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September 28, 2023

Michael Regan, Chair
Chesapeake Executive Council
1200 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington District of Columbia 20460

Re: LGAC 2023 Annual Recommendations

As Chair of the Local Government Advisory Committee (LGAC), I represent the collective voice of local elected officials throughout the Chesapeake Bay watershed. LGAC was created by the Chesapeake Executive Council through the 1987 Chesapeake Bay Agreement. LGAC's Mission is to share the views and insights of local elected officials with state and federal decision-makers to enhance the flow of information among local governments about the health and restoration of the Chesapeake Bay watershed.

Within LGAC's Strategic Plan are three goals to fulfill this Mission:

1. Promote ongoing communication and engagement between local governments and the Chesapeake Bay Program.
2. Promote local government implementation of local water quality, water quantity and land use initiatives that support a healthy Bay watershed.
3. Strengthen LGAC internal operations to better involve members and empower them to fulfill the Mission.

Priorities to focus action toward the goals are as follows:

- Communicate regularly with members of the Executive Council, state and federal agencies and other organizations involved in Chesapeake Bay restoration efforts.
- Create opportunities to educate local governments on Chesapeake Bay issues by focusing on local streams, sharing case studies, and providing other information.
- Maximize the effectiveness and impact of LGAC Quarterly Meetings.
- Increase effectiveness by seeking out additional funding sources and building partnerships to help LGAC accomplish its Mission.

I am pleased to present the attached 2023 Annual Recommendations to the Chesapeake Executive Council.

Sincerely,

Daniel Chao, LGAC Chair

Cc: Chesapeake Executive Council
Dave Campbell, Acting Director, Chesapeake Bay Program
Enclosure



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2023 Annual Recommendations to the Chesapeake Executive Council



Each year, LGAC collectively invests a significant amount of time and problem-solving efforts to address the many issues affecting our local governments' ability to participate in and more fully benefit from the Vision contained in the 2014 Chesapeake Bay Watershed Agreement. Over this past year, several enlightening and forward-thinking reports were collaboratively produced that offer a path for aligning focus for partners in the Agreement with locally supported priorities.

- The Bay Program's Scientific and Technical Advisory Committee (STAC) report, *Comprehensive Evaluation of System Response (CESR)*, considers testing an approach that combines nutrient reductions with habitat improvements in small tributaries. This "shallow" water focus resonates with communities that want to improve their local watersheds.
- The STAC's *Rising Watershed and Bay Water Temperatures* report addresses natural resource implications locally from increases in water temperatures in our creeks, streams, and rivers.
- Efforts in development to address the Executive Council charge for "Charting a Course to 2025 and Beyond" that will have a significant impact on the Partnership and local communities. The "Beyond 2025" work represents a key opportunity to refine and adapt Partnership goals and strategies to tackle a renewed watershed focus that has the potential to increase local engagement.

Based upon LGAC's Quarterly Meeting discussions, the reports mentioned above, and additional conversations about current opportunities and challenges, LGAC forwards the following recommendations for Chesapeake Executive Council consideration:

Long Term Priority: Clean Water Project Areas and Funding: *Regulatory Sandboxes*

Recommendation: LGAC recognizes program changes, innovation, and experimentation are needed based upon the reports cited above and urges jurisdictions to create regulatory sandbox opportunities for testing that is more straightforward and inclusive than established regulatory channels. Local governments are excellent partners for sandboxing.

In the CESR report, the concept of *sandboxing* is brought forth as a flexible testing ground for new innovations that could make for the faster implementation of conservation and restoration outcomes. What makes a sandbox unique is that it grants a temporary exemption from old regulations that impede new technology, but in a way that controls the risk for communities. Current regulatory procedures can not keep pace with new technologies, tools, and products. Rather than simply accept this regulatory status quo, state and DC jurisdictions can find, nurture, and learn from new tools even when it means temporarily not complying with current

rules. Sandboxing requires a commitment from jurisdictions to make larger programmatic changes if the sandboxed change demonstratively improves outcomes.

Long Term Priority: Increased Support between Jurisdictions and Local Governments

Recommendation: LGAC is a long-term advocate of the Circuit Rider concept of facilitating implementation through the engagement of local governments and stakeholders. Chesapeake watershed jurisdictions created their versions of circuit riders and LGAC requests that the Chesapeake Executive Council expand support for a number of current programs that meet the goals of Circuit Rider efforts. Local governments and LGAC encourage expanding the proven efforts listed below.

- Maryland Sea Grant Extension's team of watershed restoration specialists work with local governments and groups to improve water quality. LGAC recommends expanding support of this program by hiring additional Specialists for every county.
- The Virginia Association of Planning District Commissions (VAPDC) is an organization of the 21 Planning District Commissions/Regional Councils in Virginia. VAPDC works to bring diverse resources together at the regional level in partnership with local, state, and federal entities to strengthen regions and the Commonwealth. LGAC recommends expanding support of this program by hiring additional staff at the VAPDC level.
- Pennsylvania's Community Clean Water Action Plan Coordinators have a critical role in implementing the Countywide Action Plans to meet nutrient and sediment reduction goals. LGAC recommends supporting and expanding these efforts and increasing the level of responsibility to engage with local governments.
- West Virginia's Region 8 and 9 Planning and Development Councils exist to assist local governments in area-wide comprehensive and functional planning, supporting federal and state grants, and provide a regional focus in regards to multiple programs undertaken on an area-wide basis. LGAC recommends continued support to these development councils.
- The Delaware Grant Assistance Program is a state-funded initiative that provides free technical grant assistance to local governments for infrastructure initiatives and other competitive and formula grant opportunities. LGAC recommends continued funding of this excellent resource.
- New York's Southern Tier Central and Southern Tier 8 provide support to municipalities around clean water issues under a contract with the State. Working alongside the Upper Susquehanna Coalition creates ideas, skills and funding opportunities to reach environmental goals. LGAC recommends continued support to these agencies.
- The District of Columbia is a unified government not in need of this circuit rider structure.

LGAC hopes its priorities align with yours for the successful restoration of the Bay. As your advisors on and partners in all issues related to local government engagement, we stand ready to assist in achieving our collective vision for a clean and healthy Chesapeake Bay watershed through the implementation of these recommendations.