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July 23, 2018

Governor Hogan, Chair
Chesapeake Executive Council
Office of the Governor
100 State Circle
Annapolis, MD 21401

Re: LGAC 2018 Annual Report and Recommendations

Dear Governor Hogan and Members of the Chesapeake Executive Council:

Thank you for appointing us to serve as your advisors. As your appointees to the Local Government Advisory Committee (LGAC), we offer you our best advice on policies and programs that enable local government to engage, as your partners, in protecting and restoring the Chesapeake Bay Watershed.

As we do each year, prior to your annual meeting, we reviewed progress made toward addressing recommendations made in prior years. Sadly, we find that very few of our recommendations have been acted upon.

The need for more resources remains a key barrier to local governments participating more fully in protecting and restoring water resources in our communities. State and federal governments must increase funds allocated for local implementation. As one LGAC member said at a recent meeting “I’m sending bills to widowers on fixed incomes and places of worship. I need the state and federal government to step up too.” So how much is needed? The cost estimates we have seen are in the billions. We have asked that the jurisdictions’ Phase III Watershed Implementation Plans include an estimate of the cost to implement the programs and practices outlined in the WIPs so that we all have a better understanding of the funding needed at the local level to meet your pollution reduction targets. Local governments would not approve an implementation plan without knowing the associated costs and we hope that you won’t either.

Another issue we’ve raised repeatedly is local governments’ need for additional technical assistance. We ask that you please give special

consideration to the recommendations we provide on this issue. We know we are not alone with respect to this issue. During a series of roundtables held with our peers in Virginia and Pennsylvania this summer we heard officials express concern for their farmers and the challenges they face reducing pollutant loads from agricultural lands. The Directive for Agricultural Technical Assistance, which we hope you will sign, is a step in the right direction but local governments need help too and we need you to take action to address this issue.

Our 2018 Report and Recommendations are attached and we look forward to discussing these with you when you meet on August 7.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Williams". The signature is fluid and cursive, with the first name "Bruce" and the last name "Williams" clearly distinguishable.

Bruce Williams, LGAC Chair

Cc: Chesapeake Executive Council
Jim Edwards, Acting Director, Chesapeake Bay Program

Enclosure



Annual Report to the Chesapeake Bay Executive Council

August 2018

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, regulatory compliance, climate resiliency, stream health and a variety of other issues that affect the health, safety and welfare of their constituents, as well as the health of the Bay. Without additional state and federal support, however, we will continue to fall short of our collective vision for an environmentally and economically sustainable Chesapeake Bay watershed.

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

1. Continue focus on better engaging local government

State and federal government representatives benefit from listening to local government leaders. As one LGAC member said "If you know *one* community, you know *one* community." Therefore, we suggest you create more opportunities to engage in open dialogue with local officials during Phase III WIP development and allow more time for dialogue in meetings with local government officials. Less talking at us, more talking with us. The ability to see the world from the perspective of local government is critical to your success.

Another aspect of improving local engagement relates to communicating expectations. Local governments need clear direction from regulatory agencies on how to comply with statutory and regulatory requirements. For example, in Virginia, when local governments required to comply with the Chesapeake Bay Preservation Act requested direction on what is expected relative to conducting the agricultural assessment, the guidance was unclear. Likewise, for communities in Pennsylvania, compliance with MS4 permits has been administratively burdensome and costly due to lack of clear guidance. Some communities spent significant resources writing pollution reduction plans, some of which were never approved, under the previous permit. Then a new permit was issued with new planning requirements, making the prior plans obsolete. Local governments want to put their resources into implementation of practices, not paperwork. Clear direction will help ensure they get to do that.

Finally, regulatory agencies should work closely with local governments' trusted sources to ensure that regulatory requirements and other vital information is broadly disseminated.

2. Provide the tools and resources local governments need to succeed

Local governments can be resourceful, innovative and effective partners in watershed protection and restoration. However, we can't do this while blindfolded with our hands tied behind our backs. Local governments need to know what is expected of us and we need the tools and resources required to succeed. Following are several specific recommendations for your consideration:

- Increase technical assistance delivery – The lack of progress implementing stormwater BMPs and other pollution reduction practices is, in part, a result of insufficient technical assistance available to local governments. Many local governments lack the in-house expertise needed to plan, finance, implement and maintain pollution reduction practices. Therefore, they must rely on outside providers for these services. Technical assistance may come in the form of contracted engineering services, NGO support, state or federal agency support, or myriad other sources. None, however, comes without considerable investment of time and resources, which in some cases, may be nonexistent.

Jurisdictions must address this gap in their Phase III WIPs. Therefore, we recommend that the Executive Council act on our 2017 recommendations related to technical assistance for local governments. Specifically, we recommend an evaluation of the nature, sufficiency, and scope of technical assistance resources and programs available to local governments be conducted for the purpose of establishing new, re-tooling existing, or expanding state and/or federal programs to achieve greater effectiveness in WIP implementation. We also encourage you to participate in LGAC's September 2018 Local Government Forum which will focus on filling gaps at the local level.

- Workforce Development – To address local government staffing gaps, jurisdictions should support programs to train targeted groups, including offenders, veterans and other disadvantaged populations, to perform such functions as installing and maintaining green infrastructure. Such programs could be designed to address challenging local issues such as the opioid epidemic, reducing recidivism, and lack of staff to perform maintenance functions on public infrastructure. Models for these types of programs include Civic Works in Baltimore and the Virginia Department of Corrections, Academy for Staff Development, which currently provides on-the-job practical learning programs in Culinary Arts, Housekeeping and Maintenance. Offenders selected for these programs are provided with certificates upon completion and/or release to reflect the skills and knowledge they have obtained while in these re-entry programs.

Another suggestion which we believe has merit is a student loan forgiveness program for people who choose to work in the public sector. We believe this could be particularly beneficial in terms of attracting civil engineers and other technically trained staff to work in local government.

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.