



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III**

1750 Forest Drive, Suite 130
Annapolis, Maryland 21401

July 12, 2023

Ms. Julie Patton Lawson, Chair
Citizens Advisory Committee
c/o Jessica M. Blackburn, CAC Coordinator
612 Hall Street, Suite 101C
Richmond, Virginia 23224

Dear Chair Lawson:

On behalf of the Chesapeake Executive Council (EC), I would like to thank you and the Citizens Advisory Committee (CAC) members for the time and resources you put into bringing a diversity of stakeholders' insights, perspectives, and suggestions to the Chesapeake Bay Program partnership as we work together to protect and restore the Chesapeake Bay Watershed. Thank you also for your thoughtful recommendations to the EC (dated September 22, 2022). We appreciate the opportunity to respond to your suggestions.

The partnership is indeed at a critical time as we reflect on our progress toward our 2025 goals and outcomes and as we contemplate the challenges leading up to and beyond 2025. Clearly communicating our progress and adapting new approaches, as well as following through on the promise of accountability for the Chesapeake Bay Total Maximum Daily Load (TMDL), are fundamental to our path forward. As you may know, to help implement the EC's directive, the partnership is establishing steering committees to assess our progress and make recommendations for moving forward. One steering committee will focus on recommendations leading up to 2025, due to the EC by this fall. The other will focus on post-2025 recommendations, due to the EC by the end of 2024. We appreciate the questions that the CAC provided as part of an analysis of the partnership and its activities and the Beyond 2025 Steering Committee will incorporate these in materials for assessing progress and shortfalls. We look forward to CAC's support and advice as we dive into this important work.

In response to the CAC's highlighted recommendations, we offer the following responses:

- *CAC Recommendation: "Prioritize the Chesapeake Bay Watershed recovery by hiring agency staff to enforce existing regulations, target priority practices with co-benefits, and provide technical assistance for implementation. Confirm the credibility of the Chesapeake Bay Program with transparent accountability to the Chesapeake Bay Watershed Agreement and steadfast reliance on state and federal environmental authorities."*

- Partnership response: EPA appreciates the important role of enforcement to ensure compliance with environmental laws and regulations. EPA has increased its presence in the field, as announced by Regional Administrator Adam Ortiz, in April 2022 and again in November 2022. Furthermore, EPA remains committed to supporting all Chesapeake Bay restoration activities—continuing to provide substantial funding and technical assistance, tracking and reporting progress, and coordinating and facilitating partnership efforts. Working across seven jurisdictions, multiple federal agencies, many local governments and non-government organizations, EPA completes its work based on best judgement for budget, staffing allocations and other additional priorities as resources allow. In addition, EPA determines, based on best judgement across several programs, which actions to take regarding the TMDL.
- *CAC Recommendation: “Help advance the CBP’s commitments to DEIJ by providing stipends to eligible volunteers of the Advisory Committees and Chesapeake Bay Program workgroup members who are not paid by their jobs to participate. A CBP financial priority to support volunteer stipends is an actionable solution to a barrier of inclusive engagement by intentionally uplifting the voices of traditionally excluded watershed residents.”*
 - Partnership response: The partnership appreciates the recommendation that would enable eligible volunteers who are otherwise unable to attend in person to participate in partnership meetings; however, resources and a process for actualizing this idea are not currently in place but solutions are being discussed internally amongst several partners. A group, including the CAC vice-chair, the CAC coordinator, a participant from Maryland Department of the Environment, the Executive Director of the Chesapeake Bay Commission, and a staff lead from the EPA Chesapeake Bay Program Office, will follow up on this important point and provide a well-vetted response to the CAC.
- *CAC Recommendation: “Convene the Chesapeake Bay States and relevant federal agencies to coordinate a watershed-wide approach to planning for large-scale solar development in our region. CBP guidance of best practices informed by science and a comprehensive look at solar development practices and policies will help meet the demands of renewable energy while also protecting the high-quality ecosystem functions, sustainable agriculture, and water quality targets outlined in the Chesapeake Bay Watershed Agreement, the 2025 Chesapeake Bay Watershed TMDL, and beyond.”*
 - Partnership response: We acknowledge the proliferation of solar and other renewable energy sources within the watershed and are also cognizant of the potential environmental challenges these technologies might have, including the many you noted in your letter (long-term impacts on agricultural soils and forests, competing policies between state and local governments, conversion of farms or forests to solar fields, etc.). Currently, large-scale solar development is not within the scope of the CBP partnership’s expertise or area of influence; however, several partnership activities may provide an opportunity for exploration and

possible partnership collaboration. On April 6-7, 2023, STAC held a workshop, “Best Management Practices to Minimize Impacts of Solar Farms on Landscape Hydrology and Water Quality.” The workshop explored the potential impact of land use transition and renewable energy within the Chesapeake Bay watershed while maintaining our ability to meet the Chesapeake Bay TMDL goals. The findings from the STAC workshop could potentially be used to generate further discussions and investigations, with important implications across the partnership.

Thank you again for your ongoing commitment to helping guide the partnership in its efforts to protect and restore the Chesapeake Bay Watershed. We look forward to continuing the dialogue around these important issues and to working with you in the coming months. In the meantime, please do not hesitate to reach out to me with any suggestions that might help address these challenging issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Campbell', is written over a light gray rectangular background.

David Campbell
Management Board Chair and Acting Director,
Chesapeake Bay Program Office
EPA Region 3

Cc: Chesapeake Executive Council Members
Principals' Staff Committee Members
Management Board Members