

Location: Farm & Home Center Training Room

Voting Members Present: John Bingham, Trudy Johnston, DeeDee McGuire, Jay Snyder, Marylou Barton, Don Robinson, Jeanne Sonntag, Cory Rathman/Scott Hain, Mark Gutshall, Kent Gardner/Mike LaSala

Non-Voting Members Present: Heather Valudes, Kara Kalupson, Ross Gordon, Mark Johnson, Matt Kofroth, Fritz Schroeder, Don McNutt

Guests/Members: Dave Goerman- Bureau of Waterways Engineering and Wetlands, PADEP; Michele Deller; Andy Zemba- PADEP

Minutes recorded by: Angie Sowers

Approval of Minutes- DeeDee moved to accept minutes from Steering Committee meeting on March 7, 2012, as presented, Marylou seconded by, motion pass unanimously.

AGENDA ITEMS

Budget- Jay Snyder

- Current balance- \$18,000
- Heather- membership dues- 14 invoices sent, 10 more individual invoices to send- \$16,680 in total invoices (does not include LIMC)
- Letter being prepared to send to Lancaster County Association of Supervisors
- John reminded group that an original goal was to be self supporting in 3 years

Mitigation Banking- Dave Goerman, PADEP

- changes in federal rule are in line with changes PADEP is making
- Dave is presenting today with view that LCCWC is a potential future partner
- projecting a 500% increase in activities that require mitigation (over the current program that only oversees wetlands mitigation-600 projects)
- revamping of current in lieu fee program and how PADEP does mitigation requirements; PA Wetland Replacement Project (PWRP)- old program that will be replaced
 - significant program changes- 1) function/ecosystem services driven rather than acreage, and 2) extends to any aquatic habitat or function thereof
 - revamping is meant to standardize process so all involved know what to expect and potential markets know what to expect
 - Initial roll-out of program will focus on government owned lands because fewest restrictions/requirements
 - the new program will be encouraging work in headwater streams- from top of watershed down
 - priority of program will be on restoration of resources rather than creation
 - 4 levels of project- trying to give priority to larger, and more integrated projects
 - federal guidelines require incorporation of public input/participation in new program
- Presentation named 'PA Integrated Ecological Services Capacity Enhancement and Support Program' (PIESCES)
- if an action is going to have an environmental impact, permittee has 3 options- in lieu fee, use of mitigation bank, or restoration; no subsidizing compensatory mitigation in new program
- PADEP can't hold property so will be looking for partners to do so, hold easements, conduct inspections using MOU, etc.; also potential for low or no-cost acquisition of natural resources for

local gov'ts or groups from mitigation banks that will not want to hold property once credits are bought

- Funds for program may be able to serve as matching funds; they are not Commonwealth funds
- Anticipates that this program will increase possibilities for municipalities to partner with developers, etc., and provide funds that are typically provided by dwindling grants
- In final stages of development; looking to start implementation in early 2013
 - Recently had 2 private banks become established in PA- Restoration Systems, NC and RES of Louisiana- signs that industry is moving in, in preparation for new program
 - Expects it to take 10+ years for entrepreneurial mitigation banking to serve needs of entire state
- Trudy asked for an idea of how many banks typically get established in States that operate mitigation banks- answer: likely a dozen or so
 - Mark said that historically a lot of banks have been driven by highway projects
 - In PA, the banks are so far driven by recent oil/gas development
 - One deficiency in mitigation banks that are market driven is that projects are not necessarily located where they are most needed
 - PADEP is trying to take an incentive approach to steer projects into needed area- provide more credits in certain areas
- using State Water Plan as planning/accounting tool for offsetting mitigation
 - Projects that are restored in response to an impact must be within the same subbasin of the impact, but not necessarily at the site of the impact- service areas defined by State Water Plan sub-basin level- large enough unit to not necessitate need for inter-basin transfers
- PADEP will be doing some education/outreach of the program- this is how local gov'ts and other groups can get involved- PADEP planning to communicate directly with RCDs and allow them to work down through county organizations
 - LCCWC can share information with municipalities
 - Counties/Groups can look at existing watershed/resource plans for lists of existing priority areas
 - As PADEP pulls together Compensation Planning Framework, they will be able to provide more information on how local groups can be involved
 - John asked how LCCWC can make sure that some of the in lieu fee be directed into Lanc Co- Dave stated that PADEP will need partners, need to be educated on 'who is doing what'
 - PADEP still has to figure out how fees will be distributed and how to project needs within sub-basins (will evaluate what infrastructure needs/changes will occur, what development is projected to occur)
 - Jay stated that, however, unless impacts occur here, we won't see any of the funds, but Dave said there will always be infrastructure projects and pipeline construction is anticipated (utility work)
- Statewide- compensation could exceed \$25 million
- Mark asked if benefit stacking would be permitted/included in program- Dave stated that this program within PADEP will be structured to allow for benefit stacking- mitigation projects could also be counted towards nutrient reduction benefits, but the mitigation program itself does not provide for the actual accounting and connection to other programs- question is whether EPA, etc. will permit the stacking
- Marylou offered to come up to meet with Dave/PADEP to discuss TetraTech scope and other LCCWC projects

Environmental Finance Center update – Cory Rathman/Scott Hain

- Project is coming together nicely and quickly

- Meeting last week to formally introduce municipalities to project with EFC, data is being collected for grant application
- Cory requested a Motion for the Consortium to be an applicant to the grant- previously thought they'd apply for a full NFWF Grant, but EFC is suggesting LCCWC apply for two other grants since LCCWC just received a NFWF grant. The alternate grants suggested are 1) a Local Gov't Easy Grant for a financial feasibility grant (\$150k max)- this will cover needs for feasibility grant and 2) a Walk up Technical Assistant Grant for outreach.
 - LCCWC would need no administrative person for grants, NFWF holds funds and pays contractor directly, EFC would be contractor
 - DeeDee asked if there was a match involved- Cory stated that at this point, no, but EFC already sees that on-going efforts could be credited as in-kind credits if need be
 - Application is reduced compared to NFWF grant
 - Application due May 16
- Don McNutt asked if applicant should be Foundation or LCCWC and if there is a need for the applicant to be a 501(c)
- DeeDee made a motion that either LCCWC or Foundation would be applicant for the two grants, Marylou seconded, motion passed unanimously
 - Jay asked for clarification that there is no liability for LCCWC/Foundation to commit resources- Cory stated it is basically a name and any need for in-kind credits would fall to municipalities
 - Foundation members agreed that Foundation can be applicant if need be- Cory will follow-up to determine if applicant should be LCCWC or Foundation

Tetra Tech Proposal Update- Mark Gutshall

- Mark reported approval is near
- The only hold-up- Summit was excluded from cost of scopes, but Mark approached EPA/PADEP about including it, Pat Buckley-PADEP said she would consider Mark's request of an additional 60 hours to hold Summit, but she said significant funds are already being allocated
 - Andy Zemba stated that it does not look like the hours will be available, but PADEP is willing to help identify funds
- Mark will now revise scope to exclude Summit efforts
- Andy Zemba says last step is to finalize hours assigned to each task

Nomination of Chesapeake Bay Foundation representative to LCCWC (non—voting steering committee member)- Marylou Barton

- Marylou made a motion to invite a member of CBF staff to become a non-voting steering committee member of LCCWC, John seconded, motion pass unanimously
- Trudy asked if CBF was in favor of this
- Marylou suggested Harry Campbell, Matt Ehrhart, or Lamont Garber- she will contact CBF for nominee and provide it to Don Robinson for nomination

Election of officers

- John asked what rules LCCWC has for election of officers
- Group identified that we recently identified that we fall under the Foundation By-Laws and therefore did not draft any new guidelines
- Marylou made a motion that LCCWC will elect officers in April of each year- past elections in 2011 were done in April
 - Trudy suggested we align election process with Foundation's elections

- Mark suggested an election be held today if group is ready
- John seconded motion, motion carried unanimously
- Four Office positions exist- Chair, Vice-Chair, Treasurer, Secretary
- Marylou nominated Kent Gardner as Chair of LCCWC for April 2012 until April 2013 meeting- Kent accepted
- Mark nominated DeeDee McGuire for Vice-Chair- DeeDee accepted
- Marylou nominated Jay Snyder for Treasurer- Jay accepted
- Mike LaSala and DeeDee McGuire nominated Angie Sowers for Secretary- Angie accepted
- Jay motioned that nominations be closed, Marylou seconded, motion passed unanimously
- All nominated officers were elected
- Mark raised issue of need for Executive Director and will discuss this with new chair; Don also has some input on this topic

Lancaster County Tours- Don McNutt

- Next Thursday- Andy Zemba (PADEP), Paul Swartz (SRBC), and Herb Sachs (Maryland Department of the Environment)- tour of Oregon Dairy and Honeysuckle Farm- to communicate PA efforts and overcome misconception that PA is not doing anything
- April 17 Earth Day Tour of Renewable Energy Sites through Scott Sheely
- Choose Clean Water Conference in June- multiple tours- English farm, plain sect farm, green infrastructure, stream rehab
 - Kent suggested Conestoga Country club streambank restoration
 - Don stated that they will be at Dorothy Merritts
- May 7-8 Legacy Sediments Conference at F&M
- Kent suggested all events should be communicated to municipalities
- John commented that we need to improve our communications in general- some of smaller municipalities communicated that they did not know what recent LCCWC letters were about

Membership Committee- Heather Valudes

- Heather will provide new membership form to Angie to post on the website
- Invoices- foresees a problem with members that don't join this month
 - Do we want to do a continuous invoicing or only invoice in April
 - If only invoice in April you would have to pro-rate and then bill in April
 - Heather's recommendation is to invoice only in April and then prorate
- DeeDee made a motion to invoice in March, due in April, and other groups will be prorated and then added to cycle in next year, Marylou seconded, motion passed unanimously
 - Trudy asked if this schedule is in line with municipality schedules and budgeting
 - DeeDee said that it will work as long as membership fees are communicated to municipalities in Sept-Oct for the following year so fees can be included in budgets finalized in December
- Heather requested Don McNutt to check on location of past membership forms
- Heather does request members to resubmit membership with renewal each year so that addresses, etc. can be kept up to date
- Heather raised idea of providing option to pay on-line
 - DeeDee stated that municipalities would not pay on-line
 - May be of benefit to businesses and individuals, but LCCWC does not have infrastructure to do this at this time

Stormwater BMP Tracking and Recording- Don McNutt

- Geodatabase demonstration on March 30 went very well
 - Mike LaSala commented that is an incredible tool
 - Received good input from agencies
 - Still needs a few minor improvements- finalizing with software developer
 - Next step is to start geodatabase layering
 - Still significant push back at EPA/PADEP level because they can't come to terms on how to count BMP if it is not built to PADEP standards- RCD has pushed for functional equivalence
 - Will also be demonstrated July 31 at Shady Maple
- Looking at using LIDAR technology or something else for inventorying existing projects because "can't count all beans on foot"
- Software company is next looking to develop cell phone apps, etc.
- Trudy asked if this information will be available to others
 - Don stated that they are still discussing this- possibly, but with ownership, etc. identifiers removed- only see they have a responsibility to provide location/type of projects
 - There is a concern that the information would be misused
- Jay Parrish provided an update on the mapping efforts being conducted by Millersville University students
 - students have base information in GIS, but are now looking for location of water projects, but cannot find these
 - We have a place for mapping the projects, but don't have list
 - We need to request project lists from municipalities, groups, etc.
 - Also past MS4s lists provided to PADEP would have projects listed
 - All should provide any identified projects ASAP
 - Jay stated that semester ends in 3 weeks
 - What happens when project ends?
 - If enough interest, they may pick the project up next semester
 - Need to decide where information will go
 - Fritz will talk to Charlotte to include City projects
 - Mary Gattis to be contacted about county projects
 - Is this effort doubling efforts of RSD geodatabase
 - Group doesn't think so- MU effort was to provide map for LCCWC database
 - This information could be provided to Don McNutt for inclusion in geospatial tool
 - Provide information as completed, in progress, and planned projects
 - Aerial photography of county completed yesterday
 - A project inventory will also be compiled by the TetraTech scope and can build off of this

MISCELLANEOUS BUSINESS

Letterhead

- Kent provided a proposed letterhead
- John suggested another slogan
- Kent's sister is commercial artist and will make image into a profession
- Provide comments to Kent ASAP so letterhead, etc. can be completed by next meeting
- Discussed the watershed map logo and whether the general public will know what they are looking at- it was discussed that we could possibly list the watersheds in the left margin and put text of each in coordinating color

CBP Executive Committee meeting in Lancaster June 4

- Andy Zemba identified that this meeting will be held at same time as Choose Clean Water Conference

Grant updates from Don McNutt

- Little Conestoga NFWF Grant- final paperwork being taken care of- soon will be able to start billing, etc.
 - Mark communicated concern that the process has taken 1 year to get all administrative issues resolved- are there any impacts to schedule- Don stated no, they are happy where we are
 - Marylou discussed the public kick-off day to have teams meet and communicate what grant is about, and PR is targeted for May- requested this as a topic for next meeting
- Capacity Building Grant- Don questioned them about what 'participation' means?

Steering Committee

- Angie communicated that Kathy Schreiber has resigned from SC

Meeting adjourned 5:15

Action Items

1. Marylou will contact CBF for a nominee to serve as a non-voting steering committee member and will provide the nominee to Don Robinson for nomination
2. Don McNutt to investigate whereabouts of past membership forms for the purpose of providing mailing addresses of current members to Heather Valudes
3. Provide projects including basic information (type, location, when installed, ownership, etc) to Jay Parrish for inclusion in project location map ASAP
 - a. Fritz will contact Charlotte Katzenmoyer about including city projects
 - b. Group identified idea of asked Mary Gattis for county-wide projects, but no one committed to being the lead for this
4. Provide comments on draft letterhead design to Kent Gardner ASAP

Handouts

1. Presentation slides from Dave Goerman

Proposed Future Agenda Items

1. Need for executive director
2. Demo of geospatial tool- but need an hour
3. Public relations strategy for Little Conestoga NFWF Grant kick-off day

Calendar of Future Events

2012

May 2- LCCWC Steering Committee, 3-5 pm, Farm and Home Center
June 6- LCCWC Steering Committee, 3-5 pm, Farm and Home Center
July 5- LCCWC Steering Committee, 3-5 pm, Farm and Home Center
August 1- LCCWC Steering Committee, 3-5 pm, Farm and Home Center
September 5- LCCWC Steering Committee, 3-5 pm, Farm and Home Center
October 3- LCCWC Steering Committee, 3-5 pm, Farm and Home Center
November 7- LCCWC Steering Committee, 3-5 pm, Farm and Home Center
December 5- LCCWC Steering Committee, 3-5 pm, Farm and Home Center