



# CHESAPEAKE BAY COMMISSION · FEBRUARY 2020

## FEDERAL AGENCY BUDGET REQUEST

### FISCAL YEAR 2021

**T**HE RESTORATION OF THE CHESAPEAKE Bay watershed has accelerated as we near the 2025 deadline for clean water. All levels of government, our citizens, and the private sector are united in implementing the needed conservation practices to achieve the “pollution diet.” The positive signs of recovery demonstrate without question that the collaborative effort is working.

The Bay’s Congressional delegation has been steadfast in its commitment to restore the watershed and its resources. The additional funding provided in the FY 2020 appropriation bills is significant. Continued success depends on maintaining, and in some cases enhancing, 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 2021 Federal budget, the Chesapeake Bay Commission offers this report to pinpoint the Federal funding required. We have highlighted three priorities where targeted action will strategically advance our work (see column to right).

### 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 and 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 worthy of global recognition.



**Chesapeake Bay Commission**  
*Policy for the Bay*

### Headquarters

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### Commission Priority Increases

#### ★ U.S. DEPARTMENT OF AGRICULTURE **Natural Resources Conservation Service — Conservation Operations: \$840,000K** (FY 2020 level \$830,000K)

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 report language to target enhanced CTA in Critical Conservation Areas, such as the Bay watershed.

#### ★ ENVIRONMENTAL PROTECTION AGENCY **Geographic Programs — Chesapeake Bay: \$90,500K** (FY 2020 level \$85,000K)

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, both the challenge and urgency of our work grows. We support report language to allocate any new funding among the small watershed and innovative practices grant programs and state-based implementation in the most effective basins.

#### ★ DEPARTMENT OF DEFENSE **Readiness and Environmental Protection Integration Program (REPI): \$105,000K** (FY 2020 level \$100,000K)

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 ordinance 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.

Additionally, the Commission seeks Congressional support for a Demonstration Project to prioritize additional REPI funding for projects that leverage outside funding to deploy best management practices on conserved lands. This could demonstrate — for national application — the potential to increase the environmental benefits of REPI without adding to program costs.

## FY 2021 REQUEST SUMMARY

### Interior, Environment and Related Agencies

- EPA — Geographic Programs — Chesapeake Bay: \$90,500K
- EPA — Nonpoint Source (Sec. 319) Grants: \$177,915K
- EPA — Pollution Control (Sec. 106) Grants: \$230,806K
- EPA — Clean Water State Revolving Loan Fund: \$1,394,000K
- DOI-USGS — Chesapeake Ecosystem Science and Monitoring: \$14,850K
- NPS — Chesapeake Bay Gateways and Trails Program: \$3,000K
- DOI-USFWS — Cooperative Landscape Conservation: \$12,500K
- DOI-USFWS — Habitat Conservation — Coastal Programs: \$13,375K
- USDA-Forest Service — Forest Stewardship Program: \$21,000K
- Land and Water Conservation Fund (all agencies): \$495,103K

### Energy and Water Development

- USACE-Construction — Environmental Restoration and Compliance \$150,000K (level funding)
- USACE-Investigations — Coordination with Other Water Resource Agencies \$1,000K
- USACE-Construction — Poplar Island: \$14,500K
- USACE-Construction — Continuing Authorities Program — Aquatic Ecosystem Restoration (Sec. 206) \$10,000K and Emergency Streambank and Shoreline Protection (Sec. 14): \$8,000K

### Commerce and Justice, Science and Related Agencies

- NOAA-NMFS — Habitat Conservation and Restoration: \$57,125K
- NOAA-NMFS — Regional Councils and Fisheries Commissions: \$40,247K
- NOAA-Office of Education — B-WET Regional Programs: \$7,750K
- NOAA-Office of Oceanic and Atmospheric Research — National Sea Grant College Program: \$97,900K

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

- USDA-NRCS — Conservation Operations: \$840,000K
- USDA-NRCS/FSA — 2018 Farm Bill Programs: Full Funding of Mandatory Programs

### Defense

- Readiness and Environmental Protection Integration Program: \$105,000K

## Interior, Environment and Related Agencies Subcommittee

### ENVIRONMENTAL PROTECTION AGENCY

#### ✓ **Geographic Programs — Chesapeake Bay: \$90,500K** (FY 2020 level \$85,000K)

See first page for program narrative.

#### ✓ **Nonpoint Source (Sec. 319) Grants: \$177,915K** (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 2019, this program provided \$8.4 million for Bay watershed restoration.

#### ✓ **Pollution Control (Sec. 106) Grants: \$230,806K** (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 a NPDES permit. Without adequate funding, this permit process gets bogged down, resulting in business losses and reduced permit monitoring and enforcement. In FY 2019, this program provided \$12.0 million for Bay restoration.

#### ✓ **Clean Water State Revolving Loan Fund: \$1,394,000K** (level funding)

***A Congressional infrastructure package could significantly increase financing capacity.***

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.

## DEPARTMENT OF INTERIOR

### U.S. Geological Survey

#### ✓ Chesapeake Ecosystem Science and Monitoring: \$14,850K (level funding)

Decision makers at all levels rely on USGS science to devise effective plans to reduce the impacts of nutrients, sediment and toxic contaminants, and improve habitat for freshwater fisheries and waterfowl, and focus land protection. Only with the monitoring and analysis provided by USGS do we know where to focus restoration efforts and determine their effectiveness. This funding is distributed across multiple USGS line-items.

### National Park Service

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

This program provides assistance for 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

#### ✓ 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: \$13,375K (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: \$21,000K (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.

#### ✓ Land and Water Conservation Fund (all agencies): \$495,103K (level 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: \$150,000K (level funding)

The U.S. Army Corps of Engineers (USACE) plays an important role in Chesapeake Bay restoration. Their 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. With current populations at less than 1 percent of historic levels, the Bay agreement targets oyster restoration as a key objective within 10 rivers. Restoration projects are succeeding in both states: in Maryland’s Harris Creek, Tred Avon and the Little Choptank Rivers and in Virginia’s Lafayette, Piankatank, and Lynnhaven Rivers. Both Harris Creek and the Lafayette River are fully constructed for restoration. Work remains to be completed in the other tributaries and four new areas have been identified for restoration by state partners. Funding is needed.

The Commission recommends report language as adopted in the FY 2020 budget to support these programs: *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 \$25,000,000 for multistate ecosystem restoration programs for which a comprehensive restoration plan is in development or has been completed, of which not less than \$5,000,000 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: \$14,500K**  
(FY 2020 level \$17,300K)

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 — Continuing Authorities Program — Aquatic Ecosystem Restoration (Sec. 206) \$10,000K 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: \$57,125K**  
(level funding)

NOAA's Chesapeake Bay Office is budgeted within HCR. In FY 2019, this program provided \$6.2 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.

- ✓ **Regional Councils and Fisheries Commissions: \$40,247K** (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: \$7,750K** (level funding)

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 2019, this program provided \$2.8 million towards Chesapeake stewardship and environmental literacy.

## Office of Oceanic and Atmospheric Research

- ✓ **National Sea Grant College Program: \$97,900K**  
(includes Marine Aquaculture Program)  
(FY 2020 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. Within the Bay watershed, priorities include research to support sustainable fisheries and aquaculture. In FY 2019, this program provided \$4.9 million towards Bay restoration.

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

### U.S. DEPARTMENT OF AGRICULTURE

- ✓ **Natural Resources Conservation Service — Conservation Operations: \$840,000K** (FY 2020 level \$830,000K)

See first page for program narrative.

- ✓ **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 2019, \$95.5 million was programmed for cost-share assistance to Bay watershed farmers. These dollars are critical to achieving the pollution reductions necessary to achieve 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 (RCPP), which have been further strengthened by the new Farm Bill.

## Defense Subcommittee

- ✓ **Readiness and Environmental Protection Integration Program: \$105,000K** (FY 2020 level \$100,000K)

See first page for program narrative.

## 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 2021 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. ■