BACKGROUNDER

Filling Gaps to Advance WIP Implementation

September 26, 2018

This document is intended to provide participants in the Local Government Forum with foundational information and an understanding of the preliminary recommendations for addressing the problem identified below. We ask that all participants review this information in advance and that you come to the meeting prepared to contribute to the development of specific actionable recommendations.

Introduction and Problem Statement

Due to inadequate in-house resources (staff and/or funding), local governments throughout the Chesapeake Bay watershed require outside services (technical assistance) to fully participate in implementing their jurisdiction's Chesapeake Bay Watershed Implementation Plan (WIP).

What is Technical Assistance?

In the context of these discussions, technical assistance is defined as a service provided to local government by an outside organization or agency, which may otherwise be performed by staff or secured through normal procurement processes, e.g. municipal engineering services.

Despite the vast array of technical assistance services being delivered in the Chesapeake Bay watershed, many local governments are unable to secure the services needed to plan, design, implement, and maintain watershed restoration projects and programs. ***[Problem Statement]***

The Local Government Advisory Committee (LGAC) has raised the issue of staff capacity and technical assistance gaps with the Chesapeake Executive Council for more than ten years. At the August 7, 2018 meeting of the Chesapeake Executive Council, LGAC again raised the issue, calling for *an evaluation of the nature, sufficiency, and scope of technical assistance resources and programs available to local governments to be conducted for the purpose of establishing new, re-tooling existing, or expanding state and/or federal programs to achieve greater effectiveness in WIP implementation.*

LGAC is hosting this Forum in order to provide the Chesapeake Bay Program leadership with more specific recommendations for addressing staff capacity and technical assistance gaps.

Meeting Goal

By the end of the day, we expect to have jurisdiction specific recommendations for expanding technical assistance delivery to low capacity communities throughout the Chesapeake Bay Watershed.

Our work will help the jurisdictions ("states") comply with EPA's Expectation that Phase III WIPs will include ***recommendations for filling gaps in capacity in programmatic, financial, technical assistance, or other capacity needed to advance WIP implementation.*** See sidebar and EPA Expectations for additional details.

BACKGROUNDER

EPA expects each of the seven jurisdictions to describe in their respective Phase III WIPs:

- Programmatic and numeric implementation commitments between 2018 and 2025 needed to achieve their Phase III WIP planning targets;
- Comprehensive strategies for engagement of the full array of their local, regional, and federal partners in WIP implementation.

Phase III WIPs should address the following:

"Identification of gaps in capacity in programmatic, financial, technical assistance, or other capacity needed to advance WIP implementation and recommendations to address those gaps and needs."

Background and Assumptions

The Forum Planning Team identified three key factors affecting local government access to technical assistance.

1. Insufficient staff capacity. Many local governments operate with minimal staff and thus do not have the internal capacity to take advantage of services that may otherwise be available to them.

2. Technical assistance provider capacity limitations. Technical assistance providers' ability to meet the demand for services may be limited by insufficient resources (staff/funding), geography, and/or the range of expertise/services within the organization.

3. Lack of awareness about available services. Identifying agencies or organizations that can provide assistance is time consuming. There is no central repository for information about technical assistance and the range of agencies and organizations providing technical assistance to local governments is vast.

Additional information on Factors #1 and #2, which we will address on September 26th, is below. Lack of awareness (#3) was considered a tertiary issue, best addressed after the other two issues are resolved.

Key Factor #1: Insufficient Staff Capacity

While we recognize that almost every community could use more staff, we are focusing exclusively on the needs of **low capacity communities** to undertake watershed protection and restoration activities, including but not limited to managing stormwater.

Low Capacity Community

In the context of these discussions, we are defining Low Capacity Communities as smaller Phase II MS4s and non-MS4 or "unregulated" communities.

Staffing assumptions that inform our recommendations:

1. Staffing needs may vary from one community to the next, even within the same region.
2. Staffing goals may vary from one community to the next, i.e. some communities may ultimately need/want to become self-sufficient while others may be best served by long-term assistance from an external provider (adjunct staff).

3. Sharing staff can be a cost effective strategy for filling staffing gaps.
4. Needs are not always "technical."
5. Low capacity communities benefit from services that can be provided by a generalist rather than a specialist.
6. Relationships matter. Building trust takes time.

Generalist versus Specialist

In the context of these discussions,

A **Generalist** is a person who possesses a wide range of knowledge and skills related to water resources planning and management. He/she may possess some capacity related to finance, planning, project management, grant writing, etc.

A **Specialist** is a person who possesses a deep understanding or capacity for a topic or discipline such as finance, engineering, planning, etc.

Approaches to meeting staffing needs in low capacity communities may include:

Circuit Rider - Examples include York County Circuit Rider (2009); Eastern Shore Healthy Waters Initiative, MD (current); Otsego County Conservation Association Circuit Rider Planner Program, NY (current)

Quasi-governmental or Governmental Agency Support. Examples include Watershed Assistance Collaborative, MD; Eastern Panhandle Regional Planning and Development Council, WV; Upper Susquehanna Coalition, NY/PA; DE Department of Natural Resources and Environmental Control

Shared Staff - Examples include Blair County MS4 Collaborative, PA

See Attachment #1 for additional information on these models.

Key Factor #2: Technical Assistance Provider Capacity Limitations

Technical assistance providers working in the Watershed include federal, state and local agencies, quasi-governmental organizations, University Extension Agents, NGOs, private firms and others. See Attachment #2 for additional information on funders and technical assistance providers.

Assumptions regarding Technical Assistance Services that inform these recommendations:

1. Demand for technical assistance exceeds supply.
2. Most Technical Assistance Providers (TAPs) are limited by insufficient resources (staff/funding), geography, and/or the range of expertise/services within the organization.
3. The competitive nature of funding doesn't facilitate collaboration among TAPs.
4. Better collaboration among TAPs will improve delivery of services that meet local governments' needs.
5. The types of services needed include planning, engineering, financing, grant writing and reporting, legal, project management, etc.
6. Some TAPs are providing services outside their area of expertise.

BACKGROUNDER

Common approaches to meeting local governments needs for technical assistance include:

Grant Funded Services. Examples include NFWF's Technical Capacity Grants Program (in 2018 this program was combined with the Small Watershed Grants program and projects are being solicited under the SWG Planning and Technical Assistance (SWG-PTA) heading).

Federal or State Assistance. Examples include MS4 training, US Army Corps of Engineers Planning Assistance to States (PAS) Program, state or federal procured services such as the PA Department of Environmental Protection Source Water Protection Plan assistance provided by SSM.

Criteria for TA Services

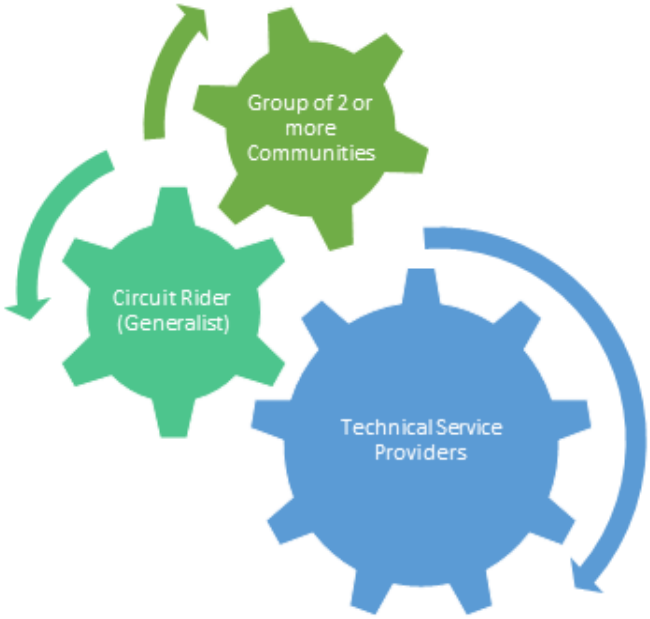
An effective technical assistance system will meet the following criteria:

1. ***Credible*** - TA providers should be able to demonstrate that they possess the expertise needed to meet the clients need. Having an established relationship with the client or a history of providing services to similar clients is preferable. *If they are providing services related to statutory or regulatory programs, how do you ensure TA providers possess the appropriate credentials? See Water and Wastewater System Operator Model provided by Nicki Kasi which requires DEP pre-authorization.*
2. ***Consistent*** - TA services should be available on an ongoing basis, i.e. not dependent on short-term funding. *What constitutes on-going basis, e.g. 3 years, 5 years, indefinite? If services are grant funded, need to determine what constitutes a reasonable time frame, e.g. CBPO funded support contracts are generally 6 years.*
3. ***Convenient*** - Local governments should have a one-stop shop where they can go to locate services and the process for securing services should be simple (see PA DCED Technical Assistance program Letter of Intent process; *do you know of other examples*?).
4. ***Cost-effective / Affordable*** - Services may be considered cost-effective if they result in an overall reduction in the cost to meet the desired ends. For example, it may be more cost effective for the state to secure a contractor to map MS4 systems (reference PA DEP Source Water Assessment example). There should be an expectation that local governments will contribute financially. In other words, they must have "skin in the game" and shouldn't expect to get something for nothing. *Should there be a sliding scale for determining what an equitable contribution is?*

Preliminary Recommendations

To address both the insufficient staff capacity and technical assistance provider capacity limitations, LGAC recommends the establishment of a Circuit Rider Network and Technical Assistance Collaborative. See diagram below.

We envision this as a two pronged approach, involving the establishment of the Circuit Rider Network first, followed by the establishment of one or more Technical Assistance Collaboratives. Additional details about each of these aspects are described below. During the Forum, participants will refine these recommendations, and develop details specific to each state.



1) Establish a Network of Circuit Riders

We envision a network of generalists ("Circuit Riders") who provide services to a discrete group of communities. This recommendation is based on the demonstrated success of Circuit Rider models identified above. The Network is a new aspect which will increase the effectiveness of individual Circuit Riders by providing a forum for peer-to-peer exchange, support and shared services. Refer to the Upper Susquehanna Coalition model for sharing technical expertise.

Individual Circuit Riders will serve as adjunct staff for two or more communities. Their job will be to supplement or build local staff capacity, depending on a particular community's needs/goals.

Circuit Riders help assess each community's needs, provide support and function as adjunct staff, and help secure outside services from specialists as needed. Employing a Circuit Rider ensures that when specialists are brought in, the community is ready to engage those services.

This approach to addressing insufficient staff capacity addresses all four criteria established by the Planning Team (Credible, Consistent, Convenient and Cost Effective/Affordable).

Obstacles/Barriers to be Addressed (for further discussion at the Forum)

1. Some communities are well served by an existing network of generalists and/or specialists, while others are underserved or even unaware of the need to invest in watershed protection/restoration.
   Possible solution/response: States could survey communities to identify areas of need.

2. Funding a Circuit Rider Network will be expensive.
   Possible solution/response: The amount of funds needed will depend on the number of Circuit Riders. Discussion about funding should be limited to policy decisions, such as whether participating local governments should be expected to contribute financially.

2) Establish a Technical Assistance Collaborative

We envision a collaborative comprised of technical assistance providers with a range of expertise who can meet the needs of local governments participating in the Circuit Rider Network. Circuit Riders would be responsible for identifying the appropriate TAP and engaging them on behalf of or in cooperation with the local government. Using this approach ensures that the community engaging the TAP is in fact ready for the services being requested.

BACKGROUNDER

Employing the principles of Collective Impact (see sidebar and adopting a collaborative approach to meeting local governments needs), TAPs working in the Chesapeake Bay Watershed can help ensure that the limited resources available for these services are deployed in the most efficient and effective way.

Taking a collective impact approach requires moving away from the traditional, more isolated ways that service organizations attempt to solve problems. Traditional, isolated approaches to making an impact on outcomes often look like this:

Funders select **individual grantees**

Organizations seeking to implement change **work separately and often compete against each for funding**

Evaluation is structured to **isolate a particular organization's impact** to show progress

Large-scale change is assumed to depend upon **scaling individual organizations or interventions**

Corporate and public sectors are not **heavily involved in the process**

Like other approaches to collaborative action, the collective impact approach engages multiple players in working together to solve complex social problems:

Funders and implementers understand that social problems – and their solutions – arise from the **interaction of many organizations** within a larger system

Organizations **actively coordinate their actions** and share lessons learned

Progress depends on **working toward the same goal and measuring the same things**

Large-scale change depends on **increasing cross-sector alignment and learning among many organizations**

Corporate and public sectors are **essential partners**

Excerpt from the Community Tool Box's Collective Impact Model, found here https://ctb.ku.edu/en/table-of-contents/overview/models-for-community-health-and-development/collective-impact/main

See Attachment #3, Collective Impact Basics, for additional information.

Obstacles/Barriers to be Addressed (for further discussion at the Forum)

1. TAPs may be concerned by this approach. To succeed in meeting the needs of local governments we must acknowledge that there is plenty of work to be done in the Watershed. ***Possible solution/response:*** A sustainable source of funds that is shared by a collective will help TAPs play to their strengths, not compete against one another to provide services that others may be better suited to provide.

Attachment #1

Circuit Rider/"Generalist" Models:

York County Circuit Rider Pilot Project, York County, Pennsylvania

Partners: Alliance for the Chesapeake Bay, York County Community Foundation, local agencies

Year established: 2009-2010 Pilot

Budget: approximately $100,000/year

Financial contribution to participate: Grant-funded pilot project, no financial contribution by localities to utilize staff position

Staff: One staff person hired as circuit rider

Job description: *Tasks included:* Construction management and oversight; landowner assistance; grant writing; stream restoration design; agency coordination; ordinance establishment; developed series of workshops; local government outreach and engagement; etc.

Geographic range served/Number of communities served: Engaged 8 municipalities in York County, PA

Program Objectives: Engage local governments and facilitate on-the-ground implementation

Measures of Success: Over $1,000,000 awarded for grants written by circuit rider; request for assistance from 40 landowners; engaged 8 municipalities and 3 watershed organizations; over 1,051,875 lbs of sediment reduced from project implementation

Circuit Rider Planner Program, Otsego, New York

Partners: Otsego County Conservation Association (OCCA), local governments

Year established: 2011

Budget: Staff position salary range $35,000-$39,000 (half covered by contracts with localities, other half supported by local benefactor)

Financial contribution to participate: 50/50 matching grant -- full rate is $70/hour and the municipality pays $35/hour

Staff: One staff person hired as circuit rider, need to hire more staff

Job description: *Tasks include:* Grant writing, farmland protection, watershed planning, liaison between citizen groups and local Boards, work with communities to meet their needs on whatever comes up (need flexibility in rural communities), etc.

Geographic range served/Number of communities served: Ebbs and flows - currently serving 2 municipalities with 3 in the pipeline

Program Objectives: Fill planning gaps in rural communities (review large scale land use and infrastructure projects, comprehensive planning, etc.)

Measures of Success: Built strong relationships with municipalities enabling access to greater resources and capacity; No need to seek out projects, the demand is there

Eastern Shore Healthy Waters Initiative, Eastern Shore, Maryland

Partners: Chesapeake Bay Foundation; local, regional, state, and federal partners

Year established: 2018

Budget: Data not available

Financial contribution to participate: Three year grant-funded project, no financial contribution by localities to utilize staff position

Staff: One staff person hired as circuit rider

Job description: *Tasks include:* Plan, prioritize, and streamline projects that control polluted runoff

Geographic range served/Number of communities served: 4 municipalities and 2 counties

Program Objectives: Assist local governments on Maryland's rural Eastern Shore to develop increased stormwater management capacity, and facilitate a collaborative regional structure among cities and towns including Cambridge, Easton, Oxford and Salisbury, and Queen Anne's and Talbot County, that will aid in the planning, prioritization and streamlined delivery of restoration projects.

Measures of Success: TBD

Quasi-governmental or Governmental Support:

Upper Susquehanna Coalition (USC), New York and Pennsylvania

Partners: USC is a coalition of 21 Soil & Water Conservation Districts in NY and PA

Year established: USC has been in place for 25 years

Budget: Data not available

Financial contribution to participate: No membership dues; all work done under grant funding

Staff: Tioga County SWCD is administrative entity: 7 USC staff (3 in wetlands, 2 in buffer, 1 in stream and 1 in agriculture)

Job description: *Tasks include:* Provide technical support and additional capacity and funding across three focus areas in the watershed (wetlands, streams, buffer restoration)

Geographic range served/Number of communities served: 17 SWCDs in NY and 4 CDs in PA

Program Objectives: Recognized the need to supplement local capacity by providing support, capacity, and funding

Measures of Success: Districts have trust with the localities; USC works closely with Districts to identify needs and go after funding to secure projects

Maryland Sea Grant, Watershed Restoration Specialists

Partners: Maryland Sea Grant, local governments, citizen groups, individuals

Year established: 2009

Budget: N/A

Financial contribution to participate: No financial contribution by localities to utilize specialist

Staff: 5 regional watershed restoration specialists throughout Maryland

Job description: *Tasks include:* Build programs to assist local governments and non-profits in achieving measurable improvements in water quality. Tasks include capacity building, providing grants assistance, helping with project identification and implementation, social marketing, and providing education & outreach.

Geographic range served/Number of communities served: Entire state

Program Objectives: Assist communities to connect to funding, contractors, and technical assistance for watershed restoration projects; assist communities to establish watershed steward academies; helping communities work toward TMDL goals

Measures of Success: Measures include number of communities served, number of program participants or individuals reached, number of grants approved, nutrient and sediment load reductions, jobs created or sustained, number of best management practices implemented as a result of our programs.

West Virginia Eastern Panhandle Regional Planning & Development Council (PDC)

Partners: Eastern Panhandle Regional PDC, local governments

Year established: 2011

Budget: Overall cost of program is $75,000 - includes salary, fringe, transportation (logs up to 15,000 miles/year)

Financial contribution to participate: The PDC pools resources from all communities in addition to federal resources (Appalachian Regional Commission and Economic Development Council); A very small revenue that comes in from taxes required by state code; they write grants to supplement and leverage (Matt's position was leveraged through Chesapeake Bay Regulatory and Accountability Program (CBRAP))

Staff: Environmental Program Coordinator position

Job description: *Tasks include:* First and foremost, be a listener; Spends lots of time on the ground with communities in order to learn the local issues; once he figures out local issues, starts relating back to water quality component which is where the traction starts

Geographic range served/Number of communities served: 12 municipalities (3 counties and 9 municipalities)

Program Objectives: Originally staff position was brought in to meet expectations set up in Phase II WIP; hired to be local governments' voice when drafting that plan - reflecting local governments' interests on what could be done, then help implement those strategies after approval of document and now going into Phase III drafting process

Measures of Success: Getting ideas across and going from discussing the issues to putting solutions into comprehensive plans. Overall perception has changed at all levels. What once was not welcome in a very conservative state, now is being supported by high level politicians in the state because of Matt's due diligence. Which has been an effect of messaging and positive results in demonstration projects.

Northern Virginia Regional Council

Partners: TBD

Year established: TBD

Budget data available: TBD

Financial contribution to participate: TBD

Staff: TBD

Job description: *Tasks include:* TBD

Geographic range served/Number of communities served: TBD

Program Objectives: TBD

Measures of Success: TBD

Shared Staff:

Blair County MS4 Collaborative, Blair County, Pennsylvania

Partners: Intergovernmental Stormwater Committee (ISC), Blair County Conservation District

Year established: NFWF Grant project completed in 2015/16; ISC established in 2016 as two-year trial term; commitments to continue from all but one municipality (who received a waiver)

Budget: Conservation District is compensated $100,000 per year

Financial contribution to participate: All ISC members pay into supporting the Stormwater Coordinator (from $2,560 to $37,270 annually based on population, stream length, and impervious surface breakdown developed by the Environmental Finance Center); they are currently discussing fees for non-permitted municipality participation and how and when to role in the implementation cost to the annual fee

Staff: Utilizing existing staff at the Conservation District

Job description: *Tasks include:* Communicate with DEP and other agencies on behalf of ISC, regularly convene group, maintain all records, receive and distribute MS4 Program funds from grants, coordinate completion of all required MS4 Program funds, carry out appropriate MCMs, etc.

Geographic range served/Number of communities served: 10 municipalities plus Blair County joined together to form the ISC

Program Objectives: Conservation District serves as "generalist" to support regional approach - help communities more adequately address MS4

Measures of Success: All participating ISC members committed to continue, currently discussing the term of the next agreement (anticipated 5 year to match permit cycle)

Attachment #2

Technical Assistance Resources

TA Funders:

- NFWF Chesapeake Bay Stewardship Fund
- EPA/Chesapeake Bay Program Office
- Chesapeake Bay Trust (CBT)
- Foundations
- State programs
    - PA Department of Environmental Protection (DEP)
    - PA Department of Conservation and Natural Resources (DCNR)
    - MD Department of Natural Resources (DNR)
    - VA Department of Environmental Quality (DEQ) Stormwater Local Assistance Fund (SLAF)
    - WV DEP
    - DE Department of Natural Resources and Environmental Control (DNREC)
    - NY Department of Environmental Conservation (DEC)

TA Programs/Providers:

- Alliance for the Chesapeake Bay (ACB)
- US Army Corps of Engineers
- Smart Growth Technical Assistance Programs
    - One of the above programs: US EPA Greening America's Communities
- US EPA Green Infrastructure Technical Assistance
- Environmental Finance Center (EFC)
- Center for Watershed Protection (CWP)
- Approved NFWF Technical Assistance Providers
- Upper Susquehanna Coalition (USC)
- MD Harry R. Hughes Center for Agro-Ecology, Inc.
- Chesapeake Stormwater Network
- Resource Conservation & Development Offices
- MD DNR Watershed Assistance Collaborative
- MD Sea Grant Watershed Restoration Specialists
- PA DCED Governor's Center for Local Government Services
- WV Region 9 Eastern Panhandle Regional Planning & Development Council
- Northcentral Pennsylvania Conservancy

Attachment #3

Collective Impact

What are the five core characteristics of Collective Impact initiatives?

There are five characteristics that typically exist across Collective Impact[1] projects. These five characteristics build off each other to create direction, alignment, and commitment with collaborating stakeholders.

1. Common Agenda

The common agenda is a mutually accepted vision for change, which helps create objectives and targets and aligns the entities involved. Each participating organization spanning the public, private, and non-profit sectors, must see itself contributing in a positive way.

2. Shared Measurement System

A shared measurement system provides a framework from which to track the project's progress and success. Participating organizations agree upon common indicators, which maximize transparency, accountability, and commitment. These indicators must be reassessed as the project unfolds to allow for corrective action, and allow the indicators to be changed or project to be tweaked if necessary.

3. Mutually Reinforcing Activities

One of the unique approaches of Collective Impact is that of mutually reinforcing activities. It allows each participating organization to employ its strengths while sharing resources with others. This means that each organization's activity may be distinct, but the partners work together to address the same agreed upon problem, letting cross-sector collaboration flourish into a strong framework with a coordinated plan of action.

4. Continuous Communication

Due to the array of partners, continuous communication is essential to developing trust across the sectors. Regular meetings, among other forms of interaction, allow each organization to feel that their interests are being heard, and provide opportunities to report upon metrics identified in the shared measurement system.

[1] www.fsg.org

5. Backbone Support Organization

The backbone support organization is the one that advocates for the cause, coordinates between partners—both in terms of funding and activity—and makes sure that all those involved are actively pursuing the strategy. The size of the backbone organization can vary depending on the scope of the project, and could be a completely independent organization that focuses solely on collective impact initiatives. This organization, independent or not, is essential to helping this complex framework of cross-sector partners positively and effectively interact and reinforce each other's strengths.

What are the preconditions for Collective Impact?

It may be hard to know when to try to apply Collective Impact. How do you know if your project is a viable candidate for this approach? There tend to be three preconditions that are present for most Collective Impact projects. They are:

- **Urgency for Change.** Is there a situation that has reached a point where organizations are willing to try something new, anything that may make a difference on an environmental problem that seems insurmountable? Or, perhaps all other attempts have yielded lackluster results? This urgency for change creates the environment that allows organizations to work together and becomes the catalyst for cooperation and joint solution development.

- **An Influential Champion.** Is there a visionary or small group of dedicated, passionate people aimed at solving the problem at hand? This visionary or champion believes in the mission of the project and conveys enthusiasm, encourages belief in the possibility for change, and enhances momentum for the project as it unfolds.

- **Adequate Financial Resources.** Collective Impact projects are sometimes more 'expensive' due to needing more time and resources to set up the project's infrastructure and planning activities. Multi-year funding is more difficult to obtain through grants alone, and so a cross-sector funding strategy is also encouraged (funding from not only non-profits, but also from public and private organizations).

What phases will our project go through? How do we get started?

Research shows that there are three phases the project will go through to get the effort underway and establish the collective impacts outlined above.

1. Initiate Action

This first step focuses on heightening awareness of the projects underway, including key partners and organizations, which are already working on solving the issue you want to tackle.

2. Organize for Impact

The second step looks at how all these previously identified stakeholders can effectively collaborate to establish a common agenda, and a shared measurement system, and in turn implement mutually-reinforcing activities to solve the problem at large.

3. Sustain Action and Impact

This third and final phase is an ongoing one and is represented by three words - monitor, report and adapt. Once the project has been implemented, the targeted indicators are reviewed and corrective actions are taken accordingly.