



CHESAPEAKE BAY COMMISSION · FEBRUARY 2021

FEDERAL AGENCY BUDGET REQUEST

FISCAL YEAR 2022

SIGNIFICANT PROGRESS HAS BEEN MADE IN THE RESTORATION OF the Chesapeake Bay and its 64,000-square mile watershed. Yet the pace and intensity of our work must accelerate if we are to achieve the 2025 Clean Water Act deadline — to implement the on-the-ground management practices necessary to achieve clean water. All levels of government, our citizens, and the private sector are united in achieving this singular goal.

The Bay's Congressional delegation has been steadfast in its commitment to restore the watershed and its living resources. The funding and report language provided in the FY 2021 appropriation bills was significant. Continued success depends on maintaining, and in some cases enhancing or directing, the Federal funding that provides the catalyst for the restoration efforts. Each Federal dollar spent leverages three more from state, local and private partners.

As Congress begins deliberations on the FY 2022 Federal budget, the Chesapeake Bay Commission offers this report to identify the Federal funding required. We also highlight four priorities where targeted action will strategically accelerate our work.

Who We Are and What We Do

The Chesapeake Bay Commission is a tri-state legislative Commission with bipartisan membership from Maryland, Pennsylvania and Virginia. We work to advance policy at all levels of government to restore and protect the Chesapeake Bay watershed. We are the only legislative branch member of the Chesapeake Bay Program Partnership. The joint Federal-state effort is producing real results in cleaner water, healthier fisheries and greater economic and environmental resilience. It is a model receiving global recognition.



Chesapeake Bay Commission
Policy for the Bay

The Commission's Top Budget Priorities

✓ ENVIRONMENTAL PROTECTION AGENCY

Geographic Programs — Chesapeake Bay:

\$90,500K (FY 2021 level \$87,500K)

These monies maintain the nucleus of the Federal-state partnership to restore the Bay. Program funds are used to coordinate the complex science and monitoring efforts that drive restoration. As we near the 2025 deadline, the challenge and urgency of our work grows. The request level equals the authorized levels in the recently enacted America's Conservation Enhancement Act. Report language should equally divide new funding among the small watershed and innovative practices grant programs and state-based implementation in the most effective basins.

Beginning in 2009, the Environmental Protection Agency (EPA) headquarters drew funding from the Chesapeake Bay Program to support the development of the Bay TMDL. Currently, \$3.452M of the Bay Program's resources continue to be allocated to headquarters each year. As the work of developing the TMDL has been completed, the Commission encourages EPA to return these funds to the Bay Program to support strategic science, monitoring and program implementation.

✓ U.S. FISH AND WILDLIFE SERVICE

Chesapeake Watershed Investments for Landscape Defense (WILD):

\$15,000K (new program)

America's Conservation Enhancement Act created the Chesapeake WILD program in 2020. The law authorizes up to \$15M in grants from the U.S. Fish and Wildlife Service (USFWS) for restoring fish and wildlife habitat in the Chesapeake Bay watershed. The Commission supports fully funding this program to enhance USFWS's critical role in the broader Bay partnership.

✓ DEPARTMENT OF DEFENSE

Stormwater and Environmental Resiliency:

\$100,000K (new program)

Stormwater remains the only pollutant in the Chesapeake Bay watershed that continues to increase. Climate-

related impacts, such as increased rainfall intensity, only exacerbate this problem. As the second largest Federal landholder in the Chesapeake Bay watershed, the Department of Defense (DOD) plays a vital role in reducing stormwater loads, while at the same time enhancing climate resiliency. There are 137 DOD installations, sites, and facilities in the Chesapeake Bay watershed, and it is a challenge to ensure stormwater and natural resources Best Management Practices (BMPs) are constructed, maintained and repaired. If the Department is unable to implement and maintain BMPs, it may result in failure to meet both targeted pollution reductions and permit requirements.

The Commission supports additional investments of up to \$100M, either through a pilot project or a dedicated fund, to implement and maintain stormwater BMPs on military installations in the Bay watershed. These investments will serve as a catalyst for other Federal agencies, states and local governments to implement shared cost-effective solutions to protect critical infrastructure that supports the maintenance and resiliency of BMPs.

✓ U.S. GEOLOGICAL SURVEY

Chesapeake Ecosystem Science and Monitoring:

\$16,050K (FY 2021 level \$14,850K)

Decision-makers at all levels rely on U.S. Geological Survey (USGS) science to devise and implement plans to reduce the impacts of nutrients, sediment and toxic contaminants, improve habitat for freshwater fisheries and waterfowl, and focus land protection. It is also the monitoring and analysis provided by USGS that allows us to determine the effectiveness of our strategies. The requested funding is distributed across multiple USGS line-items.

As we approach 2025 restoration deadlines, a modest increase in funding for their Land Management Research Program will allow the USGS to provide additional scientific analysis needed by Federal and state agencies to target water-quality improvements that also benefit freshwater fisheries and waterbird species and habitats.

FY 2022 Budget Request Summary

Interior, Environment and Related Agencies

- ✓ EPA — Geographic Programs — Chesapeake Bay: \$90,500K
- ✓ EPA — Nonpoint Source (Sec. 319) Grants: \$177,000K
- ✓ EPA — Pollution Control (Sec. 106) Grants: \$230,000K
- ✓ EPA — Clean Water State Revolving Loan Fund: \$2,000,000K
- ✓ DOI-USGS — Chesapeake Ecosystem Science and Monitoring: \$16,050K
- ✓ NPS — Chesapeake Bay Gateways and Trails Program: \$3,000K
- ✓ DOI-USFWS — Chesapeake Watershed Investments for Landscape Defense (WILD): \$15,000K
- ✓ DOI-USFWS — Cooperative Landscape Conservation: \$12,500K
- ✓ DOI-USFWS — Habitat Conservation — Coastal Programs: \$13,360K
- ✓ USDA-Forest Service — Forest Stewardship Program: \$11,902K
- ✓ Land and Water Conservation Fund (all agencies): \$900,000K

Energy and Water Development

- ✓ USACE-Construction — Environmental Restoration and Compliance: \$110,000K
- ✓ USACE-Investigations — Coordination with Other Water Resource Agencies: \$1,000K
- ✓ USACE-Construction — Poplar Island: \$8,600K
- ✓ USACE-Construction — Mid-Bay Island: \$38,000K
- ✓ USACE-Construction — Continuing Authorities Program — Aquatic Ecosystem Restoration (Sec. 206): \$11,000K; and Emergency Streambank and Shoreline Protection (Sec. 14): \$8,000K

Commerce and Justice, Science and Related Agencies

- ✓ NOAA-NMFS — Habitat Conservation and Restoration: \$58,499K
- ✓ NOAA-NMFS — Regional Councils and Fisheries Commissions: \$41,500K
- ✓ NOAA-Office of Education — B-WET Regional Programs: \$7,910K
- ✓ NOAA-Office of Oceanic and Atmospheric Research — National Sea Grant College Program: \$107,900K

Agriculture, Rural Development, Food & Drug Administration and Related Agencies

- ✓ USDA-NRCS — Conservation Operations: \$1,200,000K
- ✓ USDA-NRCS/FSA — 2018 Farm Bill Programs: Full Funding of Mandatory Programs

Defense

- ✓ DOD — Stormwater and Environmental Resiliency: \$100,000K
- ✓ DOD — Readiness and Environmental Protection Integration Program: \$105,000K

Interior, Environment and Related Agencies Subcommittee

ENVIRONMENTAL PROTECTION AGENCY

✓ Geographic Programs — Chesapeake Bay: \$90,500K (FY 2021 level \$87,500K)

See Page 2 for program narrative.

✓ Nonpoint Source (Sec. 319) Grants: \$177,000K (level funding)

An overwhelming majority of Americans — 215 million (more than 70 percent) — live within 2 miles of a polluted lake, river, stream or coastal area. States have identified more than 600,000 miles of rivers and streams, more than 13 million acres of lakes and more than 500,000 acres of wetlands that do not meet state water quality goals. The Chesapeake region is no exception, with 21 percent of streams sampled ranked in poor or very poor condition. Pennsylvania alone has more impaired streams than any other state in the continental United States. The Sec. 319 grants are a key resource in the effort to improve and protect our nation's waters. In FY 2020 this program provided \$8.7 million for Bay watershed restoration.

✓ Pollution Control (Sec. 106) Grants: \$230,000K (level funding)

This national program helps states in the Chesapeake Bay watershed manage the Federal water pollution permit program, or NPDES. Under the Clean Water Act, it is unlawful to discharge any pollutant into U.S. waters without an NPDES permit. Without adequate funding, this permit process gets bogged down, resulting in business losses and reduced permit monitoring and enforcement. In FY 2020, this program provided \$11.9 million for Bay restoration.

✓ Clean Water State Revolving Loan Fund: \$2,000,000K (FY 2021 level \$1,638,826) *A Congressional infrastructure package should significantly increase financing capacity up to \$8 billion.*

This program provides low-cost financing to local communities to improve water-related infrastructure and local water quality. States have the flexibility to fund a range of projects that address their highest priority water quality needs. Using a combination of Federal and state funds, state programs provide loans to eligible recipients to: construct municipal wastewater

facilities; control nonpoint sources of pollution; build decentralized wastewater treatment systems; create green infrastructure projects; protect estuaries; and fund other water quality projects. In FY 2020, this program provided \$123 million for Bay restoration. The Commission strongly supports additional investments in the Clean Water SRF through an economic recovery and infrastructure package.

DEPARTMENT OF INTERIOR

U.S. Geological Survey

✓ Chesapeake Ecosystem Science and Monitoring: \$16,050K (FY 2021 level \$14,850K)

See Page 2 for program narrative.

National Park Service

✓ Chesapeake Bay Gateways and Trails Program: \$3,000K (level funding)

This program helps with connecting people with the heritage of the watershed. The core functions are to: 1) develop a core set of "visitor hubs" to expand Chesapeake tourism; 2) increase programming and projects that get children and visitors outside; and 3) advance Chesapeake conservation and access goals.

U.S. Fish and Wildlife Service

✓ Chesapeake Watershed Investments for Landscape Defense (WILD): \$15,000K (new program)

See Page 2 for program narrative.

✓ Cooperative Landscape Conservation: \$12,500K (level funding)

These 22 public-private landscape cooperatives are a recognition that successful conservation requires voluntary, non-regulatory partnerships that span jurisdictional boundaries. The North Atlantic cooperative develops the scientific information and tools needed to prioritize and guide regional conservation goals.

✓ Habitat Conservation — Coastal Programs: \$13,360K (level funding)

This is a voluntary habitat conservation program that provides technical and financial assistance, in collaboration with partners, for the benefit of protected species and resources. The Chesapeake Bay is one of 24 priority coastal ecosystems.

DEPARTMENT OF AGRICULTURE

Forest Service

✓ **Forest Stewardship: \$11,902K** (level funding)

This is the primary Forest Service program focused on private forestland management and conservation. Priority uses include restoring riparian forest buffers, adding urban tree canopy, and protecting high-value forest.

ALL AGENCIES

✓ **Land and Water Conservation Fund: \$900,000K** (mandatory funding)

The LWCF is the nation's premier land conservation program. Through locally driven projects, it provides for the permanent protection of landscapes to safeguard the rivers and streams feeding into the Bay, while supporting local economies through recreation and tourism. Each year, a handful of top-ranked projects within the Bay watershed are selected for funding.

Energy and Water Development Subcommittee

U.S. ARMY CORPS OF ENGINEERS

✓ **Construction — Environmental Restoration and Compliance: \$110,000K** (level funding)

The U.S. Army Corps of Engineers (USACE) plays an important role in Chesapeake Bay restoration. Its Comprehensive Plan provides a strategic roadmap for investments in aquatic ecosystem restoration throughout the watershed. Under Section 510, USACE is provided an enhanced opportunity to partner with non-Federal sponsors to design and construct projects.

The Corps is also very active in oyster restoration, a key objective of the Bay agreement.

The Commission recommends report language to support this work: Of the additional funding provided in this account for environmental restoration or compliance and other authorized project purposes, the Corps shall allocate not less than \$25 million for multistate ecosystem restoration programs for which a comprehensive restoration plan is in development or has been completed, of which not less than \$5 million shall be for projects or programs that restore and rehabilitate native oyster reefs.

✓ **Investigations — Coordination with Other Water Resource Agencies: \$1,000K** (level funding)

The DOD and the Corps are full partners in the joint

Federal-state Chesapeake Bay restoration effort. This funding supports Corps staff to serve their critical role as programmatic and technical advisors to the Partnership, in their areas of expertise, such as oyster restoration, wetland creation and flood control.

✓ **Construction — Poplar Island: \$8,600K** (FY 2021 level \$14,500K)

This project will add valuable wetland habitat to the Chesapeake Bay, and at the same time ensure the economic viability of the Port of Baltimore.

✓ **Construction — Mid-Bay Island: \$38,000K** (newly authorized project)

Mid-Bay Island is the replacement to the Poplar Island project, which is reaching capacity. It will similarly serve as a valuable wetland habitat and dredged material placement site for the Port.

✓ **Construction — Continuing Authorities Program — Aquatic Ecosystem Restoration (Sec. 206): \$11,000K; and Emergency Streambank and Shoreline Protection (Sec. 14): \$8,000K** (level funding)

These national programs provide funding for habitat restoration and the reduction of flood damage to public infrastructure in the Chesapeake Bay watershed.

Commerce, Justice, Science and Related Agencies Subcommittee

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

National Marine Fisheries Service

✓ **Habitat Conservation and Restoration (HCR): \$58,499K** (FY 2021 level \$57,625K)

NOAA's Chesapeake Bay Office is budgeted within HCR. In FY 2020, this program provided \$6.326 million to support critical fisheries efforts, such as population assessment, restoration and habitat improvement. Critical species, such as oysters, blue crabs, striped bass and menhaden, have huge social and economic importance. The Commission supports report language to specifically fund enhanced oyster restoration efforts within the Chesapeake Bay and an increase in funding of \$874K to support this effort and fisheries science more generally.

✓ **Regional Councils and Fisheries Commissions:**
\$41,500K (level funding)

Regional fishery coordination is critical to the stewardship and sustainable harvest of our migratory fisheries, both commercial and recreational. Working with state representatives from the executive and legislative branches, policy and management plans are crafted based on the best science and stakeholder engagement.

Office of Education

✓ **Bay-Watershed Education and Training (B-WET)**
Regional Programs: \$7,910K (FY 2021 level \$7,750K)

NOAA's B-WET program is an environmental education program that promotes locally based STEM learning for K-12 students and teachers. B-WET provides competitive grants to encourage capacity-building and partnerships. In FY 2020, this program provided \$2.84 million towards Chesapeake stewardship and environmental literacy; we request an increase to \$3 million given the success of this program.

Office of Oceanic and Atmospheric Research

✓ **National Sea Grant College Program: \$107,900K**
(includes Marine Aquaculture Program) (FY 2021 level \$87,000K)

The Sea Grant program works to enhance the practical use and conservation of coastal and marine resources to create a sustainable economy and environment. Priorities include research to support sustainable fisheries and aquaculture. In FY 2020, this program provided \$5.1 million towards Bay restoration. This request is consistent with that of the Sea Grant Association.

Agriculture, Rural Development, Food & Drug Administration and Related Agencies Subcommittee

U.S. DEPARTMENT OF AGRICULTURE

✓ **Natural Resources Conservation Service (NRCS)**
— Conservation Operations: \$1,200,000K (FY 2021 level \$832,727K)

Conservation technical assistance (CTA) is the foundation of NRCS's ability to deliver effective conservation. By working with agricultural producers to prepare and implement conservation plans, sediment and nutrient loads to our waterways are directly reduced.

In the jurisdictional Phase III Watershed Implementation Plans, 72% of the pollutant load reductions are

planned to come from the agricultural sector. This can only happen with increased CTA. The Commission also supports targeted, enhanced CTA to the Susquehanna River basin and other high-impact agricultural basins in the Bay watershed. This request is consistent with that of the National Association of Conservation Districts.

✓ **NRCS and Farm Service Agency (FSA): Full Funding of Mandatory Programs Authorized in 2018 Farm Bill**

Farm Bill programs provide the financial backbone of the region's agricultural conservation efforts. In FY 2021, \$86 million is programmed for cost-share assistance to Bay watershed farmers. These dollars are critical to achieving clean water throughout the watershed. Core programs include the Conservation Reserve Enhancement Program (CREP), the Environmental Quality Incentives Program (EQIP) and the Regional Conservation Partnership Program (RCP), which have been further strengthened by the new Farm Bill.

Defense Subcommittee

DEPARTMENT OF DEFENSE

✓ **Stormwater and Environmental Resiliency:**
\$100,000K (new program)

See Page 2 for program narrative.

✓ **Readiness and Environmental Protection Integration Program (REPI): \$105,000K** (level funding)

The REPI Program is the Department of Defense's key tool that protects the military's mission to avoid encroachment and land-use conflicts near installations. It provides funding for conservation easements to buffer the off-base impacts of military activities, such as flight or ordnance training. There are 14 installations with active REPI partnerships located in the Chesapeake Bay watershed; these land conservation efforts also help us meet our nutrient reduction goals.

In Conclusion

Congress has shown tremendous support for the Chesapeake Bay restoration effort. We ask this support to be continued and enhanced during the FY 2022 budget cycle. Watershed restoration can be achieved through the collaborative will, strength and determination of Federal, state and local governments, their legislatures, and the public.



Chesapeake Bay Commission

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