

Management Board Response to the Local Government Advisory Committee Recommendations

The Honorable Daniel Chao
Chairperson, Local Government Advisory Committee
3265 S Street NW
Washington, DC 20007

Dear Chairperson Chao:

On behalf of the Chesapeake Bay Program's Executive Council and as Chair of the Management Board, I want to thank you and the Local Government Advisory Committee (LGAC) for your recommendations (dated September 28, 2023) to the Executive Council at its October 19, 2023, annual meeting. These recommendations reflect the critical role of LGAC in supporting the Chesapeake Bay Program (CBP) partnership in advancing its goals and outcomes toward greater Chesapeake Bay watershed restoration. We very much appreciate the opportunity to respond to these recommendations and stand ready to assist LGAC in fulfilling the goals and actions under their Strategic Plan.

The Management Board acknowledges that the recent scientific reports and information that have become available to the CBP partnership has the potential to greatly impact our restoration focus, targeting, and priorities. This scientific information reflects a deep understanding of dynamic and complex processes that form the underpinning of our estuary and larger watershed and is rich in innovative thinking to address complex environmental challenges. We appreciate the work of the Scientific and Technical Advisory Committee (STAC) in collaboratively producing its pivotal reports, such as the Comprehensive Evaluation of System Response (CESR) Report and Rising Water Temperatures Workshop Report. We also support the efforts of the Beyond 2025 Steering Committee to create a critical path to guide the partnership, including the 2014 *Chesapeake Bay Watershed Agreement*, in the years ahead.

Please find as follows the Management Board's responses to each of LGAC's recommendations:

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.

Response: The Management Board recognizes the significant work and contributions reflected in the CESR report and believes that exploring the creation of sandboxing opportunities is certainly worthwhile. To that end, the Management Board proposes that one of the upcoming 2024 LGAC quarterly meetings be focused on this very issue and that LGAC invite the jurisdictional and EPA Management Board members to participate. This meeting can provide the opportunity to have further discussions with LGAC to better understand what regulatory sandbox examples exist that could perhaps serve as a model for potential replication in the Bay watershed jurisdictions.

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 [as defined in the [September 28, 2023, recommendations to the Executive Council](#)].

Response: Each of these local assistance programs play an integral role in facilitating implementation of restoration activities, resulting in a demonstrable reduction of pollutants entering local waterways and the Chesapeake Bay. Circuit Riders, long supported by the CBP partnership, have served as an essential conduit of information and coordination between local governments and on-the-ground efforts. The Management Board commits to collaborating with the CBP partnership's Local Leadership Workgroup, LGAC, Federal Agencies, and the seven Bay watershed jurisdictions to identify and potentially expand upon local government assistance in Fiscal Year 2024. This collaboration can include Management Board members participating at an upcoming LGAC quarterly meeting to discuss local assistance needs specific to each jurisdiction. In addition, and subject to the availability of federal funding, EPA plans to continue local government assistance funding through the jurisdictions' Most Effective Basin Funding, Chesapeake Bay Regulatory Program and Chesapeake Bay Implementation grants, and the Local Government Implementation Funding in Fiscal Year 2024, as well as to explore the potential for increasing funding for capacity building and technical assistance for local government assistance programs through these grants. Finally, EPA commits to working with the Federal Office Directors and specifically with Maryland, Pennsylvania, and Virginia to determine if there are additional resources that could supplement the work and staffing for those local assistance programs.

Thank you again for your commitment to both the partnership and restoring the Chesapeake Bay and its local waterways. The Management Board looks forward to working with you and LGAC on implementing these recommendations.