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west virginia department of environmental protection

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Charleston, WV 25304

Austin Caperton, Cabinet Secretary  
dep.wv.gov

Ben Grumbles, Secretary  
Maryland Department of the Environment  
1800 Washington Blvd.  
Baltimore, MD 21230

June 10, 2020

Dear Secretary Grumbles:

Thank you for the opportunity to comment on the Chesapeake Bay Program's Diversity, Equity, Inclusion and Justice (DEIJ) Statement, Endorsement and Strategy. As you are aware, at the time of the signing of the Chesapeake Bay Agreement in 2014, West Virginia did not sign on to the Diversity Outcome. West Virginia's intent in signing the Agreement was to participate in the water quality goal and TMDL implementation.

While the DEIJ concept is one we whole heartedly support, the strategy itself involves a commitment to a significant number of action items and tracking and reporting expectations that are beyond West Virginia's resources to fulfill. The 60 page strategy contains 48 action items each with its own tracking and reporting expectation. Many action items involve recommended policy changes at the state level that may not be practical for West Virginia.

While we are in conversation with the Governor's office, I anticipate that we may be able to sign the statement that generally supports the DEIJ concept. Given that West Virginia did not sign on to the CB Diversity Outcome and the uncertainties around which action items might be adopted and the level of tracking and reporting that would ensue, I anticipate abstaining from the PSC vote to endorse the strategy.

West Virginia stands with our Chesapeake Bay partners in support of DEIJ. WVDEP and our partners will work voluntarily to incorporate DEIJ opportunities into our water quality and TMDL implementation work and have included the EPA required DEIJ language into our subaward requirements. As noted in the minutes of the Principals' Staff Committee call of May 22, 2022, we understand that this will not affect West Virginia's receipt and distribution of our existing Chesapeake Bay Program funding.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Mandirola', is written over the word 'Sincerely,'.

Scott G. Mandirola  
Deputy Secretary for External Affairs  
Chief Science Officer

Promoting a healthy environment.