

# Chesapeake Bay Accountability and Recovery Act Implementation

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# Chesapeake Bay Accountability and Recovery Act (2014)

- Independent Evaluator
- Chesapeake Bay Crosscut Budget

# Independent Evaluator

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There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on—

- (1) restoration activities; and
- (2) any related topics that are suggested by the Chesapeake Executive Council.



# What needs to be done?

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- Executive Council may nominate an independent evaluator
- Within 30 days the Administrator selects a nominee that demonstrates excellence in
  - Marine science
  - Policy evaluation
  - Other studies relating to complex environmental activities
- First report due to Congress in 180 days, every 2 years after

# 3 Options Analyzed

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- EPA Science Advisory Board
  - Convener
  - Standing Committee
  - Nominating individuals with expertise to the Committee
- Letting a grant to an entity through the EC nomination/Administrator selection
  - Nominating an institution to act as the Independent Evaluator
- The National Academy of Science
  - Convener
  - Panel
  - Individuals are selected based on expertise

# Key Considerations

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- Format
- Cost to Program
- Timeliness
- Sustainability
- Readiness
- Meets Intent of law
- Avoids actual or appearance of conflict of interest

# Meeting the Intent of the Law

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- Nominations for independent evaluator submitted by the EC
- Science-based institution of higher education
- Administrator appoints IE from among nominees with consultation of the scientific community
- Demonstrates excellence in marine science, policy evaluation, or other studies relating to complex environmental restoration activities
- Reports not later than 180 days after date of appointment and once every 2 years thereafter

# Recommendation: Science Advisory Board

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Based on:

- Cost to Program – no additional funding required
- Timeliness – Ability to get up and running quickly
- Continuity – Standing Committee with rotating membership
- Transparency – Materials and discussions are public
- Avoids Conflict of interest – Has established procedures for ensuring experts are independent, objective, and free from financial conflict of interest

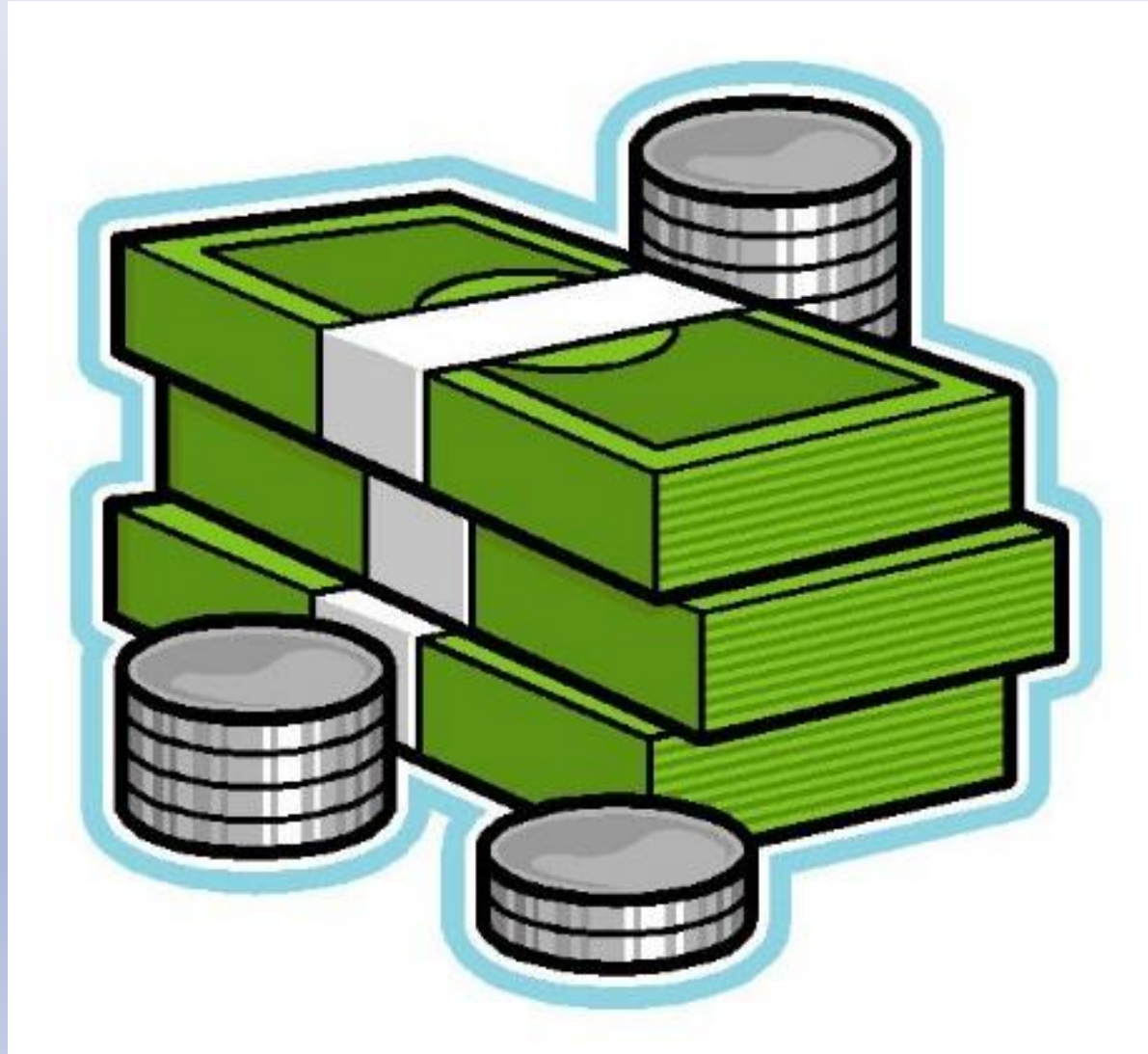


# Discussion and Decision

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- Agree on the selected option
- Assign next steps to include
  - Initial task/charge development
  - Recommended expertise needed for individual members
  - Process for nominating members
- Bring back to PSC in May for final approval of approach

# Budget Accounting



# CBARA Budget Accounting

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**Definition of “Federal restoration activity”** – a program or project carried out with the “*express intent to **directly**\* **protect, conserve, or restore** living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that **provide financial and technical assistance** to promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed.*”

\*Definition of a State restoration activity also includes the word “Or indirectly”

# Categories May Include:

- physical restoration,
- planning,
- feasibility studies,
- scientific research,
- monitoring,
- education,
- infrastructure development

# Interagency Cross-cut budget

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OMB Director, in consultation with the EC, shall submit to Congress a financial report containing:

- Proposed federal and estimated state funding to be carried out in **the succeeding** fiscal year (FY17)
- Expenditures for Federal, and to the extent available, State restoration activities for **preceding 2 fiscal years, current fiscal year, and succeeding fiscal year (FY 14, 15, 16, 17)**
- Identification of specific opportunities to consolidate similar programs and activities to **streamline, consolidate, or eliminate** similar programs and activities

# A detailed accounting of all funds:

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- received and obligated from Federal restoration activities during **current and preceding** fiscal years, including that which went to states for restoration activities (FY 14, 15 and 16)
- and to the extent available, state funds received and obligated from a Federal agency

# A description of Federal and State restoration activities to be carried out in **succeeding** fiscal year

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- Project description
- Current status of the project
- Statutory or regulatory authority, program, or responsible agency
- Authorization level for appropriations
- Project timeline, including benchmarks
- References to project documents
- Descriptions of risks and uncertainties of project implementation
- Cost sharing
- Alignment with the existing Chesapeake Bay Agreement, EO, Action Plan

# Funding Levels and Timeline

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## Funding Levels

- For the first 3 years, funding  $\geq$  \$300,000
- After that, funding  $\geq$  \$100,000

Timeline – Due Sept. 30 each year



# Questions?

