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TO: Chesapeake Bay Program (agreement@chesapeakebay.net)

FROM: Brenda Dinne, Special Projects Coordinator
Carroll County Land Use, Planning & Development

RE: *Draft Management Strategies for Chesapeake Bay Watershed Agreement
Management Strategies*

DATE: April 30, 2015

We offer the following abbreviated comments, which are by no means all-inclusive or comprehensive. The time available to review a document that is over 400 pages was insufficient to provide meaningful and productive feedback. We, therefore, **request that the deadline to submit comments be extended at least 60 days beyond April 30, 2015**, to allow additional time for review and formulation of meaningful feedback. An extension also should provide adequate time for the missing sections of the Water Quality Management Strategies (Page 11) to be incorporated and available for review.

- Bear in that mind local governments place a keen focus and priority on Bay restoration efforts required first and foremost in their NPDES MS4 permits, followed by those called for in the Watershed Implementation Plans. The Management Strategies heap on another level of additional expectations and implementation costs and activities. The cost burden and time commitment already borne by local governments to comply with the permits and make progress toward achieving the TMDLs is substantial. Therefore, **expectations need to be reasonable and practicable**, with implementation timeframes **spread out beyond 2025**.
- Local governments have limited resources for following or participating in the many environmental efforts and initiatives that vie for local government attention and action, and quite often overlap. These many **efforts need to be consolidated to simplify the process and expectations for Bay restoration and addressing other environmental issues**. Strategies need to be prioritized based on practicable and reasonable expectations to infuse feasibility into the implementation process.
- The management strategies acknowledge that **local governments will shoulder much** of the **work** for Bay restoration, but it does not appear that local governments were intimately involved in developing the management strategies. Given the focus on local engagement, the work groups should **seek input from local officials and practitioners**, representing both

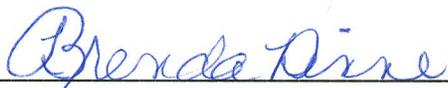
urban and rural areas, during the development and implementation of recommendations that impact local governments.

- **Local decisions**, including those **related to land use**, have a significant role in the Bay restoration efforts. Since this topic is discussed in many strategies, any future action regarding land use should **maintain local control over land use decisions**, where intimate knowledge of local landscapes and communities is crucial to appropriate decisions. Furthermore, we applaud the use of language “*encouraging*” local governments to incorporate additional considerations into comprehensive plans, rather than recommending further comprehensive plan mandates. Comprehensive plans are already getting too complex and cumbersome, removing some of the flexibility to address unique local character and issues. (Pgs 3-4: Black Duck, Pg 6: Riparian Forest Buffer, Pgs 2-7: Land Use Options Evaluation; Pg 10: Public Access Site Development)
- As mentioned multiple times throughout, measures and indicators can be a valuable tool to demonstrate conditions and progress. True measures of progress require time. We strongly **caution against turning these measures and indicators into future additional legislated or regulated requirements**. Local governments struggle enough to meet all of the demands and mandates placed upon them. Flexibility is key for local governments. (Pgs 14, 17: Stream Health; Pgs 1-2, 5: Land Use Metrics & Measures Outcome)
- We strongly urge the work groups to **remove any strategies that specifically suggest adding language to the MS4 permits**. Many states are delegated the authority to administer this permit, and each approaches the permit language and requirements differently. For example, the management strategies for Stream Health (Pgs 15, 21) recommend adding language to recognize functional uplift as part of credit for stream restoration projects. While valuable to work toward biological improvements as part of stream restoration and allowing nutrient reduction credit for this activity, this action should be pursued outside of the permit. This recommendation would not be an appropriate addition to the permit language. These permits have gotten more stringent over time and already represent a substantial commitment and effort on the part of the permittees.
- The Climate Resiliency Management Strategy (Pg 2) states that the Chesapeake Bay watershed has been and will continue to experience stronger, more frequent storms. As the higher intensity storms tend to be the ones that create the greatest problems with scour and washing of sediments past the Conowingo Dam, the relevant documents should **focus more attention on how to address and mitigate the build up of sediments behind the dams, especially the Conowingo Dam**. Continued flushing of these sediments into the Bay will continue to negate the significant time and expense local, state, and federal governments have put into the many other costly initiatives and activities that have been and will be implemented to restore the Bay.
- The Tree Canopy Management Strategy focuses primarily on strategies that need to be implemented by the Maryland Forest Service. The strategy states “Maryland Forest Service will be targeting counties in specific areas to develop county wide tree canopy assessment from the Statewide Tree Canopy. The MD FS will assist the local planning & zoning offices with the analysis upon request.” (Pg 20) The strategy relies heavily on tree canopy

assessments that have been completed by different jurisdictions (mostly in Maryland). It seems very likely that Carroll County would be a targeted county, so please **include text** in the strategy **describing why the Statewide Tree Canopy assessment is not adequate**, exactly **what will be involved in preparing a countywide tree canopy assessment**, and **who will be responsible for doing the assessment**. It should be included in the document **who will pay** for this and if the counties are expected to contribute.

- The Riparian Forest Buffer Management Strategy focuses primarily on changes that need to be implemented by the USDA, FSA, and NRCS. The management strategy states “work with local governments to protect existing buffers when agricultural lands are converted.” (Pg 16, F.2.) Please **elaborate to indicate the type of conversion** to which this is referring, **how these agencies will work with local governments**, and the **type of buffer protection** desired to achieve.

Should you have any questions regarding our concerns, please feel free to contact me at 410-386-2145 or bdinne@ccg.carr.org.



Brenda Dinne, Special Projects Coordinator

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