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December 1, 2021

Governor Northam, Chair
Chesapeake Executive Council
P.O. Box 1475
Richmond, VA 23218

Re: LGAC 2021 Annual Recommendations

As Chair of the Local Government Advisory Committee, I represent the collective voice of local elected officials throughout the Chesapeake watershed. We support the vision of healthy local watersheds that has the added benefit of improving the health of the Chesapeake Bay Watershed.

This year has been one of great challenge and opportunity to all, including local governments. The challenge of the COVID-19 pandemic has significantly impacted our economies, communities and health. The opportunity is Congress's response with financial resources and support and, now, local governments are thoughtfully weighing local improvement efforts. The new challenge is finding qualified infrastructure experts and resources due to competition and supply chain breaks.

Two years ago, one of the LGAC recommendations was to convene a one-day summit of flood, climate and disaster experts to discuss ensuring that flood mitigation efforts and Chesapeake Bay restoration efforts work in conjunction with one another. Flooding continues to hold the most significant and detrimental impact to local communities. It will continue to erode communities and inflict extensive costs. While there was strong Executive Council interest in organizing this Summit, planning has not begun and LGAC is here to help when it does.

I am pleased to present the attached 2021 Annual Recommendations to the Chesapeake Executive Council.

Sincerely,

Jasmine Gore, LGAC Chair

Cc: Chesapeake Executive Council
Michelle Price-Fay, Acting Director, Chesapeake Bay Program

Enclosure



Jennifer Starr, Director of Local Government Programs/LGAC Coordinator
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Annual Recommendations to the Chesapeake Executive Council



December 2021

Each year LGAC explores issues affecting local governments' ability to participate more fully in realizing the Vision contained in the 2014 Chesapeake Bay Watershed Agreement. What we learned over the last year is that local governments are concerned about healthy watersheds, flooding, infrastructure maintenance, growing economies, climate resiliency, workforce development and training, and a variety of other issues that affect the health, safety and welfare of their constituents, as well as the health of the Bay. Uniquely, this year, under the federal American Rescue Plan Act and the federal Infrastructure Investment and Jobs Act, there is funding for infrastructure improvements. And, uniquely, this has created a new challenge for local governments of competing for limited expertise and resources to implement projects.

Therefore, we recommend the Executive Council take the following actions to advance Chesapeake Bay watershed restoration and protection efforts at the local level.

Invest in workforce development programs to support green infrastructure design and construction efforts

Watershed communities, including local governments, have faced extraordinary challenges due to the COVID-19 pandemic. Federal American Rescue Plan Act (ARPA) funding is now being provided directly to local governments. One of the buckets of potential funding is infrastructure and many local governments are planning investments in green infrastructure and stormwater mitigation. LGAC notes there is some irony to this as, for years, LGAC has recommended financial and technical assistance in order to restore local watersheds and now there is a fire hose of funding available. The challenge now is, due to concise timeframes for spending these funds, local governments are heavily competing with other communities for trained, certified, and qualified contractors to design and implement these infrastructure projects and frequently not being successful.

Additionally, Congress passed and President Biden signed the massive Infrastructure Investment and Jobs Act which will invest more than \$50 billion through EPA's water infrastructure programs. This is an amazing opportunity to invest in clean water and protection of the Chesapeake Bay. LGAC urges the EC to make sure this funding gets to local governments quickly to allow for the needed time to address infrastructure needs in a fair and equitable manner to all communities.

LGAC calls on the Chesapeake Executive Council to invest in green infrastructure workforce development training and certification programs as a means to continue watershed restoration efforts.

Address jurisdiction regulatory bottlenecks related to localized flooding

Increasingly significant rain and flooding events are challenging local governments in a number of ways.

- Complex jurisdiction permitting requirements are hampering the ability of downstream-impacted communities to address upstream flood events.
- Conflicts on responsibility exist between jurisdiction-maintained roads and highways, significant extreme stormwater runoff from those roads and towns where the roads travel.
 - For example, Pennsylvania municipalities are hampered by the refusal of the federal and state government to pay impervious surface fees assessed on property they own.
 - Many towns are having to take on the cost and burden of the aftermath of jurisdiction-owned flooded roads and are being forced to shift local funds to address these impacts.
- Communities are seeing decimating levels of hardship in the form of interior flooding, ie. yards, homes, basements, streets. Developing climate adaptation measures is critical to supporting watershed communities.

LGAC calls on the Chesapeake Executive Council to streamline permitting requirements, adopt a more balanced formula for stormwater runoff from jurisdiction-maintained highways and act on long-term infrastructure efforts.

Finally, we urge the Executive Council to direct the Chesapeake Bay Program partnership to acknowledge and respond to the annual Advisory Committee recommendations within 90 days of receipt of the annual EC meeting.

LGAC hopes its priorities align with yours for the successful restoration of the Bay. As your advisors on 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.