



# CHESAPEAKE BAY COMMISSION

*Policy for the Bay • [www.chesbay.us](http://www.chesbay.us)*

April 27, 2020

Dear Chesapeake Bay Congressional Members:

On behalf of the Chesapeake Bay Commission, I am writing to supplement our FY 2021 federal funding request, previously transmitted in February. The Commission is a tri-state legislative body, comprised of state legislators, gubernatorial representatives and citizens from Virginia, Maryland and Pennsylvania. The Commission works to advance policy, at all levels of government, to restore and protect the Chesapeake Bay. By law, we serve as a liaison to the Congress.

Our top priorities reflected in the attached document remain the same. However, given the COVID-19 pandemic and the strain it is placing on services at all levels of government, we are providing updated information and, in some cases, requesting additional resources to meet current needs.

## 1. EPA Chesapeake Bay Program

The EPA Chesapeake Bay Program is the nucleus of the Federal-state partnership to restore the Bay and coordinates the complex science and monitoring efforts that drive restoration. For FY 2021, the Commission has requested \$90.5M for the EPA Bay Program with the following report language:

*“Chesapeake Bay—The Committee recommends \$90,500,000 for the Chesapeake Bay program, an increase of \$5,500,000 above the enacted level and \$83,200,000 above the budget request. From within the amount provided, \$10,375,000 is for **nutrient and sediment removal grants** and \$10,375,000 is for **small watershed grants** to control polluted runoff from urban, suburban and agricultural lands, and \$8,750,000 is for **state-based implementation in the most effective basins.**”*  
[emphasis added]

As the Congress considers infrastructure and economic recovery legislation, we believe that additional money should be directed to the Chesapeake Bay Program using this same approach.

Over the last three years the National Fish and Wildlife Foundation, which administers the EPA Chesapeake Bay grant programs, has received \$44 million in unfunded applications for shovel ready projects supporting jobs and local restoration efforts. Each federal dollar invested leverages two dollars in non-federal funding. These grant programs are a proven way to get projects on the ground and their enhancement would have a significant impact for both economic stimulus and environmental protection.

In addition, state and local governments have made significant investments and progress in restoring the Bay. However, federal support continues to be critical and have a catalytic effect. These federal resources will be even more important as state budgets are stressed by the COVID-19 pandemic. Across our watershed, potential budget deficits in the billions of dollars are already looming.

Because we have extremely comprehensive and accurate data about where pollution is originating in the Bay watershed, states are able to target resources to effective basins – the geographic areas where we get the most pollution reduction per dollar spent. The more resources committed to pollution mitigation in effective basins, the more efficient the pollution reduction investment.

## 2. USDA Conservation Technical Assistance

Restoration of the Chesapeake Bay is not possible without sound agricultural conservation policies. The bulk of these resources are delivered through mandatory programs associated with the federal Farm Bill. However, conservation planning capacity is often a limiting factor in achieving higher rates of implementation. Additional discretionary funding for conservation technical assistance helps to ensure that these resources are used efficiently. The Commission's FY 2021 priorities include a request of \$840M for USDA Conservation Operations, which includes conservation technical assistance, as well as the following language:

*In the recently enacted 2018 Farm Bill, the Congress invested significant, additional resources in the Regional Conservation Partnership Program 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. In order to ensure these additional resources are used efficiently, the committee believes additional conservation technical assistance is warranted in these areas, as conservation planning capacity is often a limiting factor in achieving higher rates of implementation. **Of the funding provided for conservation technical assistance, the committee directs USDA to provide additional resources to Critical Conservation Areas to address conservation planning backlogs.** [emphasis added]*

As disruptions in the food service sector ripple out through the supply chain, farmers in our region are facing unprecedented challenges in the marketplace. USDA conservation programs do more than just provide environmental benefit, they also support farmers by assisting with practices that improve the efficiency and long-term viability of their operation. Conservation technical assistance is the foundation of that support.

We also encourage you to consider “Conservation Construction” as essential. Agriculture remains a primary partner in the region's efforts deliver clean water. Many of the practices most relied on – ponds, manure storage facilities, composting units, biofilters and more -- involve construction. Expanding the definition of “essential workers” to include conservation

construction will return our engineers and field technicians to work and allow our farmers to contribute to the clean water and air of our region.

Finally, delays are likely in the implementation of several Farm Bill programs as local USDA office activity is limited due to social distancing requirements. Because of this delay, we urge you to extend spending authority for FY 2020 beyond September 30 for USDA conservation programs so that farmers can still fully participate.

### **3. Fisheries and Habitat**

Recovery of our region's iconic fishing industry will depend on sustainable fish populations and the viability of watermen and processing infrastructure. Commercial fish and shellfish should be included in efforts to re-direct harvests to food banks in the wake of food service closures, and un-marketable aquaculture oysters could be relocated to reefs to augment restoration of the wild population.

Short-term disaster relief funding will be critical to support commercial fisheries and aquaculture in the region, which are capital-intensive businesses already operating on small margins due to environmental challenges of the past two years. Increased fisheries disaster funding from NOAA to support these industries will support the employment and infrastructure required to stand the industry back up when markets re-open.

Similar to agricultural conservation practices, habitat restoration activities are also forms of "Conservation Construction." Stream restoration, construction of living shorelines, placement of oyster substrate and installation of fish passages can put engineers, design technicians and laborers to work in the open air. We suggest establishment of a competitive large-scale grant program, administered by NOAA, focused on large scale efforts to improve fish and shellfish habitat, water quality and community resiliency.

### **4. Expansion of national water-related programs**

The Chesapeake Bay Commission also recognizes that there are many national programs that bring significant benefit to the Bay restoration effort. We support proposals to increase funding for the **Clean Water State Revolving Fund, with set-asides for stormwater and green infrastructure**, and **Section 319 Nonpoint Source Management Program**; establish a new **Low-Income Household Drinking Water and Wastewater Assistance Program**; and provide significant mandatory funding for the **Land and Water Conservation Fund** and Farm Bill conservation programs such as the **Environmental Quality Incentives Program** and **Regional Conservation Partnership Program**. We have neglected to adequately invest in our nation's water infrastructure for far too long. Investing in these programs now can put Americans back to work repairing critical infrastructure that is key to the basic well-being of our nation and protects our environment, food, and public health systems.

The Commission is dedicated to improving the health and natural ecosystems of the Chesapeake Bay watershed. We believe these goals are consistent with many policies that provide much needed economic stimulus in the wake of the COVID-19 pandemic.

As you draft national infrastructure and economic recovery legislation in the coming weeks and months, we appreciate your consideration of these policy requests.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Swanson', with a long horizontal flourish extending to the right.

Ann Pesiri Swanson  
Executive Director