

ORBA STEERING COMMITTEE NOTES WITH “REVISED AND EXTENDED” CHAIR REPORT

January 18 (Noon), 2017

Steering Committee Attending: Harry Stone, John King, Chris Lorentz, Mike Steinmaus

Steering Committee Members Excused: Brian Farkas, Sarah Hippensteel Hall, Marty Hettel, Ted Lozier

Steering Committee Members Absent: Laurel Cornell, Chuck Somerville, John Stark, Kari Mackenbach

Advisors Attending: Richard Harrison, Brandon Brummett, Meghan Thompson

The agenda was adopted by consensus.

The minutes from the October and November meetings were approved by consensus.

Reports:

The Chairperson reported the following:

Thanks to Meghan and the USACE for hosting the teleconference.

Appalachian Regional Commission: Harry Stone met with Tom Smith, Appalachian Regional Commission (ARC) Senior Transportation Advisor, and Scott Hercik, Transportation and International Trade Advisor, on January 12, 2017 at their headquarters in Washington, DC. The purpose of the meeting was to introduce ORBA; gain an understanding of ARC; discuss an appropriate relationship between the organizations (including potential fiscal sponsorship); and to get ARC input on regional high priority challenges.

ARC has a defined region that includes most of the ORB states, but only a portion of the ORB. They are an economic development organization. Several of ARC’s strategic goals overlap with ORBA mission areas: “Critical Infrastructure” than includes the Appalachian Development Highway System and intermodal transportation with special concern for water transportation; “Economic Opportunities” that can benefit from regional assets including manufacturing, diversified energy, and tourism; and “Natural & Cultural Assets” including nature tourism, outdoor recreation, and economic impacts. Other goals deal with workforce, cultural assets, and community development.

Because ARC’s charter is very specific as to area served and economic development focus, the mission of ORBA is broader than ARC could support. They could not serve as

the fiscal sponsor of ORBA. Further, any formal “partnership” would be driven by their membership - the states. That said, communications would be useful because of the potential synergy from our overlapping areas of interest.

States drive the highway dialogue. They are developing freight plans. Scott suggested that I reach out to them through ODOT. ARC is helping ODOT through public meetings to support the OH and transportation on waterway. Meetings are currently planned in Steubenville and Marietta on Feb 1 and 2. ODOT will need to invite ORBA.

ARC also suggested that ORBA connect with the Central Ohio River Business Association (CORBA). CORBA is developing a coalition “dedicated to promoting commerce, transportation, and the maritime community throughout the Ports of Cincinnati and Northern Kentucky.”

Scott Hercik is our point of contact for ARC with Tom Smith as his backup.

Appalachian Energy and Environment Partnership: Board Minutes from the Appalachian Energy and Environment Partnership (AEEP) proposing to explore AEEP “becoming” or “doing business as” ORBA to provide ORBA its incorporated 501(c)(3) framework:

ORBA Conference: Dvon reported that the conference showed promising momentum. Harry Stone was elected chair and Charles Somerville as vice-chair. ORBA has State/Federal/Private leverage, and AEEP brings an existing framework that could easily be what ORBA is looking to achieve. Dvon reminded the members that what ORBA is achieving was what ECRR (Eastern Coal Regional Roundtable) and now AEEP wanted to become. No one of us currently on the AEEP board has the time to rebuild an organization, and “becoming” or “doing business as” ORBA has real potential. ORBA has promises of funding for staffing, and AEEP has a sum of money to help build this partnership. Dewey moved that Mike Steinmaus and Dvon work together to call a special meeting with ORBA/someplace in the middle (maybe Marshall?), to further discuss a “merger.” Tom seconded. Discussion: Dvon and Tom could both attend this meeting. Dewey felt that both Dvon and Tom should be on this potential new board of directors. Mike King might also participate. Tom’s spring break is 3/13-3/17, but if a one day trip, can go any Tuesday or Thursday. If over a weekend during spring break, Tom can do a Sunday/Monday, or Friday/Saturday. Motion carried.

Hiring a VISTA: this might be part of the “merger.” To be discussed further after our ORBA meeting.

Bylaws: can be re-written; defer till after ORBA meeting.

[ACTION NEEDED: A subcommittee is needed to meet with AEEP to discuss the potential for a merger. This is expected to involve a few face-to-face meetings. I (Harry) volunteer to serve. Given a meeting at Marshall and Chuck’s position in ORBA, I recommend that Chuck also serve on the subcommittee. I also recommend Mike

Steinmaus, mentioned in their minutes, as a third member of the subcommittee. Other ORBA subcommittee members are welcomed - note commitment to participate in meetings. We also need a West Virginia attorney (AEEP is a WV corporation) to advise us. **Any recommendations of a Huntington attorney who might provide some preliminary thoughts on merger versus new incorporation pro bono?**

Potential Fiscal Sponsor: Harry has talked with ORSANCO, ORBCRE, Battelle, Appalachian Regional Commission (ARC), and Thomas More about the potential for fiscal sponsorship. Preliminary discussions have narrowed potential sponsors to ORBCRE or Thomas More.

ORBCRE appears to have an appropriate breadth of mission to accommodate ORBA. However, ORBCRE only has one employee and thus has limited capacity to provide contract/subcontract and administrative support for ORBA.

Dr. Chris Lorentz has championed the idea of Thomas More College serving as ORBA's fiscal sponsor. Dr. Lorentz met with the relevant Vice President. Thomas More is open to fiscal sponsorship. Thomas More is having the concept reviewed by their legal counsel. Their chief concern is financial considerations. Thomas More is currently working through the process of considering an offer of fiscal sponsorship.

Given ORBA's criteria for selecting a fiscal sponsor, Thomas More appears to have more to offer than ORBCRE. However, more information is needed. Harry will follow up with Thomas More and with ORBCRE on the potential for fiscal sponsorship.

Proposal for Ohio River Basin Initiative

A committee, consisting of Harry Stone (ORBA), Chuck Somerville (ORBA), Mike Donahue (AECOM), Jimmy Stahl (AECOM), Brandon Brummett (USACE), and Carey Johnson (KY), have drafted language for a proposal for submission by Kentucky to USACE. The proposal will request funding under the Corps of Engineers' Planning Assistance to States Program for an Ohio River Basin Initiative. The Initiative features the development and implementation of an Ohio River Basin Restoration Strategy; a "blueprint" that presents goals, objectives and actions to restore and protect the region's water-based economic and ecological assets consistent with existing plans such as the Corps' Comprehensive Ohio River Basin Study. The proposal is for a collaborative, multi-state effort involving the various state jurisdictions (and other interested parties) within the Ohio River Basin working through the Ohio River Basin Alliance.

The Planning Assistance to States proposal has been discussed by USACE leadership and our potential funding partner (KY Dept. for Local Government). All agree that the initiative poses a significant opportunity. Details need to be finalized.

The committee feels that accelerating progress by convening focus groups soon to refine challenges and priorities is important. Then we can firm these up at the 2017 Summit. Mike Donahue volunteered to provide some logistical support to this effort on a

pro bono basis. Specifically, ORBA and the committee will need to collectively identify focus group members. Mike can draft agendas, set up a Webex calls, and help moderate the sessions.

[ACTION NEEDED: An ORBA committee needs to be formed to talk to Mike about moving this forward ASAP - e.g., within a week or two. I recommend Working Group Leaders or their designees, along with Chuck and me (Harry).]

As requested in the Steering Committee meeting, the draft proposal is attached to the end of these minutes.

Other Comments:

The Chairperson update for members will be prepared and e-mailed next week.

The Ohio River Basin Caucus needs to be briefed on ORBA's activities. ORSANCO has historically provided the primary connection to the Caucus for ORBA. Richard Harrison provided assurance that the Caucus remains active and that ORSANCO has briefed them in the past year. ORBA would likely be welcome to brief the Caucus in Washington, DC once our vision and direction is clear.

Financial Chairperson (Brian Farkas) - No report.

USACE is following up on outstanding registration billings from the Summit. These should be wrapped up in the next week.

Website Team (Sherry Adams/Gus Drum/Chuck Somerville/John King) - No report.

AWI Liaison (Chuck Somerville) - No report.

ORBCRE Liaison (Chris Lorentz) - Briefly discussed challenges in planning the ORBCRE conference at Marshall due to the untimely death of Dr. Jeff Kovach who was in charge of the effort. Chris expressed confidence that planning was moving forward. The Chairperson requested to know when the conference will be and to get ORBA engaged as soon as practical to ensure timely planning, recruitment of speakers, etc.

Working Groups - Reports from the working group leaders were received from the Summit and distributed to the Steering Committee and Advisors via e-mail prior to the teleconference. There were no additions to those reports.

Unfinished Business

Debrief of 2016 Summit - Discuss role of AWI Report Card: It was discussed that the AWI report was useful for directing ORBA's focus on identified areas for improvement at the Summit. Concerns with some data and analysis were expressed at Summit. Discussion and consensus was that ORBA will comment, help enhance information in

the report card, but not get sidetracked by the report card from the ORBA mission. ORBA can provide a path for input of information related to water quality.

The potential role of data from citizen science, which also engages ORBCRE, was discussed. It was noted that the citizen science fits well with a high priority challenge identified at the Summit.

Outreach Plan to Engage more Organizations/Individuals in ORBA to Collaborate on High Priority Challenges: Harry Stone will meet with COL Beck and KY Energy and Environment Secretary Snively in February to figure out how ORBA can leverage Kentucky leadership to bring additional states/stakeholders to the table and broaden the discussion to get a more informed process. This is the first step to ensure ORBA has dialogue with KY as KY reaches out to other states.

New business

ORBA 2017 Summit Agenda and Logistics Planning: Chuck and Chris are providing the logistical leadership in working with ORBCRE.

Below is summarized the high priority challenges that have been identified by working groups or by important Ohio River Basin organizations. Collectively these begin to form a framework for an ORBA Restoration Strategy and focus for presentations and working groups at the next Summit.

- Regional Market Development for ORB Recreation and Tourism [Expected champion from States]
- Regional Marketing of ORB to Industry Needing Low-cost Energy, Water wealth, and Water Transportation. [Expected champion from Economic Development Organization]
- Regional collaboration related to intermodal transportation nodes and freight plans [Expected champion from ARC or state DOT]
- Inland Navigation Capital Development Plan (WRDA) [Expected champion from Navigation Industry]
- Regional Flood Risk Assessment and Actionable Priorities [Expected champion from states or USACE]
- GIS Resource Atlas as a Common Platform for Ohio River Basin Data and Communication [Expected champion from USACE]
- Regional Development of Approaches for Converting Excess Nutrients to Profit [Expected champion from State/Fed Agriculture/ORSANCO]
- Regional Restoration and Protection Prioritization, Planning, and Execution [Expected champion from USEPA, NGO]
- Regional Training and Data Quality Program for Volunteers (Citizen Science) [Expected champion from ORBCRE, State EPAs, ORSANCO]
- Regional Water Quality Monitoring Capital Development Plan [Expected champion from ORSANCO]

The Ohio River Basin Restoration Initiative
- A Proposal from the Ohio River Basin Alliance -

The Ohio River Basin [Alliance] (ORBA) seeks funding for an Ohio River Basin Restoration Initiative providing for the development, refinement and implementation of a strategy to advance economic health, ecological well-being and quality of life within the Ohio River Basin.

Background

The Ohio River Basin encompasses over 200,000 square miles of land and water in 15 states, features three of the nation's great river systems, and is home to 25 million residents. The importance of its water-based economy (e.g., commercial navigation, industry, water supply, agriculture, recreation and tourism) is rivalled only by its ecological significance (e.g., species and habitat abundance and diversity). Further, as with any river basin experiencing intensive, multiple use activity, the Ohio River Basin is vulnerable to a variety of stressors including, among many others, compromised water quality and habitat/species diversity, aging infrastructure, shoreline erosion, and flooding. It has long been recognized that restoration and protection of the resources of this great basin are integral to its economic health, ecological well-being, and the quality of life of its residents.

Recognizing this, the U.S. Army Corps of Engineers prepared a Comprehensive Ohio River Basin Study that recommended preparation of three basin-wide system plans; a strategic water management plan, a strategic infrastructure reinvestment plan, and a plan to assess the prospects of a multi-state forum through strategic collaboration between the basin states. In that report, USACE also called for sub-basin level watershed assessments to evaluate development-related threats to aquatic and riparian habitat, water supply needs and at-risk floodplain development; a review of current operating projects (addressing sedimentation, nutrient- capture, storage reallocation and flow releases) in light of any changed conditions; and additional planning initiatives to address multiple public, stakeholder, and agency concerns (i.e., stormwater, water quality, recreation, aquatic and terrestrial resources, navigation, water supply).

The ORBA initiative described below will advance outcomes of the USACE report and, in so doing, result in improvements to the basin's economic health, ecological well-being, and quality of life.

The Issue

Despite its regional and national significance, the Ohio River Basin has not enjoyed the national prominence and dedicated funding afforded to other major coast reaches and river basins in the United States (e.g., Great Lakes, Chesapeake Bay, Everglades, Gulf

Coast). Collaborative, multi-agency programs targeting those regions have been in place for many years and, in some cases, for decades. The economic and ecological benefits of such targeted programs are increasingly well-documented.

The Ohio River Basin - by any measure of economic and/or ecological significance - is a national treasure. Yet, without recognition of such, it will not realize its full potential. Therefore, the "time is right" for a concerted investment in America's heartland: the Ohio River Basin. To ensure success, this investment must begin with the development and implementation of an Ohio River Basin Restoration Initiative featuring an action-oriented strategy (i.e., blueprint) that presents a consensus-based vision for the future and the principles, goals, objectives, actions, investments, assignments and timelines necessary to achieve that vision.

The Opportunity

State and federal governments are increasingly embracing the notion of collaborative, multi-agency resource management on a hydrologic (as opposed to geo-political) basis. The underpinnings date back over a century and, more recently, are evidenced by a series of formal multi-agency partnerships that include (among many others), the Chesapeake Bay Agreement, Gulf Coast Restoration Council, Great Lakes Restoration Initiative, and Puget Sound Partnership. Further, a review of past Water Resources Development Act (WRDA) and other U.S. federal legislation points to a trend toward large scale authorizations and appropriations directed at large coastal reaches and river basins. These trends, along with the demonstrated success of such large scale regional initiatives, suggest that a new collaborative effort (i.e., an Ohio River Basin Restoration Initiative) will be a sound investment in the region's future.

Many of the "puzzle pieces" providing the foundation for such an Initiative are already in place. The Ohio River Basin Alliance (ORBA), for example, has been working diligently to provide a forum to explore important issues in the basin and opportunities to address them in a collaborative manner. An annual summit brings representatives from many different organizations together to focus on such topics as enterprise and infrastructure, restoration and protection, sustainable growth and competitiveness, and water availability and management.

In concert with its many valued partners (e.g., Ohio River [Valley Water] Sanitation Commission-ORSANCO, Appalachian Regional Commission- ARC, U.S. Army Corps of Engineers- USACE, basin states), ORBA is serving in a facilitation and coordination capacity to complement and advance the work of its partners. Also, it is presently pursuing opportunities to incorporate and obtain a fiscal sponsor in the interest of better addressing the need of the Ohio River Basin.

The proposed Ohio River Basin Restoration Initiative is needed to advance this effort by providing a consensus-based path forward. This path will take the form of a blueprint (i.e., Ohio River Basin Restoration Strategy) and a process to implement it.

The Approach

ORBA proposes a two-phased effort for developing an Ohio River Basin Restoration Initiative, modeled after similar efforts that have achieved notable success in other major river basins. The initial phase (12 months) entails development of an Ohio River Basin Restoration Strategy; a document that provides the framework for the Initiative. The second phase, also 12 months in duration, entails refinement and implementation of the Strategy. Key steps are as follows:

Phase 1- Developing the Ohio River Basin Restoration Strategy (Year One)

- 1. Team Organization- to identify key lead and support staff, develop an organization chart, and assign roles and responsibilities (Month 1)*
- 2. Project Scoping- to prepare a detailed description of project purpose, goals and objectives, process, intended outcomes, deliverables and timelines. (Month 1)*
- 3. Project Controls- to develop a Project Execution Plan, Quality Management Plan, Budget and Timeline Review protocol, and Progress Reporting procedures. (Month 1)*
- 4. Stakeholder Engagement- to identify the array of interested individuals and organizations (e.g., public agencies, non-profit organizations, academic institutions, user groups, elected officials, opinion leaders), and determine the nature of their role in the Initiative development and implementation process. (Month 2 and ongoing thereafter)*
- 5. Literature Search and Review- to assemble and analyze all relevant plans, policies, programs and other documents (within and beyond the Ohio River Basin) to inform the development of the Ohio River Basin Restoration Strategy. (Months 2-3)*
- 6. Regional Leader Interviews- to access the experiences, opinions and ideas of selected regional leaders nationwide (i.e., basin commissions and similar institutions) to generate “best practices” and “lessons learned” for application in the Ohio River Basin. (Months 2-4)*
- 7. Formation and Conduct of Focus Groups- to draw from the array of stakeholder interests to receive input on the content (e.g., vision statement, principles,*

goals, objectives, actions) and implementation of the Ohio River Basin Restoration Strategy. (Months 3-9)

8. *Initiative Framework Documents-* to provide a consensus-based “path forward” featuring three primary deliverables: an Ohio River Basin Restoration Strategy presenting shared principles, goals, objectives and actions to guide restoration efforts (for signature by multiple partners); recommended institutions and institutional arrangements to advance the strategy; and a Scope of Work for the implementation and continued refinement of the strategy. (Months 6-12)

Phase 2- Refining and Implementing the Ohio River Basin Restoration Strategy (Year Two)

1. *Team Organization, Project Scoping and Project Controls-* to establish the administrative and

operational structure, as well as the scope, for Phase 2 activities. (Month 13)

2. *Organizational Design and Development-* to implement Phase 1 recommendations on the key institutions and institutional arrangements that will guide partners in achieving a shared vision for the Ohio River Basin. (Months 13-16)

3. *Initiative Implementation-* to operationalize the management and administrative structure (via regular meetings and related procedures), and address action items as identified in the Ohio River Basin Restoration Strategy. (Months 14-24)

[4]. *Recognition of the Ohio River Basin Restoration Initiative-* to secure “official” recognition of the Initiative at the state and federal levels, via signatures on a declaration and/or a formal proclamation of the Initiative’s role leadership role in the basin’s economic and ecological restoration. (Months 14-18)

[5]. *Sustained Support for Initiative Operations-* to explore, pursue and access sustainable sources of funding to allow ongoing implementation of the Ohio River Basin Restoration Strategy. (Months 14-24)

[6]. *Refinement of the Ohio River Basin Restoration Strategy-* to initiate the expansion and update of the Strategy to provide Initiative partners with additional guidance on restoration priorities and recommended programs and projects. This will include a review of the methodology employed in other river basins/coastal reaches to select programs and projects based upon criteria that address economic, ecological, social and cultural dimensions. (Months 16-24)

[7]. *Operational Guidance- to provide Initiative leadership and partners with tools for the continued development, operation and maturation of the Initiative. Deliverables will include an updated Ohio River Basin Restoration Strategy as well as operational guidance as Initiative leadership and partners pursue a shared vision via programs and projects recommended in the Strategy. (Months 20-24)*

The Mechanism

Start-up requirements for launching the Ohio River Basin Restoration Initiative include a basin organization to provide leadership and structure; a consultant with broad experience in the development and implementation of river basin strategies; and a funding source to support the initial phases. ORBA, in collaboration with its many members and partners, is best positioned to provide that leadership. AECOM, with its nationwide experience in basin-oriented planning, strategy development and institutional arrangements, is best suited to provide consultancy services. Funding mechanisms, among others, include a task order from an ORBA partner (i.e., U.S. Army Corps of Engineers), support through the USACE Planning Assistance to States program (with cost- share support/in-kind services provided by one or more ORBA partner states), and/or assistance from a regional/national foundation with relevant interests.

Phase 1 (Developing the Ohio River Basin Restoration Strategy) is estimated to require approximately \$150K to achieve all goals through an intensive 12 month effort. Phase 2 (Refining and Implementing the Ohio River Basin Restoration Strategy) is estimated to require approximately \$200K over a 12 month period through an equally intensive effort. Once the Ohio River Basin Restoration Initiative is fully operational, costs for supporting its annual work plan can be determined.

[END OF DRAFT PROPOSAL]