



**LGAC Meeting Minutes**  
**Thursday, December 13, 2012**  
**Call meeting to order beginning at 1:00 PM**  
**Introductions of LGAC meeting attendees**

In attendance: Chair, Richard Gray, Diane Davis, Bruce Williams, James Wheeler, David Dunmeyer, Ann Simonetti, Sheila Finlayson, Penny Gross, Adriana Hochberg, Sheila Noll, Megan Lehman, John Thomas, Phil Briddell, Debbie Ritter, Rick Keister, Jessica Blackburn, and Al Todd. Presentors: Nick DiPasquale, Carin Bisland, Mike Fritz, and Natalie Gardner,

The meeting began by announcing the resignation of Rick Keister's position as Coordinator for LGAC. Rick Keister's resignation will be final at year's end.

**EPA Chesapeake Bay Program Report**

Nick DiPasquale, Executive Director Chesapeake Bay Program began the meeting with updates and overviews of work directly related to local governments and the LGAC. DiPasquale wants the LGAC to operate with current information, and have a good understanding of what the Chesapeake Bay Program Office (CBPO) is engaged in and focused on.

Models

The midpoint assessment for the TMDL is due in 2017. Models and tools can help local governments of the headwater states to apply best management practices (BMPs) and cost effective approaches. A review was given at a recent Water Quality meeting that was held in PA. The goal of this meeting was to establish guiding principles and priorities until 2017.

It was acknowledged that local governments need to have better tools to work through the TMDL. This is a concern that is shared by the LGAC. Needed changes to the model must be in place prior to entering Phase 3 of the watershed implementation plan (WIP). DiPasquale suggested that there is much back and forth regarding the models.

For example, the Chesapeake Assessment and Scenario Tool (CAST), allows local governments to create scenarios that would work better for them such as stormwater BMPs, flooding reductions and cost saving initiatives are captured in the CAST model.

There are a variety of work groups looking at how practices will be credited in the model. There is also work going on to look at verification procedures for BMPs across all sectors in order to know when BMPs are put in place, remain in place, and the reductions that are obtained. Significant resource issues are involved. The Principal Staff Committee has approved guiding principles for verification. An expert panel has convened that is not limited to the CB area, but from known experts throughout the U.S, and is currently reviewing these guiding principles. During this process, it was decided that without verification, and confidence in the integrity of BMPs in place, it will not be able to allow reductions.

The EPA is facing lawsuits from a couple of environmental organizations who are suing because of the nutrient trading program. A report from the Principal Staff Committee (PSC) on interstate nutrient trading specifically is forth coming. A motion has been submitted to dismiss the pending lawsuit. Specific issues in the law suit to be litigated are that there is no clear direction under the Clean Water Act to allow nutrient trading.

Dave Dunmeyer suggested that the process of getting new BMPs on the list and establishing a value for them has been difficult to do.

### Alignment and Organizational Structure

Efforts to align CBP/C2K and EO goals is underway. Goals and Objectives are very similar. First step in the process was to look at the goals for the CB restoration partnership and try to reconcile them with Federal EO. Previously under the CB 2000 partnership, there were a total of 102 goals. Currently, Goals teams have identified 30 goals with 6 overarching goals. It is hoped that this new process will give CBPO a better focus. We should look at the environment objectively and the environmental objectives in terms of water quality, sustainable fisheries, habitats, maintaining a healthy watershed, and stewardship are key goals in the program.

The second piece is governance. C2K had the main states as signatories. A Memorandum of Understanding (MOU) on water quality issues, nutrient reduction, and TMDL s included all states but headwater states did not sign onto goals other than water quality. Negotiation of another Bay agreement with the partnership is still coming together. The EC and PSC are recommending a path forward in achieving goals and whether it is feasible to proceed to a new agreement.

A focus on water quality has not allowed adequate attention on other things . There are six over-arching goals and the outcomes of those goals will be discussed during the January 10, 2013, Management Board meeting. The six goals will bring attention to several issues regarding wetlands, vital habitat, forest buffers, water quality, restoration, maintaining and fostering a healthy watershed, conserving landscapes, protecting our lands, expanding public access, and tidal and non-tidal waters.

The goals are being integrated through the Goal Implementation Teams (GIT). GITs need integration and cooperation in order to meet goals, as well as reviewing data, authorization and needed resources in order to work together to make improvements. Chairman Gray responded that the six over-arching goals would be an area of LGAC interest.

### Stormwater

LGAC Strategic planning suggests getting out and holding workshops such as environmental and stormwater financing, are important in communicating the economic issues around the WIPs.. Environmental finance options are important for local governments to hear, and LGAC should be acting as a convener as needed, even though we are not sure if this can be done. Concerns regarding the costs of implementation result in local governments becoming hesitant to take on implementation tasks. Therefore, it is understood that assistance is needed to help those counties better understand the process of nutrient trading. EPA is sponsoring some workshops with local governments.

Members of the committee could engage communities, provide examples and have success stories to use as examples that can encourage other communities and townships to begin the work need in order to meet the goals. Even though push and tugs exist in LGAC implementers and advisors, the EPA is asking LGAC to help take the lead. Each member can bring something different to the table and could be helpful in advising various communities who are directly at the table.

John Thomas expressed concern that townships in PA do what is required. However, we are concerned with what the EPA will tell us to regarding stormwater. PA legislators and township supervisors will be meeting soon to discuss stormwater issues. There is no permission or authority code to have a fee for stormwater. With no authority, this basically recreates new tax fees. Townships are not allowed to do and then act on what EPA would want them to do and how to pay for what EPA mandates the townships to do.

It is important to know how the Municipal Separate Storm Sewer System (MS4) program and its implementation will impact individual localities. The implementation will be left to the local governments but It is up to the state to provide guidance and permitting requirements. Stormwater is a tough issue, not prescriptive, because communities vary. General goals and objectives have been set, based on the conditions of the community. There are legal challenges as well. For example, VA filed suit on stormwater flow as a surrogate. They are currently awaiting a decision to determine authority.

Environmental Finance workshops will help. Possible coordination of meetings with PA townships to address these issues is needed. A schedule will be forthcoming to get out to the LGAC committee.

Easton has utilized colleges and universities and it has worked very well for them in conducting workshops and going out to identify those areas where stormwater is a challenge.

The next level for larger groups is to at least have presentations to increase the awareness, and how that emphasis applies to the social and economic indicators.

### New Strategies

The Chesapeake Bay Program is also working to review and approve other agency strategies related to the Bay watershed. The first one was a Forest Service/State Forestry restoration strategy that was approved by the PSC. This strategy is about protecting healthy forests. A public access strategy is next and a Toxics and Environmental Literacy Strategy may be finalized by the end of the year. Most information is accessible through CBP websites and brings the state side and federal side together on these issues.

### **End of Announcements:**

Tour sponsored by Sheila Finlayson and the City of Annapolis. A background overview on the places that were scheduled to be tour was given to the committee members. Ms. Finlayson provided background on various environmentally sustainable Annapolis stewardship programs that highlight businesses and residences that are doing their part in water conservation, community services, and feel good programs that gets communities closer to environmental sustainability. The tour will focus on how Annapolis improved upon WIPs, waste water, and waterway improvement plans. She went further to explain that the focus is on stormwater management.

City Dock

Market house Geothermal Wells Sea Level Rise

Harbor master solar powered diesel boat

St John's College Living Shoreline

Waste water Plant Upgrades

Naval Stadium Bioretention

Severn Savings Bank Building Green Roof

Rams Head Electrical Plug-in Station

Back Creek Stormwater Park

### **Meeting Adjourned at 5:00 PM**

LGAC Reception at The Maryland Inn – The Crown and Crab Room