

LGAC Members Present: Markus Batchelor, Jim Barnhart, Richard Baugh, Phil Briddell, Ed Bustin, Daniel Chao, Sheila Finlayson, Penelope Gross, Chip Jones, Leo Lutz, Andria McClellan, Don Phillips, Kelly Porter, Ann Simonetti, John Thomas, Robert Willey, Bruce Williams and LGAC Staff - Mary Gattis and Jennifer Starr

Speakers/Guests Present: Kathryn Antos (DOEE), Carin Bisland (CBPO), Jessica Blackburn (Alliance), Adam Bray (Alliance), James Davis-Martin (VA DEQ), Rachel Felter (CBPO), Kate Fritz (Alliance), Nicki Kasi (PA DEP), Les Knapp (MACo), Holly May (Alliance), Matt Pennington (WV), Joan Salvati (VA DEQ), Kathy Stecker (MDE), James Sullivan (DNREC)

Meeting presentations and materials: [October 2017 LGAC Meeting](#)

Thursday, October 5, 2017

Call to Order

Chair Bruce Williams called the meeting to order at 11:00 a.m.

New Members Charles “Chip” Jones (VA) and Markus Batchelor (DC) were welcomed and invited to introduce themselves. Other members and guests were also welcomed and introduced themselves.

Chesapeake Bay Program Update

Carin Bisland, Associate Director, EPA Chesapeake Bay Program Office (CBPO)

Carin provided an overview of the Chesapeake Bay cleanup efforts and the partners involved. She described the role of the EPA Chesapeake Bay Program Office and funding efforts. She then discussed the midpoint assessment and improvements to the Bay Model and land cover resolution. She also updated members on the Phase III WIP discussion around climate change, accounting for growth and the Conowingo Dam decisions. Members strongly suggest that the decisions do not set communities up for failure by changing requirements and deadlines when significant progress is being made at the local level. See presentation for additional details.

Action: Staff to continue to actively participate in decision-making meetings and communicate LGAC priorities.

Chesapeake Bay TMDL Midpoint Assessment

Presenters: Lucinda Power, CBPO, and James Davis-Martin, Chair Water Quality Goal Team

Lucinda and James highlighted key midpoint assessment policy decisions to be considered by the Principals’ Staff Committee (PSC). Decisions on draft Phase III WIP planning targets, final phase 6 modeling tools and final policy decisions have been delayed until December 2017. The PSC has asked for all options to stay on the table.

Members are finding this process very frustrating and call it “Schedule Creep”. Members also commented many local zoning decisions are not made thinking of the Chesapeake Bay and downstream issues. Also there is a disconnect between how the word “growth” as interpreted: Bay Program staff looks at “loads” and elected officials look at “people”. Members and guests urged the Presenters that locals need time to plan and budget so this scheduling slippage is a big concern as jurisdictions may lose credibility on deadlines out of their control. Members also raised concerns over how to address diverse communities. Discussion ensued over engagement strategies with a goal of targeting audiences and messages and engaging those not yet engaged. Other thoughts included educating elected officials as no one wants to look uninformed; look at co-benefits; focus on local water quality issues and that will address downstream issues and conducting Chesapeake Bay tours to Pennsylvania representatives. Members suggested timing engagement to local budget development and planning.

Jurisdiction Local Engagement Strategies for Phase III WIP (three breakout groups)

- *Delaware-Jim Sullivan, DE DNREC/Maryland-Kathy Stecker, MD DEP*
- *District of Columbia -Katherine Antos, DC DOEE/Virginia-Joan Salvati, VA DEQ*
- *Pennsylvania - Nicki Kasi, PA DEP/West Virginia-Matt Pennington, WV Region 9 Planning and Development Council*

Members broke out into jurisdiction groups to discuss local engagement strategies for Phase III WIP plans with jurisdiction representatives were able to get direct feedback on efforts. Once the members reconvened New York's jurisdiction representative, Lauren Townley, NY DEC, gave her presentation via phone.

Chesapeake Bay Watershed Agreement and Phase III WIPs

Presenter: Nicki Kasi, PA DEP on behalf of the Chesapeake Bay Program Partnership

Nicki told Members about an effort she's leading on behalf of the Management Board to identify Chesapeake Bay Agreement Outcomes that can be incorporated into Phase III WIPs. Nicki shared three draft Outcome templates which were developed by CBPO coordinators and staff and asked Members for feedback.

Overall members did not find the templates readable or understandable. They asked who the audience was for the templates, what the intention of the templates was and what action the templates were supposed to prompt. Members suggested the table of best management practices within the template be improved by adding the level of effectiveness and cost of various BMPs (for example a one to five rating of stars or dollar signs). One member suggested offering local government leaders a hypothetical pot of money and asking what they would do with that money as a means of identifying local priorities. Members said these templates might be helpful to jurisdiction staff but not to local decision makers.

Friday, October 6, 2017

Jurisdiction meetings were convened over breakfast.

Call to Order

Bruce called the meeting to order at 8:45 a.m. Bruce also welcomed Kate Fritz, the new Executive Director to the Alliance for the Chesapeake Bay.

Jurisdiction Breakfast Meeting Report Outs and Member Updates:

Delaware-Don is looking into ways to identify customers the CBP partners need to reach.

West Virginia-Matt Pennington reported that he is working with a community college to establish a municipal environmental management certification.

Maryland-Kelly gave an update on Smart City as a potential means for communicating with other local governments and offered to present in the future.

District of Columbia-Markus shared 2018 is the Year of the Anacostia River. Efforts are underway to engage local leaders and apply for grants for river improvements. Also DC was just named the World's first LEED Platinum City and is a leader in reducing greenhouse gas emissions, innovating around clean energy and other environmental metrics.

Pennsylvania- Nicki joined members at their jurisdiction breakfast. They discussed the possibility of hosting local forums for selected targeted audiences. Forums would feature local success stories from the region. Members discussed the need for assistance in identifying success stories. DEP can assist with identifying success stories and presenters in different regions. Members discussed using a guided interview-type format which would include local elected official(s), a municipal representative (stormwater person), engineer, and/or conservation district representative. The moderator would use prepared questions that have been reviewed with the panelists, similar to the format used for the PSATS Stormwater 101 sessions. Members also discussed hosting an MS4 educational roundtable in collaboration with DEP.

Virginia-Richard reported the Virginia LGAC Delegation needs to meet with the Virginia Governor's staff before the year is out. Also, through funding from the Virginia Environmental Endowment (VEE), LGAC will hold six local elected official roundtables over the next year. Members discussed extensively with LGAC staff and Joan (VA DEQ) over breakfast.

Business Meeting

June 2017 meeting minutes were approved following a motion by Ann and seconded by Markus.

Bruce asked all members to review the latest LGAC biography document for accuracy and give updates to staff.

Coordinator's Report-Mary reiterated the new VEE grant award. She continues to participate in several CBP workgroups on behalf of LGAC. She also announced that the CBP Grant Manager, Reggie Parrish, has just taken early retirement. Carin announced Tom Wenz will be the new Grant Manager. Mary expressed her appreciation for Reggie's assistance during his time as Grant Manager.

Executive Committee Report (Chair)-Bruce thanked everyone for their participation between and during meetings.

Watershed Education for Local Officials-

Presenter: Jennifer Starr, Local Government Program Manager, Alliance for the Chesapeake Bay

Jennifer described a grant the Alliance was awarded to launch a watershed education program for local elected officials on behalf of the CBP Local Leadership Workgroup. The Hughes Center for Agro-Ecology will coordinate the launch in Maryland and the Alliance will work with trusted sources in the other jurisdictions. So far trusted sources are being identified but no existing curriculum exists. The Alliance is encouraging CBP staff to work on this effort as they know this is a very important need.

Members provided guidance on who trusted sources are in the various jurisdictions. For Virginia they suggested the Virginia Municipal League and Virginia Association of Counties, Maryland; the Maryland Municipal League and Maryland Association of Counties, Pennsylvania; Pennsylvania Municipal League, Pennsylvania State Association of Township Supervisors, New York Upper Susquehanna Coalition, University of Delaware and DC is still being considered. Also discussed were opportunities for delivery of curriculum and content valuable to each jurisdiction. Carin added there is an effort to reorganize the Local Leadership Workgroup. Current thinking is that membership should include trusted sources so they can be active participants helping the Bay Program partners achieve the Local Leadership Outcome.

Financing Stormwater Programs/Pay for Success

DC Water's Environmental Impact Bond Program

Presenter: Maureen Holman, DC Water, Sustainability Chief

Maureen, a former LGAC member, shared innovative funding efforts by DC Water in support of infrastructure improvements. DC Water issued an Environmental Impact Bond (EIB) and Green Century Bonds.

With this EIB effort DC Water is conducting a three-step program evaluation of the effectiveness of green infrastructure in managing stormwater runoff that includes pre-construction monitoring prior to green infrastructure, establishing outcome ranges to predict expected reduction in stormwater runoff and finally, post-construction monitoring of actual runoff with green infrastructure. Pay-for-success results concluded no contingent payment due by either party and if green infrastructure outperforms expectations and the stormwater runoff reduction is greater than 41.3%, then DC Water will make an additional outcome payment to the investors for sharing its risk in the Project.

DC Water chose to issue Green Century Bonds because century bonds permit the Authority to match its long-lived assets and liabilities on its balance sheet, they spread the costs of the project more affordably and fairly to those who will benefit over the next 100 years, and they allow DC Water to take advantage of historically low interest rates and to lock-in funding costs for a very long-lived asset.

Andria commented that Norfolk has limited bond capacity.

Legal Authority in PA - Chesapeake Legal Alliance

Presenter: Mary Staley, Chesapeake Legal Alliance, Volunteer Attorney

Since last LGAC Meeting, Mary Staley, submitted draft report to LGAC staff team, who reviewed and sent back comments. She then resubmitted edited deliverable to staff and now that is being reviewed the report and will be shared with Ann and Penny for their review.

Deliverable objective remains the same as last LGAC meeting update: Create a document that LGAC can present to Pennsylvania state legislators or to local government officials (mayors, county executives) that will identify statutory barriers to implementing pay-for-success programs in the state. Members questioned if legislation could be developed to all for pay-for-success programs.

LGAC Initiatives

Local Government Forums

Streamlining GI Recommendations - Activities to Date - Richard Baugh

Richard provided brief background for new members: In June 2016 LGAC hosted a Local Government Forum on Streamlining Integrated Infrastructure in Gettysburg, PA. Based upon the discussion a report was finalized February 2017 “Streamlining Integrated Infrastructure Implementation “Dig Once” Strategy Development Workshop”. The report has been widely shared by Forum participants and is posted on the Chesapeake Bay website.

One of the report recommendations is to present at Peer-to-Peer Forums so LGAC has submitted “Dig Once” Panel Discussion proposals for the Winter MD Association of Counties (MACo) Conference Dec 6-8 in Cambridge MD (it was not accepted) and the Summer 2018 MD Municipal League (MML) Conference June 10-13 in Ocean City, MD. A proposal for the 2018 Spring PSATS conference was also submitted in collaboration with the Chesapeake Bay Commission.

Topic for Next Forum--Members discussed a possible financing stormwater or broader program on finding financing. Focuses could be on job creation, looking at each jurisdictions state revolving funds program, inviting national experts.

Action: Staff to flesh out an outline for a local government forum on financing for the second half of 2018

Local Government Engagement Initiative - Ann Simonetti

Much of this initiative activity was discussed at the previous day’s jurisdiction presentations. CBP Communications staff is working on a fact sheet on the Model.

New Business / Future Agenda Items/Open Discussion

Future Agenda Items

- CBF/World Resources Institute Three-County Stormwater Nutrient Trading Project/Case Studies (Richard)
- Financing Stormwater Programs
- Integrated Water Resource Management
- Virginia Coastal Policy Center study on Stormwater management for rural areas
- Legacy Sediments/Mill Dams-PA December LGAC Meeting
- Advanced Alternative Sewage Systems (requested by Penny due to new VA regulations)
- Potential lost revenue over caps on real estate taxes-how can services be provided to communities if revenue streams are being cut (requested by Penny)
- Stream Stabilization-Ed
- 2018 Federal Farm Bill-Chip

The meeting was adjourned at noon.