical assistance is key for local governments in understanding what needs to be done for compliance. Elizabeth Nellums said NFWF welcomes LGAC's input on the NFWF technical capacity grant program. .

### **Member Sharing and Updates**

*District of Columbia*-Brianne discussed the Anti-Litter Campaign for clean streams and reusable bags as well as a review of watershed impacts from new development on the Anacostia. Philip's luncheon cruise fundraiser for the Anacostia River program is about to occur.

*Delaware*-Jennifer Walls said a new LGAC DE position has been selected and is awaiting governor approval. Also DE has a clean water fee part of a larger piece of legislation that is hoped to be passed and efforts are underway to designate a coordinator to help with MS4 permits.

*Maryland*-Bruce reported Takoma has an anti-litter campaign and Maryland is still awaiting final approval for its two empty slots on LGAC. Bruce attend the Maryland Bay Cabinet meeting in September and discussed draft LGAC recommendations for the Executive Council. Kelly reported his local city hall is being revamped to be greener and more energy efficient.

*Pennsylvania*-Leo shared the popularity of the Growing Greener Grant and the new possibilities coming of Mike Sturla's legislation is passed. He also discussed the media attention towards the low water levels in the northern part of the state and the resulting visibility to stream pollution. Also a new 20-mile long bike path along the Susquehanna River has drawn strong awareness. John said Hampden Township's stormwater fee is doing well even though the Navy and State have not paid their portions. PA DOT believes it's a tax and should not be charged.

*Virginia*-Ruby reported that she attended a presentation on the upcoming Phase III WIP given by Russ Baxter. She also mentioned the success of the King George county wastewater treatment plant operations and anti-fracking efforts.

*West Virginia*-Jim talked about a new stormwater fee and its overall acceptance. He also told of a new very large Proctor and Gamble plant being built.

### **Local Government Forum Follow Up and Next Steps**

*Mary Gattis, Director of Local Government Programs, Alliance for the Chesapeake Bay*

Mary shared highlights from the draft Streamlining Integrated Infrastructure Implementation June 9<sup>th</sup> Workshop Report prepared by Hirschman Water & Environment LLC. Issues identified by workshop participants included problems with funding and financing, lack of qualified personnel and available guidance, municipal processes and commitment, planning prioritizing and feasibility, and regional collaboration and peer-to-peer networking. Strategies and recommendations for each of these issues have been detailed in the draft report.

Discussion ensued over the next steps for this report and the role LGAC should play. Members do not want to hand the report off to others. They prefer to seek funding to begin implementing the

recommendations. A final draft will be distributed to all Forum attendees with the goal of forming a workgroup to develop an action plan for implementation.

*Follow-up: Mary to send the draft report to workshop attendees and begin exploring funding for implementation.*

### **Local Government Engagement Initiative**

*Mary Gattis, LGAC Coordinator*

*Rachel Felver, Communications Director, CBPO*

*Dawn Stoltzfus and Ed Hatcher, Hatcher Group on phone*

Mary provided an overview of the Local Government Engagement Initiative, a new LGAC initiative being funded in part by the Town Creek Foundation and NFWF. The Initiative was born out of LGAC's concern about lack of coordination of outreach and engagement of local governments in the midpoint assessment and Phase III WIP development process. The Initiative is supported by the Principals' Staff Committee who, after learning about LGAC's concerns at May 2016 PSC meeting, requested that LGAC convene a meeting to discuss possible solutions. The Initiative was an outcome of that initial meeting, held June 22, 2016 in Annapolis.

LGAC is represented in the Initiative by Bruce Williams, Ruby Brabo and Ann Simonetti. LGAC is serving as the overall coordinator of the Initiative. Professional services are being provided by Tetra Tech and the Hatcher Group, with financial support from the Chesapeake Bay Program. With the exception of the District of Columbia, all jurisdictions are actively participating in the Initiative. A Common Agenda was adopted by the participants at their September 27 meeting.

Dawn Stoltzfus briefed the committee on various tools and resources being developed for the jurisdictions. These include a "road map" showing critical engagement or communications milestones, key messages and fact sheets on specific topics such as "the Model." Members will be asked to review drafts of the fact sheets. Ruby, Bruce and Ann will continue to represent LGAC on the Initiative and Matt, James and Larry will engage with their respective jurisdictions.

Rachel Felver reported that the CBP Communications Strategic Plan has been finalized and that improving communications with local government is a priority. The Communications office is an active participant in the Initiative.

### **Local Area Targets Task Force**

Ruby thanked Joan Salvati and Lisa Schaefer, Task Force co-chairs, for their attendance and leadership. The Local Area Targets Task Force draft recommendations report was distributed. Ruby highlighted concerns raised by members of the Task Force, which included concern about local goals being translated into enforceable allocations and lack of confidence in the Bay Model. Nick DiPasquale says accuracy of the Model is improving down to the local level. Rich said a team of unbiased scientists are looking at the accuracy of the Model and will be drafting a report. Ruby recommended that each State form their own task force, with local representation, to develop local area goals.

### **USEPA Water Quality Trading Overview**

*David McGuigan, Associate Director, Water Permits and Enforcement, EPA Region III*

David provided an overview of EPA efforts under water quality trading. EPA supports trading under certain circumstances with awareness for constraints like varying pollutants, percent reduction and

location. Local waters cannot be impaired as a result of trading and trading can only be within affected waters. Discussion centered on programs within each state. Virginia has water quality trading regulations and it requires trading within the same hydrological system. Pennsylvania has no restrictions on locations. DC has a stormwater trading program. Delaware does not have a formal water quality trading program but issues permits on a case-by-case basis. Overall it was agreed that trading is another option for dealing with current water quality concerns and compliance.

### **Business Meeting**

June 2016 meeting minutes were approved following a motion by Ann Simonetti and second by Ruby Brabo. Andria, Daniel and Ruby abstained.

District of Columbia LGAC members voted Daniel Chao to serve as vice-chair. 2017 LGAC meeting dates were introduced for consideration and discussion. Members raised concern about the December dates and asked that earlier dates be considered. Dates will be finalized at the December 2016 meeting.

### **Friday, September 30, 2016**

Jurisdiction meetings were convened over breakfast.

### **Call to Order**

Brianne called the meeting to order at 9:00 a.m. and commended the Committee on the 2016 Executive Council LGAC Recommendations and Resolution.

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

Mary updated members on recent staff activity, including:

- Grant Guidance comments were submitted with input from Bob Willey and Ann Simonetti.
- STAC Roadside Ditch comments were submitted but the CBPO decided not to include LGAC comments in its own comment letter but rather as an attachment stating policy comments do not go in technical comments. At the upcoming October 13 Management Board meeting there will be a conversation about the Roadside Ditch report and LGAC will be part of the discussion.
- Mary introduced the idea of an LGAC newsletter and overall the Committee liked the idea. Staff will begin to develop a format and explore the idea.
- Brianne asked each Member to commit to reviewing draft documents at least four times per year to spread out the committee input and have at least two members prepare/review LGAC documents. The Committee agreed.

*Follow-up: Staff to develop an LGAC newsletter for sharing committee updates, news, etc..*

### **Environmental Finance Symposium Update**

Penny provided an update on the Environmental Finance Symposium draft report. She has concerns over how the effort can be streamlined. Penny is recommending Attorney General review and the development of a matrix to clarify implementation. Mary said the Budget and Finance Workgroup has been charged with considering and implementing the report recommendations. Bruce, Ruby and Penny will continue to represent LGAC with this report.

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

- 2010 v 2025 Land Use Decision
- Financing Stormwater Programs

- Technical Assistance Program Sufficiency
- Water Quality Trading better discussion by Al Todd

The meeting was adjourned at 10:05