

South Carolina Mitigation Association
Executive Committee
Meeting Minutes
October 13, 2020

Opening

The regular meeting of the Executive Committee of the South Carolina Mitigation Association was called to order at 9:00 AM via Zoom by Allen Conger, SCMA President.

Attending:

Allen Conger
Tara Disy Allden
Tommy Cousins
Doug Hughes
Daniel Johnson
Kristin Knight-Meng
Ross Nelson
Ryan Smith
Jack Smith
Adrienne Graham

I. Approval of Previous Meeting Minutes

Ross Nelson made a motion to accept the minutes of September 8, 2020 with a correction of changing an acronym NBI to MBI (Mitigation Banking Instrument). Tommy Cousins seconded the motion, which carried.

II. Financial Report

Mr. Nelson reviewed the financial report noting the TD Bank account had been closed and the check mailed to Capitol Consultants to be deposited in the new SCMA checking account.

III. Quarterly Meeting

- Mr. Conger thanked Daniel Johnson for coordinating with Lorianne Riggin and Greg Jennings to present at the October 28th quarterly meeting. Mr. Johnson has questions from the Technical Committee to send them in advance. He requested that any additional questions be submitted to him by noon.
 - Mr. Conger noted that Sean Connolly and Vince McCarron of the SCDOT would like to attend.
 - Adrienne Graham will send another eblast.
- The December meeting is usually regulatory oriented. The SCDOT and the Corps should present. The DHEC was also mentioned as an option.
 - The Executive Committee discussed the option of an in-person event. The venue must be large, preferably outside, and many companies are still restricting travel.
 - Members could be polled for their preference of virtual or in-person.

- Ms. Graham will ask Richard Davis and Annie Wilson of Capitol Consultants to telephone Mr. Conger to discuss the risks and liabilities. We will hold off on the poll until Mr. Conger speaks with them.
- If it is in person, it should be in Charleston this year.
- The first quarterly meeting of 2021 should allow for breakouts with committees as we did in 2018.

IV. Member Care

- Stantec has renewed their voting membership.
- Mr. Conger addressed the on-going point of discussion of membership dues. Sydni Redmond had emailed that she supported a change in fee structure, but noted that this may not be the time to increase fees dues in light of the challenges we have all faced this year. Mr. Conger agreed that the mitigation industry was not impacted as badly as expected, but many are worried about their future and budgets have been cut.
 - Kristin Knight-Meng suggested keeping the dues the same this year but discussing it at the quarterly meeting so members know it is in the pipeline.
 - Mr. Nelson stated non-voting should increase to \$500 and possibly increasing voting to \$1250.
 - Tara Disy Allden encouraged the Committee to wait a year, watch expenses and plan. Jack Smith agreed to be cautious right now and that we should develop a short and long-term budget. The SCMA should study what would best promote and bring awareness to the industry, and to bring more property owners into the industry. Mr. Nelson will work with Ms. Graham on draft budgets but emphasized an increase in the non-voting. Consideration needs to be given to how much we would lose by raising the dues. Mr. Conger pointed out that the SCMA has the additional and on-going expenses of Capitol Consultants and D&O insurance. SCMA reduced meeting expenditures this year due to the pandemic, but this is short-term.
 - Mr. Conger asked Mr. Nelson to reach out to some of the non-voting members for their input on increasing that level. It may then be put to vote at an EC meeting.

V. Old Business

- The SCDOT Partnership meeting was held October 7. Those minutes will be circulated to the membership as soon as SCDOT approves them.
 - Ms. Allden noted these meetings should be coordinated in advance so the Committee may arrange their schedules. Mr. Nelson noted that in the past membership was given the opportunity to provide questions.
 - Mr. Nelson summarized the call and noted that the current solicitations were not discussed.
 - The I-526 solicitation will be slightly different with most credits in Lot A, and Lot B is just a reserve. The I-526 one should be released in a few weeks. There are still many questions about the mitigation strategy of a project that will take ten years to construct.
 - SCDOT asked that the SCMA put together a letter to the Corps to offer suggestions to improve the MBI approval process. Mr. Nelson and Tommy Cousins will develop this list and submit to the Executive Committee. It should be out in the next week.
 - The Mitigation Dashboard should go live by the end of the year. SCDOT will present it at the December Quarterly Meeting.

- The SCDOT In-Lieu Fee program for mitigation credits from culvert replacements is under Corps review and out on public notice.
- Mr. Conger added that he is trying to set up regular meetings with SCDOT. An agenda should also be distributed. The Executive Committee agreed that if SCDOT attends our December Quarterly Meeting we do not need a November meeting unless something urgent comes up. He will also try to set up a bi-monthly schedule for 2021.
- SCDOT sent an email to Mr. Johnson yesterday to distribute to members on pre-qualifying on a construction bid letting. Ms. Graham will distribute to members immediately.
- The draft letter by Mr. Johnson, Mr. Cousins and Doug Hughes for the U.S. Army Corps of Engineers was distributed on Friday to the Executive Committee. This letter referenced specific projects, functionally equivalent mitigation and the need for mitigation to be functionally equivalent across mitigation activities. Mr. Johnson is looking for feedback from the Committee to move it forward.
 - Mr. Conger would like to proceed with this letter. The letter is in keeping with the SCMA's theme to remind the Corps to keep everybody on a level playing field.
 - Ms. Knight-Meng suggested adding a request to set a call or meeting to firm the points in the letter.
 - Mr. Conger would like to have these letters go out under two signatures, the president and the author.
 - Mr. Johnson suggested holding this letter to add the points requested by the SCDOT. The Committee debated sending one combined letter or two separate letters to make the strongest impact. It was agreed to send one letter supported by the SCMA, other stakeholders and even SCDOT.
 - Mr. Conger requested a revised letter be shared with the Executive Committee with a goal of having it be sent before the October 28th meeting.
- Ms. Knight-Meng reported the Technical Committee is meeting a week before the Quarterly Meeting. They will report back on their discussion of changes in delineations as a result of the WOTUS rules. It may come down to how it will be implemented and if it will be implemented uniformly across the state. Mr. Conger will ask Chris Ryan to present at the Quarterly Meeting during the business section.
- Mr. Conger said it is good news for mitigation about the Nationwide Permit (NWP) program. The Georgia association had a call with the South Atlantic Division point of contact. There has not been any information released from the call yet. Mr. Johnson is working with Georgia on a joint letter and will follow up with them on next steps. Comments are due mid-November.
 - Mr. Nelson said Sean Wilkerson should be able to provide Mr. Johnson with a summary for the SCMA.

VI. Adjournment

- Ms. Allden made a motion to close the meeting at 10:05 AM. Mr. Nelson seconded the motion, which carried.

Next Meeting: October 28, 2020 at 10:00 AM - Quarterly Meeting
 November 10, 2020 at 9:00 AM – Executive Committee Meeting

Minutes submitted by: Kristin Knight-Meng

Approved by: Executive Committee, November 10, 2020