

LGAC Members Present: Jim Barnhart, Markus Batchelor, Richard Baugh, Ruby Brabo, Phil Briddell (for Rick Gray), Daniel Chao, Jasmine Gore, Penny Gross, Leo Lutz, Don Phillips, Kelly Porter, John Thomas, James Wheeler, Bruce Williams and LGAC Staff - Mary Gattis and Jennifer Starr

Speakers/Guests Present: Dan Bierly (USACE), Carin Bisland (CBPO), Eldon James (RRRC), Caitlyn Johnstone (Alliance), Jenny McGarvey (Alliance), Donna Morrelli (Bay Journal), Joan Salvatti (VA DEQ), Ann Jennings (VA DNR), Phil Stafford (MD DNR), Kathy Stecker (MDE), Matt Strickler (VA DNR), James Sullivan (DNREC), Ann Swanson (CBC)

Call to Order

Chair Bruce Williams called the meeting to order at 11:00 a.m. He welcomed Members and guests and asked everyone to introduce themselves. He thanked Richard Baugh for hosting and asked him to share a bit about that morning's Harrisonburg local elected officials roundtable which Richard did. Bruce then welcomed Virginia Secretary of Natural Resources Matt Strickler.

Welcome to Virginia

Matthew Strickler, Virginia Secretary of Natural Resources

Secretary Strickler welcomed LGAC Members and guests to Virginia and acknowledged the hard work of Ann Jennings and Joan Salvati on Bay restoration efforts. He credited the support of Governor Norton for a strong continued focus. He shared Virginia is on track to meet TMDL goals by 2025 but there is still much more work to do.

Penny added she is appreciative of the Secretary's commitment to the Virginia Stakeholder Advisory Group for Phase III WIP engagement. Penny is a member of SAG and the only elected official. She thanked the Secretary for the Governors Reception following the June 4th SAG meeting in Richmond and stated she feels the Governor "walks the walk and talks the talk".

Chesapeake Bay Commission Report on Technical Assistance and Funding

Ann Swanson, Executive Director, Chesapeake Bay Commission

Ann Swanson briefed LGAC members on the Commission's November 2017 report *Boots on the Ground: Improving Technical Assistance for Farmers*. She also described the purpose of the Chesapeake Bay Commission: to make intentional, strategic policy decisions. The Commission determined technical assistance is needed to help achieve reductions in the ag sector so set about creating an expert team to develop recommendations. Penny said new funding sources are needed rather than taking from other programs. Ann mentioned a temporary infusion of funds from pipeline activities. Members also asked for development of "teaching farms" similar to teaching hospitals and allocating funds to grow this sort of education and expanded support. Members recalled visiting a farm in Williamsport several years ago. Leo suggested peer-to-peer farmer support. Ann suggested LGAC send a letter to Emmett Hanger, Virginia State Senator thanking him for all of his support of funding agriculture and technical assistance.

Action: Send Farm Bill handout to members.

Draft Chesapeake Bay Comprehensive Plan

Dan Bierly, P.E., Chief, Civil Project Development Branch, US Army Corps of Engineers

The US Army Corps of Engineers recently released its Draft Comprehensive Plan for the Chesapeake Bay and requested feedback during the public comment period ending July 16th. The Plan goal is to provide a single comprehensive and integrated restoration plan watershed assessment to assist with implementation of the Bay Agreement. June 14th the state and local specific analysis will be available for comment. Members asked about how local priorities were identified. Dan explained that the Corps worked with various partners to identify projects from existing sources/plans.

Feedback is requested on identifying actions geographically to maximize benefits, identifying and addressing watershed stressors in degraded habitats, promoting water resources management and encouraging relationships and collaboration for restoration. What could/should the Corps do?

Ruby suggested language be revised to use term “climate resiliency.”

LGAC members discussed opportunities for promoting release of the Draft Plan and encouraging review by local governments in the watershed. Members agreed to issue a news release to alert other local governments about the draft plan.

Action: Staff to work with CBP Communication team to write and distribute a news release to state trusted sources so they may share and encourage comment.

Crediting Conservation: Healthy Watersheds/Forest TMDL Project, Phase III

Eldon James, Staff Director, Rappahannock River Basin Commission

Eldon updated LGAC members on Phase III of the healthy watersheds/forest conservation project, which intends to create the policy and financial infrastructure needed to facilitate forest and agricultural land conservation. Stakeholder input included recommendations that will be now piloted in Orange County, VA. This County is 60% forest 93% of which is under private ownership. A second case study location has not been set. This private investor partnership is innovative and should bring new dollars to the table. Members discussed the role of local government in these partnerships. Discussion also include thoughts on education opportunities for new legislators who “need to understand down to their toes; not just their ears.” Overall Members remain supportive and appreciate the effort to think outside the box.

Water Quality Trading in Virginia

Jenny McGarvey, Program Manager, Alliance for the Chesapeake Bay

Jenny explained Virginia’s non-point source (NPS) nutrient trading program and its use as a tool for helping private landowners achieve their conservation goals. This program has existed since 2017 and draft regulations are still under review for certification of non-point source nutrient credits. The concept is for farmers to implement best management practices to reduce nutrient loads to nearby streams, improving water quality as well as providing co-benefits. Once a farmer meets certain thresholds the farmer generates credits which can be purchased by non-point or point source producers offsetting their load reduction goals and improving local water quality. In 2013 there were only 10 banks and in 2018 that number has grown to over 65.

Members asked about rural farmers selling credit to the Virginia Department of Transportation (VDOT). This would be a financial lifeline for rural farmers. Low demand for credits is a continuing challenge for the program. Leo asked what happens to credits that aren't purchased. Jenny said that permanent credits roll over but annual credits expire. Ruby asked about how many credits are available per acre. Jasmine asked who provides outreach. Soil & Water Conservation Districts are a natural fit. Thomas Jefferson SWCD applied for a grant to do outreach but wasn't funded. People working on the program don't know how many landowners need to be contacted. Penny said localities know who the landowners are but the state needs to ask localities to aggregate the information.

Phase III WIP Development - How is it going?

Members briefly discussed the Conowingo Watershed Implementation Plan. Current plan is to use existing funds for WIP development. Penny expressed concern that there is no new money. An RFP is being released for innovative financing proposals for implementation. Daniel suggested that the Army Corps has a role in this and that LGAC may have a role in advancing the Corps' involvement.

Mary reviewed EPA Expectations and asked the state liaisons to discuss progress to date in each jurisdiction.

- Delaware-The DE Department of Agriculture has been providing great support including loan opportunities. Local engagement will be divided into two sectors: agriculture and urban with workshops to be scheduled for Fall 2018. Tetra Tech is reviewing local ordinances for smart growth opportunities. Comprehensive Plan updates are all done. Don will attend local official meeting(s) in the Fall.
- West Virginia-the Eastern Panhandle EPA Region 8 & 9 held a June 1 Phase III WIP engagement meeting. Jim attended and provided an introduction. Morgan, Berkeley, Jefferson and Martinsburg were represented. They discussed education and the need to emphasize down-stream benefits. Jim said they need support system to answer questions asked by those who are more knowledgeable.
- District of Columbia-30% of DC land is federally owned. This is their biggest challenge. The Corps role relative to the challenge with federal facilities could be pivotal.
- Maryland- MDE has been working with implementers (local governments) since 2012. MD has organized 13 WIP teams. They're developing an inventory for each county and will work closely with them on Phase III. Regional WIP meetings are being held in June and over the summer. Maryland Department of Environment will be hosting summer webinars on specific topics. Piloting a shared services approach to technical assistance on the Eastern Shore.
- Pennsylvania-Information meetings are planned over the summer as well as a number of team meetings.
- Virginia-Department of Environmental Quality is working with planning district commissions on urban and septic sectors and soil and water conservation districts for rural/ag sector. PDCs split \$750k to coordinate WIP. Must hold 3 meetings. They will assess input decks based on local/regional needs and priorities. They will provide a template for programmatic actions. WIP engagement are from July thru December.

Members shared that most local officials are still not engaged. Sectors need to move forward together. Virginia's Stakeholder Advisory Group is a good model for cross-sector discussions but people need to feel safe speaking up. Members expressed concern that regulators do not understand how local budgets are set. Members also said local governments need to get credit for things they're already doing. The example of lake dredging was mentioned. Questions were also raised about financing and, in particular, how the DC Social Impact Bond is working.

Action: Include DC Social Impact Bond update on November agenda.

Friday, June 8, 2018

Breakfast (informal member discussion)

Chesapeake Bay Program Updates

Carin Bisland, Associate Director, EPA Chesapeake Bay Program (CBP)

Carin thanked LGAC for their input on the CBPO Grant Guidance which now recognizes local government not just local partners. Agrees that this is a critical distinction. They are also focusing more on regional approaches. Jim Sullivan asked if regional could be interstate to which Carin said “yes.”

Rich Batiuk, Science Director at the CBPO, is retiring at the end of July. Lucinda Power will be the point of contact until his position is filled.

2018 Annual Report to the Chesapeake Executive Council

Members provided input/guidance for 2018 Executive Council Report and Recommendations. Members were asked to review a draft stormwater directive being considered for Executive Council action. All agreed that “it’s not soup yet.”

With respect to the ongoing challenge of financing clean water work, John said it’s too expensive to apply for grants, especially for small programs. We need to reward those implementing. Jim Sullivan suggested principal forgiveness for Clean Water State Revolving Funds be applied more often.

Members suggested focusing on multi sector collaboration while acknowledging challenges. They cautioned to be careful not to brag about success and to remove the “finish the job” tagline and replace with “achieving the goal.” They recommend a technical assistance recommendation saying everyone is struggling within their communities and needs help. Examples of success and replication are needed and states need help with more effective processes and lowering implementation costs. Each State is different and have different priorities: technical assistance with a regional approach. Members were not in favor of the two draft resolutions in their current form.

Other things to consider when drafting report and recommendations:

- local governments feel like they’re under siege; “tolerance stacking”
- Circuit Rider approach continues to show promise
- same message has been delivered many times before
- frustration with lack of clear guidance from regulatory agencies
- opportunity to frame technical assistance as green jobs

Action: Staff to draft the LGAC 2018 EC Recommendations and Report for Member review and input.

Elected Official Roundtables

Frank Dukes, Institute for Environmental Negotiation

Frank shared methods and techniques for managing dialogue in a variety of formats and group sizes. Pennsylvania Members shared experiences from past roundtables. Suggestions included managing expectations, being flexible with the flow of the discussion and letting everyone speak.

Business Meeting

Approval of March 2018 Minutes- Penny moved to approve the March minutes and Ruby seconded. All were in favor.

*Officer Elections-*Jim nominated Don to be At-Large Vice Chair and Ruby seconded. All were in favor.

Coordinator’s Report (Coordinator)- Mary shared thoughts on a Local Government Forum topic. The Forum will be held September 26 during the next quarterly LGAC meeting in Winchester, VA. Members discussed

various options for a deep dive and decided on focusing on *Filling Local Government Resource Gaps to Achieve Phase III WIP Goals*.

Executive Committee Report (Chair)- Bruce has participated in all Management Board meetings and PSC discussions. PSC meeting has been delayed but now scheduled for Monday, July 9th.

New Business/Future Agenda Items/Open Discussion

New Business-Ruby asked for feedback on a resolution regarding local targets that will be resubmitted to the National Association of Counties. Members are in support.

Future Agenda Items-regional collaboration and public/private partnerships. DC Social Impact Bond (November 2018)

Reflections on the Meeting-Members commented they enjoyed the topics and discussion of this meeting and the opportunities to discuss “out of the box” ideas. They also wondered if their thoughts and ideas are being heard by the Partnership. Jasmine suggested that we keep track of LGAC suggestions and monitor where input has had an impact.

The meeting was adjourned at 11:55 am.