

Congress of the United States

Washington, DC 20510

May 6, 2022

The Honorable Jeffrey A. Merkley
Chairman
Appropriations Subcommittee on
Interior, Environment, and Related Agencies
131 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Tammy Baldwin
Chairman
Appropriations Subcommittee on
Agriculture, Rural Development, Food and
Drug Administration, and Related Agencies
129 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Jeanne Shaheen
Chairman
Appropriations Subcommittee on
Commerce, Justice, Science, and
Related Agencies
142 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Lisa Murkowski
Ranking Member
Appropriations Subcommittee on
Interior, Environment, and Related Agencies
125 Hart Senate Office Building
Washington, DC 20510

The Honorable John Hoeven
Ranking Member
Appropriations Subcommittee on
Agriculture, Rural Development, Food and
Drug Administration, and Related Agencies
190 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Jerry Moran
Ranking Member
Appropriations Subcommittee on
Commerce, Justice, Science, and
Related Agencies
125 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Merkley, Chairman Baldwin, and Chairman Shaheen; and
Ranking Member Murkowski, Ranking Member Hoeven, and Ranking Member Moran:

As Senators for the six-state Chesapeake Bay watershed region, we thank each Subcommittee for its legacy of leadership with respect to the restoration of the Chesapeake Bay. Our states are heavily invested in implementing a Chesapeake Clean Water Blueprint designed to restore this national treasure. Continued federal partnership to support this complex, regional effort is key to their success. To maintain the trust and collaboration of state and local partners, we have identified essential programs across the federal agency partners in Fiscal Year 2023 (FY23).

States in the Chesapeake Bay watershed have been working together to restore this national treasure since 1983, when Maryland, Virginia, and Pennsylvania signed the first Chesapeake Bay Agreement—a voluntary, regional partnership to achieve the states' vision of an environmentally and economically sustainable Chesapeake Bay. That same year, Congress established the Chesapeake Bay Program to support the agreement. As a testament to the value of this federal-state partnership, all watershed states signed the 2014 Chesapeake Bay Watershed Agreement.

Under the Agreement, the jurisdictions and federal agencies have voluntarily committed to work together to restore water quality in the Chesapeake Bay by 2025. We must maintain federal investment in the programs below to support state-led efforts and ensure their continued success.

Interior, Environment, and Related Agencies

EPA Chesapeake Bay Program (CWA §117)

This program was created under President Ronald Reagan to support the original Chesapeake Bay Agreement. This unique regional partnership brings together leaders and experts from a vast range of agencies and organizations. Each partner uses its own resources to implement restoration and protection activities. Federal Chesapeake Bay Program funds are used to coordinate the complex cross-state science, research, modeling, monitoring, data collection, and other activities essential to support partners' collaboration. Over 60% of federal funds are passed through to states and local communities, primarily through grants programs that leverage private investment for restoration activities. In the 116th Congress, the Senate unanimously approved bipartisan legislation to increase and reauthorize this program. We sincerely appreciate the Subcommittee's strong investment in the Chesapeake Bay program in FY22, and urge continued investment in the Chesapeake Bay program account by increasing funding for FY23 by \$3,000,000 to \$91,000,000, the authorized level, and including the following report language:

Chesapeake Bay.—The Committee recommends \$91,000,000 for the Chesapeake Bay program, an increase of \$3,000,000 above the enacted level. From within the amount provided, \$20,500,000 is for nutrient and sediment removal grants and \$25,500,000 is for small watershed grants to control polluted runoff from urban, suburban and agricultural lands, and \$22,708,000 is for state-based implementation in the most effective basins.

FWS Chesapeake WILD Program

The Chesapeake WILD Program under the U.S. Fish and Wildlife Service (the Service) was authorized in the bipartisan America's Conservation Enhancement (ACE) Act to administer habitat restoration grants specifically in the Chesapeake region. This program enables the Service to engage fully in habitat restoration activities in the Chesapeake Bay by establishing a grant program to enhance fish and wildlife and their habitats throughout the six-state 64,000 square mile Chesapeake watershed. The Chesapeake WILD Program will benefit key areas in the tidal Chesapeake Bay system and provide much-needed financial and technical assistance to ensure states are able to meet commitments to improve the health and habitat of the Bay. Chesapeake WILD is intended to assist local partners with on-the-ground work to enhance progress toward Bay watershed-wide goals. We urge you to provide \$15 million in FY23.

EPA STAG/Nonpoint Source Implementation Grants (CWA §319)

Nonpoint source pollution is a significant cause of water pollution in the Chesapeake Bay watershed. Section 319(h) grants are available to locate and partially finance the agricultural, urban, and residential best management practices planned pursuant to the Agreement and to leverage other local and private funding sources. States also independently provide project management and technical assistance to local stakeholders to install these practices. We urge you to support the FY23 President's Budget Request proposal of \$189,999,000.

EPA STAG/Pollution Control Grants (CWA §106)

Section 106 grants help states in the Chesapeake Bay watershed manage EPA's National Pollutant Discharge Elimination System (NPDES). Under the Clean Water Act, it is unlawful to discharge any pollutant into U.S. waters without a NPDES permit. Without sufficient funding, this permit process gets bogged down, resulting in business losses and reduced permit monitoring and enforcement. We urge you to support the FY23 President's Budget Request for \$251,538,000.

USGS Chesapeake Bay Program Activities

The U.S. Geological Survey (USGS) conducts the watershed-wide research, assessment, monitoring, and modeling that helps Chesapeake Bay Program partners make informed management decisions to restore and protect the Chesapeake Bay. This data and analysis are critical for federal, state, and academic science partners in the Chesapeake Bay Program to plan the best stewardship of natural resources and taxpayer dollars. USGS Chesapeake Bay Program activities are conducted four Mission Areas and associated programs: Ecosystems, Water Resources, Natural Hazards, and Core Science Systems. We thank you for encouraging this work and urge an increase to \$17,150,000 for the Chesapeake Bay activities across all Mission Areas.

NPS Chesapeake Bay Office

The National Park Service (NPS) Chesapeake Bay Office works to increase public access to the ecological, cultural, and historic resources of the watershed region through multiple programs. We strongly support the FY23 President's Budget Request for key programs administered by the National Park Service in the Chesapeake Bay watershed—the Captain John Smith Chesapeake National Historic Trail at \$873,000 and \$3,027,000 for the Chesapeake Bay Gateways and Watertrails program—as well as \$1,700,000 for the NPS Chesapeake Bay Office. The Chesapeake Gateways and Watertrails program, reauthorized in the ACE Act, provides technical and financial assistance to state, community, and nonprofit organizations in the watershed region to enhance access to the Bay and its rivers, to conserve important landscapes and resources, to engage youth in meaningful place-based education, to improve recreational opportunities, and to interpret the natural and cultural resources of the watershed region.

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

NRCS Conservation Technical Assistance (CTA) Program

The Natural Resources Conservation Service's (NRCS) Conservation Technical Assistance (CTA) Program is foundational to NRCS's ability to deliver effective conservation practices to producers. By working with land managers to prepare and implement conservation plans in the Chesapeake Bay Watershed, sediment and nutrient loads into the Chesapeake Bay are directly reduced. We therefore support full funding for Conservation Operations and the following report language to maximize the targeting of resources by directing additional CTA to Critical Conservation Areas (CCA) within the Regional Conservation Partnership Program (RCPP):

Critical Conservation Areas.—The Committee supports Critical Conservation Areas and the collaborative regional approach to address common natural resources goals while maintaining or improving agricultural productivity. The Committee urges NRCS to

provide sufficient Conservation Technical Assistance funds to CCAs to address conservation planning backlogs.

Commerce, Justice, Science, and Related Agencies

NOAA Chesapeake Bay Office

The NOAA Chesapeake Bay Office (NCBO) focuses on applied research and monitoring in fisheries and aquatic habitats; synthesis, and analysis to describe and predict Bay ecosystem processes; and the delivery of policy advice and technical assistance to Bay decision makers in the following core areas: Fisheries Research and Management, Oyster Restoration, and Bay Observations. NCBO is funded under the NMFS' Habitat Conservation and Restoration budget line. We urge the Subcommittee to support the work of this office with an increase to \$10,700,000, including at least \$3,400,000 for oyster restoration activities. The NCBO also manages invaluable public education programs, including the Chesapeake Bay Watershed Education and Training (B-WET) Program and the Chesapeake Bay Interpretive Buoy System.

National Sea Grant College Program

Essential Sea Grant program activities in the Chesapeake Bay include university research on oyster diseases, restoration, and human health risks; research on the biology, prevention, and forecasting of harmful algal blooms; research, education, and extension services on coastal resilience and stormwater management; and university research on sustainable aquaculture. We urge the Subcommittee to support \$158,000,000 for the National Sea Grant College Program and \$18,000,000 for the Marine Aquaculture Program.

Our Chesapeake Bay Watershed states have invested significant resources into restoring a national treasure. In fact, state investments continue to dwarf federal investments, as OMB reported to Congress in the Chesapeake Bay Restoration Spending Crosscut in December 2021. In its most recent Chesapeake Bay Report Card, the University of Maryland Center for Environmental Science (UMCES) found improving trends continue. To maintain the spirit of trust and collaboration that is the hallmark of this successful agreement, it is essential to maintain consistent federal support. We thank you for supporting this unique partnership with our respective states in an extraordinary effort to restore a national treasure for generations.

Sincerely,



Benjamin L. Cardin
United States Senator



Chris Van Hollen
United States Senator

Tim Kaine

Tim Kaine
United States Senator

Tom Carper

Thomas R. Carper
United States Senator

Mark R Warner

Mark R. Warner
United States Senator

Chris Coons

Christopher A. Coons
United States Senator

Bob Casey

Robert P. Casey, Jr.
United States Senator

Kirsten Gillibrand

Kirsten Gillibrand
United States Senator