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TO THE CHESAPEAKE EXECUTIVE COUNCIL

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December 1, 2021

The Honorable Ralph S. Northam  
Chair, Chesapeake Executive Council  
Commonwealth of Virginia  
Patrick Henry Building  
1111 East Broad Street, 3<sup>rd</sup> Floor  
Richmond, Virginia 23219

Dear Governor Northam,

Created in 1984, the Citizens Advisory Committee (CAC) works cooperatively, and on a nonpartisan basis, to advise the Chesapeake Executive Council on restoration and protection of the Chesapeake Bay watershed. We meet with agency representatives, thought leaders, and local practitioners to discuss issues impacting the ecosystem and local communities and represent the perspectives and experiences of different stakeholders from across the watershed. We embrace the shared value of a healthy, sustainable watershed for all of the residents who live and work in our region.

We thank you and the Executive Council for leadership over the past year including critical aspects of watershed recovery like the Executive Council Directive 21-1 *Collective Action for Climate Change* and the Chesapeake Bay Program's (Program) Diversity, Equity, Inclusion and Justice (DEIJ) Implementation Plan. We look forward to learning how the Program will advance these initiatives and the CAC intends to stay informed and involved as your advisors.

While we acknowledge the unprecedented federal funding for Chesapeake Bay restoration and protection, we remain concerned that the Bay Program may not meet all of its 2025 objectives. We hope that the Bay States are poised to use these funds to accelerate progress for the benefits of water quality, natural resources, and the people who rely on them for their health, quality of life and livelihood. As we have stated in the past, the creation of environmental jobs associated with Chesapeake Bay funding highlights the potential of a robust restoration economy.

As the Chesapeake Executive Council prepares for its 2021 annual meeting, the Citizens Advisory Committee offers our attached recommendations and insights on opportunities for (1) the 2025 Bay TMDL, (2) Climate Resiliency and (3) Stewardship and Engagement.

Respectfully submitted,

Julie Patton Lawson  
Chair, Citizens Advisory Committee

cc: Chesapeake Executive Council

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**Citizens Advisory Committee**  
TO THE CHESAPEAKE EXECUTIVE COUNCIL

**2021 Citizens Advisory Committee Annual Recommendations  
To the Chesapeake Executive Council  
(Issued December 1, 2021)**

Since the August 2020 Executive Council meeting, the Citizens Advisory Committee has held quarterly meetings, onboarded new members, held additional virtual learning sessions and a public panel, and heard from a variety of state, federal and local representatives, NGOs and representatives of business and industry. Based on these discussions, the following recommendations are respectfully submitted to the executive leadership of Chesapeake Bay Program.

We believe this moment in time offers an extraordinary opportunity to advance the goals of the *Chesapeake Watershed Agreement*. The recent passage of the Bipartisan Infrastructure Deal (federal Infrastructure Investment and Jobs Act) presents a significant catalyst for federal, state and local governments to prioritize practices that will advance progress on the 2025 deadline for the Bay TMDL. The additional \$238 million for the EPA Chesapeake Bay Program over the next 5 years (\$47.6 million annually plus the FY22 appropriated \$90.5 million) is an unprecedented amount available for the Bay Program partnership. We believe these funds could advance the publicly prioritized work outlined in both the 2020 Chesapeake Executive Council Statement in support of Diversity, Equity, Inclusion and Justice (DEIJ) as well as the commitments outlined in the Chesapeake Executive Directive 21-1 *Collective Action for Climate Change*.

We urge the federal agencies to expedite distribution of the infrastructure funds, including portions appropriated to the Chesapeake Bay Program Office and the State Revolving Loan Funds (SRF), so the jurisdictions can prioritize practices that provide co-benefits for water quality, living resources and human health in a changing climate. Additionally, we recommend a transparent process as the funds are expended to ensure public confidence in the use of taxpayers' money. We recognize that there may be technical support and capacity challenges on the state and local levels to expend the funds effectively and efficiently. The partnership offers the forum to discuss how the funds and the supporting needs for implementation can be addressed collaboratively.

**Recommendation: We encourage the Executive Council to request that the EPA and other federal agencies make available the Bay-related funds as quickly as possible, especially given the looming 2025 TMDL deadline. In addition, we urge the Bay jurisdictions to (a) expedite implementation of the prioritized practices that deliver co-benefits for water quality, healthy habitats, and living resources in a changing climate and (b) collaboratively develop a framework that outlines how jurisdictions anticipate their use of the remaining American Rescue Plan Act (ARPA) funds and the new infrastructure funds to maximize these programs' impact.**

As we have stated in the past, we wish to relay our continued concern about the cost and feasibility of the Conowingo Watershed Implementation Plan as it competes for practices in the Susquehanna Watershed that spans across state lines. We hope that the influx of federal funding offers solutions to this significant challenge.

Scientific monitoring, research and forecasting predicts an increase in the intensity and frequency of precipitation, flooding and sea-level rise due to climate change. These factors will continue to impose negative impacts on our ability to achieve – and then maintain – long-term ecological, public health, and economic goals. The additional \$11.713 billion for both the Clean Water and Drinking Water State Revolving Funds can target investments in green and gray infrastructure that will help coastal and inland communities across the watershed build resilience to the impacts of climate change. The Clean Water SRF can support sewage treatment plant upgrades, stormwater retrofits and in some states, agricultural nonpoint source pollution practices. The Drinking Water SRF could support practices that improve sources of water supply, like wetland restoration.

**Recommendation: To take advantage of the infrastructure funds that advance the commitments outlined in the Chesapeake Executive Directive 21-1 *Collective Action for Climate Change*, we encourage the Executive Council to direct their jurisdictions to ensure their policies are aligned with the Partnership’s climate goals and to assess the capacity of their agencies to deliver climate resilient programs.**

The ability to advance the Stewardship Goal and Outcomes in the *Chesapeake Watershed Agreement* is contingent upon local education, buy-in and advocacy for practices that will provide co-benefits for communities and water quality. We believe lowering barriers to participation in community-led restoration requires local champions who are skilled in behavior change methodology. Community-led restoration acknowledges and addresses the community’s local needs while communicating the co-benefits of environmental protection for the health, safety and economic security of its residents.

The Bay Program’s Stewardship Workgroup’s approach generally reflects this understanding. We commend the workgroup’s researchers and practitioners, many of whom are volunteers, for providing a framework of action toward the Stewardship Outcome. We look forward to seeing other initiatives the workgroup will undertake to support meaningful engagement toward stewardship at the local level.

We assert that local environmental champions should be highly valued because they bring not only a unique understanding of a community’s needs, but often have existing relationships within their communities that can help prioritize restoration efforts and become a network of empowered advocates. To this end, local champions should be fairly compensated for their work as both liaisons to environmental agencies, larger nonprofit organizations and the residents in their neighborhoods that they organize in pursuit of pollution reduction and environmental advocacy on the local level.

A specific barrier that hinders community-led environmental stewardship, particularly in under-resourced communities, is the overly stringent and burdensome grant application and reporting process for public funds. For example, some grants require a 1:1 cash match to make applications competitive. Restrictions on indirect funding and match requirements effectively disqualify many smaller, but no less effective, community-led organizations from applying. There is an untapped potential of effective champions in under-resourced communities, communities of color, indigenous tribes, and other vulnerable populations that could become even more powerful agents of change by lowering the barriers to participation.

While we understand and appreciate the need for transparency and accountability of public funds, agency grantors can shift this paradigm and uplift smaller, community-led organizations by rethinking application requirements based on insights of these leaders. We suggest starting with the matching requirement. If an organization can demonstrate a reasonable alternative to the cash match using a simple process developed by the grantor, then the organization’s match requirement should be modified or waived. For qualifying community-led organizations, we believe matching funds can be replaced by in-kind contributions such as

collaborative partnerships and community connections. The grant guidance should be more flexible to create greater equity to public funds access.

**Recommendation: To begin addressing this equity and access concern, we strongly encourage the Executive Council members to ask federal agencies to review publicly funded Bay-related grant opportunities with stringent matching fund stipulations for modification to a more equitable process, thereby allowing more organizations to qualify for and have access to vital funding sources.**

We wish to thank the Executive Council for their leadership in watershed recovery. Please look to us, your advisors, to help bring forward the insights of many stakeholders in our region. At your direction, we look forward to the Bay Program's acknowledgement and response to these recommendations and the continued discussion. We support you to take bold and innovative action to protect and restore the Chesapeake Bay Watershed for the benefit of our environment and the residents in our region.