

# Filling Technical Assistance and Staffing Gaps

LGAC Recommendations to the Chesapeake Executive Council

2018

Services must be:

Credible

Consistent

Convenient

Cost Effective

## Recommendation: Establish Network of Circuit Riders

- Circuit Riders are generalists who work as adjunct staff for a discrete set of clients (local governments, cities, boroughs, towns, counties, etc.).
- Circuit Riders assist clients with securing additional services from specialists as needed.
- Circuit Riders should be funded through federal, state, and local\* contributions. *\* Local contribution does not have to be monetary.*

# Caveat to local funding requirement:

- Local contribution does not have to be monetary.
- A commitment (MOU or other legal instrument) to work with the Circuit Rider to achieve one or more specific goals may suffice.
- Other means of “contribution” may include:
  - Donation of office space
  - Labor - e.g. public works department agrees to provide services to other participating clients.
- Does LGAC recommend there be a “test” to determine an equitable level of local contribution?

# Funding Question #1

1. Does LGAC recommend a portion of the CBPO \$5M allocated for local government implementation be devoted to funding the Circuit Riders and meeting local governments needs for technical assistance?

U.S. ENVIRONMENTAL PROTECTION AGENCY  
CHESAPEAKE BAY PROGRAM OFFICE  
**2018 GRANT AND COOPERATIVE AGREEMENT GUIDANCE**



*Updated December 2017*  
Substantive updates to this Guidance are indicated in "bold"

Since FY14, EPA has been committed to providing increased funding for local governments to reduce nitrogen, phosphorus, and sediment loads to the Chesapeake Bay, consistent with the Bay jurisdictions' WIPs. The Consolidated Appropriations Act of 2014 provided additional state funding for CBPO, and EPA provided \$5 million for this commitment. EPA is hopeful funding for local **government** implementation will continue in future years. Jurisdictions have the option of having EPA add their share of local **government** implementation funding to their CBRAP and/or CBIG.

Local **government** implementation funding is intended for use by local entities. For purposes of this guidance, “local entity” may include counties, municipalities, cities, towns, or townships, as well as local public authorities or districts (including conservation districts or regional planning districts), organizations representing local governments, or watershed organizations **that support local government implementation**. If EPA awards a Bay jurisdiction local **government** implementation funding, they are expected to provide this funding through contracts or subgrants to local entities based on the local entities’ ability to reduce nutrient and sediment loads through key sectors, such as land development and agriculture. Jurisdictions must make subrecipient and contractor determinations in accordance with 2 CFR §200.330. If a jurisdiction plans to make subgrants, then they must follow the requirements of 2 CFR §200.331.<sup>2</sup> Jurisdictions can provide this funding to a different state agency, which will then provide the funding to local entities through subgrants or contracts. EPA can also provide this funding directly to local entities through competitive RFPs (see Competition Process section on Page 14).



EPA expects work plans to include well-defined and measurable outputs related to meeting WIP commitments and, where applicable, to addressing issues raised by EPA in its evaluations of the jurisdictions' two-year milestones. The work plan should include near-term outputs for local **government** implementation activities that produce nutrient and sediment reduction. However, some activities jurisdictions fund may not lead to quantifiable pounds of nutrients or sediment reduced, such as those related to development of local ordinances. For these activities, jurisdictions should still include outputs and deliverables that are quantifiable while describing the activity's connection to nutrient and sediment reduction. Other areas of the local **government** implementation objective should follow the guidance on Pages [23-41](#) above and Attachment 4, Work Plan Template.

# Examples of possible uses of funding:

- Local stormwater program improvements.
- Training sponsored by local governments for local governments (e.g., peer-to-peer) focused on addressing barriers to and innovative ideas for implementation of nutrient and sediment reduction programs. Training conducted by jurisdictions that was specifically requested by local entities is also eligible.
- Filling gaps and technical assistance to develop and implement environmental financing revenue streams, including stimulation and leveraging of private capital, to pay for nutrient and sediment reduction projects.
- Compliance monitoring and assistance, and inspections and enforcement of MS4s, construction stormwater, animal feeding operations, and wastewater treatment plants.
- Development of new, or improvement of, existing authorities, rules, codes, zoning, and/or regulations to reduce nutrient and sediment loads delivered to the Bay through enforceable or otherwise binding commitments.
- Development and implementation of protocols and procedures and provision of staff resources to track, verify and report BMP data from local governments, conservation districts, non-governmental organizations and other local partners implementing BMPs.

#### D. PROGRESS REPORTS

After the assistance agreement has been awarded, the recipient will need to complete the entire progress report template (see Attachment 5) and submit it to the project officer when due (i.e., quarterly or semi-annually, and final). There will be a programmatic grant condition in your assistance agreement award document that specifies the reporting period.

The progress report template will enable the recipient to document the outputs and outcomes that are included in the application work plan; the recipient must provide information on the progress of all the outputs and outcomes for each objective. The electronic copy of this completed template will be used during the project to make revisions, as necessary, to the work plan. Revisions will require the approval of the project officer. Using this template will eliminate the need to repeatedly type the same information each time an interim (quarterly or semi-annually) performance report is due.

# EPA Allocation: \$5M per year since 2014

Jurisdiction	FY 14	FY 15	FY 16	FY 17	Total
Delaware	\$ 336,000	\$ 336,000	\$ 336,000	\$ 336,000	1,344,000
District of Columbia	322,784	322,784	322,784	322,784	1,291,136
Maryland	1,231,270	1,231,270	1,231,270	1,231,270	4,925,080
New York	449,654	449,654	449,654	449,654	1,798,616
Pennsylvania	1,190,544	1,190,544	1,190,544	1,190,544	4,762,176
Virginia	1,139,329	1,139,329	1,139,329	1,139,329	4,557,316
West Virginia	300,139	300,139	300,139	300,139	1,200,556
Total	\$ 4,969,720	\$ 4,969,720	\$ 4,969,720	\$ 4,969,720	\$ 19,878,880

# 1:1 State Match Required = \$10M per year

Jurisdiction	FY 14	FY 15	FY 16	FY 17	Total
Delaware	\$ 672,000	\$ 672,000	\$ 672,000	\$ 672,000	\$ 2,688,000
District of Columbia	645,568	645,568	645,568	645,568	2,582,272
Maryland	2,462,540	2,462,540	2,462,540	2,462,540	9,850,160
New York	899,308	899,308	899,308	899,308	3,597,232
Pennsylvania	2,381,088	2,381,088	2,381,088	2,381,088	9,524,352
Virginia	2,278,658	2,278,658	2,278,658	2,278,658	9,114,632
West Virginia	600,278	600,278	600,278	600,278	2,401,112
<b>TOTAL</b>	<b>\$ 9,939,440</b>	<b>\$ 9,939,440</b>	<b>\$ 9,939,440</b>	<b>\$ 9,939,440</b>	<b>\$ 39,757,7600</b>

Delaware FY14-FY17: \$2,688,000

- Green Infrastructure retrofit
- Restoration Project enhancements
- Denitrification bioreactor
- Small community water quality improvement program
- Ditch stabilization
- Bio-retention facilities

District of Columbia FY14-FY17: \$2,582,272

- River Smart Raingardens and other implementation projects
- Rain Barrel installation
- Green Roof Rebates
- Environmental Education

# Maryland FY14-FY17: \$9,850,160

## **Maryland Implementation Grant (mostly to Counties)**

- Restore stream channels
- Septic system database and tracking

## **Chesapeake Bay Trust**

- Outreach and Training
- Planning
- Project Design

## **Maryland Regulatory and Accountability (to various Counties)**

- Neighborhood scale stormwater restoration and retrofit programs
- In Frederick County, those homes participating get 60% reduction of stormwater utility fee
- Design phase stormwater retrofit
- Stream restoration
- Converting Bay TMDL Waste Load allocations to county local TMDL loads and map BMP opportunities



New York FY14-FY17: \$3,597,232

- Went to Upper Susquehanna Coalition
- Outreach, education, project planning, data collection and support

# Pennsylvania FY14-FY17: \$9,524,352

- Competitive award program to local governments for urban stormwater BMPs
- MS4 permittees must demonstrate:
  - Significant nutrient and sediment reductions
  - Work can be completed in project funding period
  - Project will be maintained

Virginia FY14-FY17: \$9,114,632

- Soil and Water Conservation Districts to increase cost share for stream exclusion practice
- Localities for historic BMP data clean-up

West Virginia FY14-FY17: \$2,401,112

- Training for engineers, maintenance, and field staff on newest regulations and technology of stormwater management
- Cost share for Conservation Districts willing to plant early cover crops
- Develop litter transfer program
- Develop porous pavement demonstration

# Funding Question #1

1. Does LGAC recommend a portion of the CBPO \$5M allocated for local government implementation be devoted to funding the Circuit Riders and meeting local governments needs for technical assistance?

If yes:

- a. Does LGAC recommend funds be dispersed through the states or through competitive RFP issued by EPA?
- b. Does LGAC recommend the proportion of funds devoted to implementation be increased over time? If yes, what is a reasonable amount of time to allow local governments to build capacity?

## Funding Question #2:

2. What role, if any, does LGAC recommend grantmakers, such as NFWF others in the Chesapeake Bay Funders Network, play in filling local staffing gaps?

# Staffing Questions

- Who does LGAC recommend employ the CRs?
  - One organization in each state employs the CRs in that state.
    - Example: Maryland Sea Grant
  - Individual local organization/entity
    - Example: County Government, Conservation District,
  - Other???

# Cost Questions

- Cost will depend on demand. Forum participants recommended that states identify gaps. After conducting an initial assessment *during WIP development*, states (in conjunction with local government associations and other relevant stakeholders) should determine the number of Circuit Riders needed.
  1. Does this approach seem reasonable?
  2. What are other options for determining what the demand is for CRs?
  3. Can state associations help by surveying members?



# Outputs/Outcomes Question

What metrics should be used to evaluate success?

## **Numeric Examples:**

- Pounds of pollutants reduced
- # of BMPs implemented
- # of ordinances updated
- # of projects that progress, e.g. from concept to design to engineering/funding to implementation

## **Programmatic Examples:**

- Development of annual stormwater program budget
- Ordinance revision/adoption
- Identification of technical assistance needs
- Number of presentations to boards/commissions

# Network Questions:

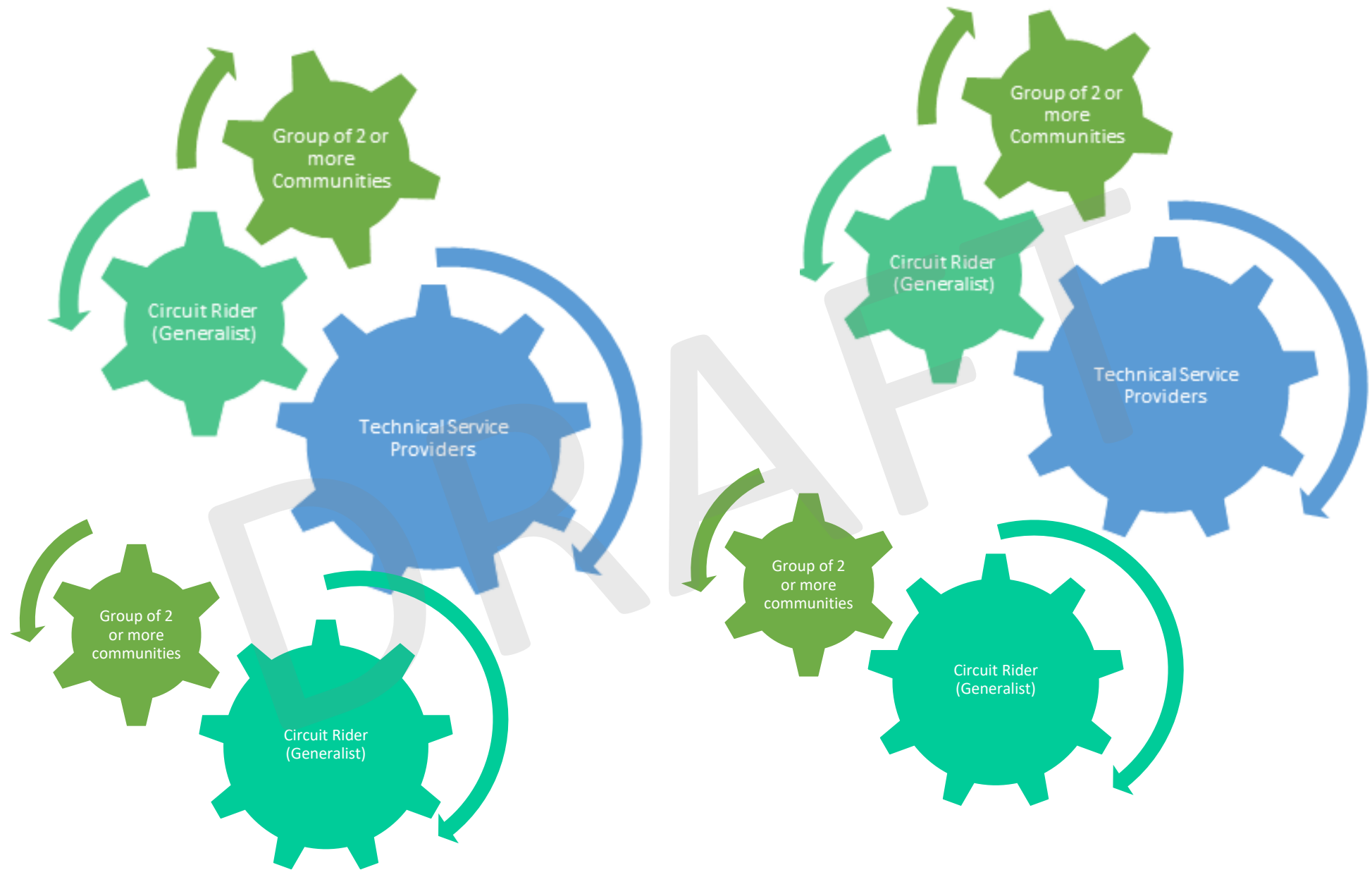
1. How important is it to have a forum for networking with other CRs?
2. What are some of the benefits of networking? What would you want to achieve through the Network?
3. Should Networks be interstate or state specific?
4. Should DE, NY and WV join adjacent state networks or have their own?

# Technical Assistance Questions

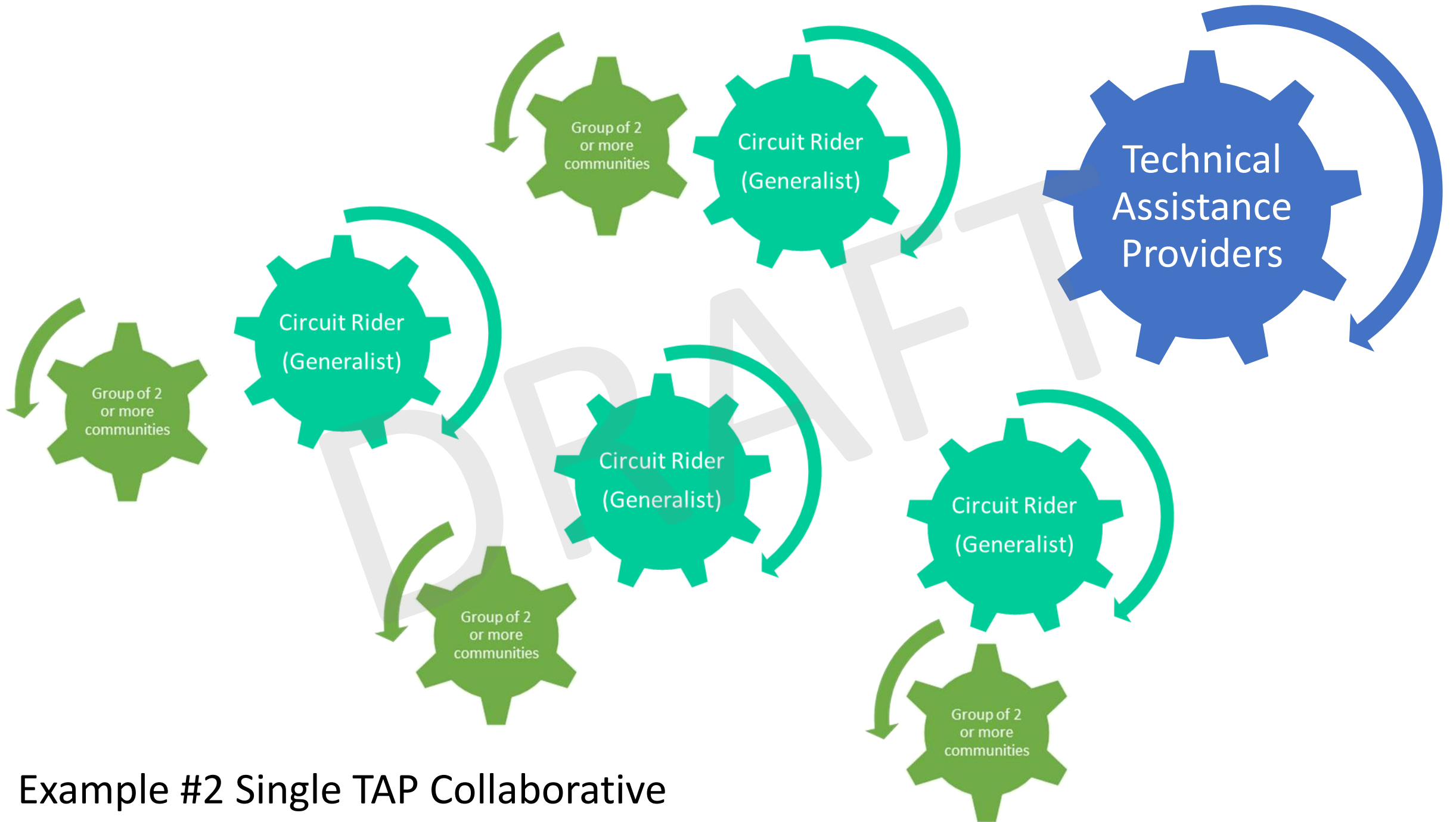
1. What services do local governments need in order to accelerate BMP implementation, e.g. planning, engineering, financial planning, project management, etc. *(See next slide for examples)*
2. Is there sufficient demand to justify a "bulk purchase" arrangement for services that are not being delivered efficiently/effectively? *See diagram.*

# Common Services Needed:

- Planning - green infrastructure planning, Pollution Reduction Planning, capital planning, asset inventories, retrofit surveys, Urban Tree Canopy Planning, etc.
- Project Design/Engineering - taking a project from concept (planning) to 60% design or further
- Ordinance Development
- Finance - stormwater program budgeting, finance strategy development,
- Project Management - construction management, permitting, etc.



Example #1 Multiple TA Collaboratives



Example #2 Single TAP Collaborative