



February 26, 2021

The Honorable Jeff Merkley, Chair
Subcommittee on Interior, Environment and Related Agencies
U.S. Senate
Washington, D.C., 20510

The Honorable Lisa Murkowski, Ranking Minority Member
Subcommittee on Interior, Environment and Related Agencies
U.S. Senate
Washington, D.C., 20510

Dear Chairman Merkley and Ranking Member Murkowski:

The undersigned members of the Choose Clean Water Coalition thank you for your strong support for programs that are essential to maintaining and restoring clean water to the rivers and streams throughout the Chesapeake Bay region and to the Bay itself.

The 116th Congress delivered the America's Conservation Enhancement (ACE) Act, which passed unanimously in both the House and Senate and was enacted into law on October 30, 2020, (P.L. 116-188). ACE contained three specific Chesapeake programs that are critical to achieving progress in the Chesapeake region and we request the 117th Congress to appropriate these new levels in FY22.

Over the past decade the states and the federal government have cooperated jointly and committed to a massive restoration program in the Bay watershed to restore the Bay and its tributaries by 2025. Unfortunately, the pandemic has set back a lot of the progress made or scheduled to be made in 2020 and has ravaged state budgets. Impacts from climate change have also slowed progress. None of the restoration goals can be met without the leadership, guidance, science and accelerated funding support provided by various Federal agencies. Much of this restoration work creates or maintains jobs and local and regional economies.

To maintain healthy local water and restore Chesapeake Bay, which is critical for our regional economy, we request funding for the following programs in Fiscal Year 2022:

U.S. Environmental Protection Agency

Chesapeake Bay Program - \$90.5 million

We request an increase in funding to \$90.5 million for the Chesapeake Bay Program, which coordinates Chesapeake Bay watershed restoration and protection efforts. The new ACE Act reauthorized this Program at \$90.5 million for FY22. More than two-thirds of the program's funds are passed through to the states and local communities for on-the-ground restoration work through the Small Watershed Grants, Innovative Nutrient and Sediment Reduction Grants, State Implementation Grants, Chesapeake

Bay Regulatory and Accountability Program grants, local government grants and the state-based implementation grants for the most effective basins. We are advocating for an additional \$3.5 million to go to the states, local governments and local entities to do on-the-ground restoration that will help the region move toward its 2025 clean up goals. We greatly appreciate the FY21 increase in funding to \$87.5 million, but request the full funding level of \$90.5 million in FY22 as called for in the ACE Act, especially as the 2025 restoration deadlines approach.

Recent data released by the Chesapeake Bay Program and the states, confirmed two additional pollution loads that have not previously been accounted. Conowingo Dam is no longer trapping sediment and associated pollution and adds 6 million pounds of nitrogen to the Bay every year. In addition, the impacts from climate change, such as increased flooding and erosion has led to an increase of 5 million pounds of nitrogen annually into the Bay. This 11 million pounds of nitrogen pollution must be reduced in addition to previously identified sources.

We recommend additional funding be split between two key local grant programs and one state-based implementation grant program. We strongly support the highly successful and popular Chesapeake Small Watershed Grants and the Innovative Nutrient and Sediment Reduction Grants - and request \$10.375 million for each of these critical grant programs. These are two well-run, competitive grant programs that have contributed significantly to water quality improvements throughout the region. The demand for these grants far exceeds the current funding levels by nearly triple. These grants go directly to on-the-ground restoration efforts by local governments and communities, for a diverse array of stakeholders, including family farms, and are critical to addressing the new increased pollution from climate change and Conowingo Dam. Without specific Congressional direction, EPA has, in the past, reallocated this grant money for purposes other than local restoration. We recognize the high priority that Congress has placed on these two grant programs for years and support the effort to get more federal funds on the ground at the local level. We also support \$8.75 million for “state-based implementation in the most effective basins” – an effort which began in FY20. This targets resources to focus on getting conservation practices on the ground in rural areas which provides the greatest pollution reductions per dollar spent.

We are also concerned that for a number of years, various offices in EPA Headquarters (Office of Water, Office of General Counsel, Office of Information Management, Office of Administration and the Office of Enforcement and Compliance Assurance) have siphoned off \$3,452,00 in Chesapeake Bay Program funds, and provided virtually no services or value to the Program for these funds – more than 4 percent of the Program’s total funding. We urge Congress to consider restoring this funding to the Chesapeake Bay Program.

Clean Water State Revolving Fund (SRF) - \$10.0 billion

This program is critical to any national initiative for a Federal infrastructure spending package and it provides the lifeblood for the 1,779 local governments throughout the Chesapeake region to modernize and upgrade their water infrastructure. The funding level for the Clean Water SRF has eroded over the years as the clean water needs of local communities have increased dramatically. The Clean Water SRF is the key component of the Clean Water Act to ensure that local governments have federal funding to carry out the Act’s mandates. The Choose Clean Water Coalition supports enhanced investments in key water infrastructure projects nationwide, and the Clean Water SRF is the single best mechanism to

accomplish that goal. We urge Congress to authorize and fund the Clean Water SRF at \$10 billion in FY22. This bold infusion of spending will help to close the gap between federal infrastructure investment in clean water and the known need, and will improve water quality and protect human health in our region and across the nation. It will also help local economies recover from the current financial and public health crisis by putting people to work.

These low interest loans are critical for clean water and for ratepayers in the Chesapeake region and nationwide. We urge you to support the \$10 billion funding level that would provide \$2.167 billion in low interest loans and grants to local governments in Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia. Each state should be required to direct at least 20 percent of this total to disadvantaged communities in the form of additional subsidization, so that lower-income communities in need of water infrastructure upgrades are not shut out of this critical source of federal financing. We also strongly support targeting 20 percent of the Clean Water SRF funds for green infrastructure and innovative projects including those that manage stormwater, which helps communities improve water quality while creating green space, mitigating flooding, and enhancing air quality. These funds should be accompanied by federal technical assistance to help states raise awareness of green infrastructure's benefits and build demand for green projects.

The Clean Water SRF allocates money to the states based on a set formula, which is then used for low interest loans and grants to local governments for critical capital construction improvement projects to reduce nutrient and sediment pollution from wastewater treatment and stormwater facilities; nonpoint sources of pollution, such as farms and development; and other sources. In addition to the use of these funds on farms and for nonpoint source pollution, it provides assistance for other pollution reduction and prevention activities in rural areas, such as reforestation, forest protection and stream stabilization and restoration. The Clean Water SRF enables local governments in the Chesapeake watershed to take actions to keep their rivers and streams clean. As the list of clean water infrastructure needs in the Chesapeake region continues to expand, we request that Congress fund Clean Water SRF at \$10 billion in FY22.

Department of the Interior

U.S. Fish and Wildlife Service - Chesapeake Watershed Investments for Landscape Defense (Chesapeake WILD) - \$15.0 million

This new non-regulatory program, created by ACE on October 30, 2020, is authorized at \$15 million annually through FY25, but has yet to receive any funding. The Fish and Wildlife Service has begun creating the Program and implementing the Act, and will have a full year to prepare and set up a program to get funds to on-the-ground projects soon after money is appropriated.

We urge you to fund this Program in FY22 at the authorized level of \$15 million. The Act authorized funding for FY21, but the late passage of the authorizing legislation came too late to obtain appropriated funds in FY21. This new program will focus not just on fish and wildlife habitat in the Bay proper, but everywhere in the six-state 64,000 square mile watershed.

Chesapeake WILD is intended to assist local partners with on-the-ground work to enhance progress toward Bay watershed-wide goals on some of the following: riparian forest buffer restoration; improving

stream health; tidal and non-tidal wetland restoration; improving fish habitat; expanding populations of black ducks; restoring and protecting eastern brook trout and their habitat; and removing barriers to fish migration in freshwater systems

U.S. Geological Survey (USGS): Chesapeake Science and Monitoring- \$16.0 million

We support increased funding in FY22 for the USGS to expand efforts to provide the critical science necessary for restoration and conservation efforts for fish, wildlife and conserving healthy watersheds and lands that benefit the 18 million people in the Chesapeake Bay watershed.

The majority of Chesapeake funding is rightly focused on water-quality improvement goals, but often ignores potential co-benefits, such as habitat restoration and protection that can be accelerated from the same investments. The USGS is a leader in the non-tidal monitoring and analysis efforts throughout the watershed. A modest increase in funding at this critical time will allow the USGS to expand the science needed for federal and state agencies to target and maximize existing resources to also benefit freshwater streams and fisheries from water-quality practices that are scheduled to be implemented through 2025.

Increased funding would enable the USGS to better understand stream health, fish habitat, and water-quality conditions important for recreational fisheries across the region. USGS would focus on how nutrient and sediment practices being implemented by the U.S. Department of Agricultural (USDA) and the states could also accelerate progress toward other Bay Program goals, including: (1) reducing the effects of toxic contaminants; (2) improving stream health; (3) making habitats and lands more resilient to flooding from climate change, and (4) restoring and protecting habitat for fisheries, including smallmouth bass, brook trout, and freshwater mussels. Additional funding would expand a pilot study of freshwater and tidal fish habitat assessment throughout the watershed being conducted jointly by USGS and the National Oceanic and Atmospheric Administration (NOAA).

USGS will continue to assess and forecast the risk and vulnerability of coastal habitats and migratory waterfowl from climate change (e.g., freshwater flooding, sea level rise) and land-use changes, such as development. Findings will be used by the U.S. Fish and Wildlife Service, NOAA, and state and local agencies in Maryland, Virginia, and Delaware to conserve and restore coastal wetlands. The USGS will continue research on the potential spread of avian influenza from waterfowl to domestic poultry on the Delmarva Peninsula, and work with USDA and state health agencies to consider risks.

The USGS will continue its leadership to produce data and assess changes in land-use and landscape characteristics to better understand and address the health, vulnerability and resilience of watersheds and vital lands. The USGS will continue working with partners to produce higher-resolution data for land cover and land use, and streams. The USGS will analyze and forecast land change for healthy watersheds and vital lands to enhance land-conservation decisions by the National Park Service, and state and local governments in the Chesapeake Conservation Partnership.

National Park Service - Chesapeake Regional Programs - \$4.802 million

Since 2003, the National Park Service Chesapeake Bay Office has led efforts on several important programs that focus on increasing public access, outdoor recreation, and conservation of natural, cultural and historic resources of the Chesapeake region. The operational responsibilities of the Office have

increased five-fold without any corresponding increases to Operations of the National Park System (ONPS) funds.

We request a long overdue funding increase in FY22 for the National Park Service Chesapeake Bay Office ONPS funds to \$996,000. The Bay Office administers a number of programs in the region and the funding level has remained stagnant since 2010 when the Office was funded at \$496,000. It has fluctuated for over a decade but has never exceeded \$496,000, where it has been in FY20 and FY21. This funding shortfall has led to significant staff shortages which could impede its ability in the future to meet Congressionally directed activities of various programs, which is why we request an increase of \$500,000 for FY22.

We request maintaining FY21 funding levels for the Chesapeake Bay Gateways and Watertrails Program (\$3.0 million), which was reauthorized in the ACE Act last year. Since first authorized by Congress in 1998, the Gateways Program has been the primary Federal program to provide and enhance access to public lands within the Chesapeake Bay watershed. Gateways helps to preserve critical landscapes and natural resources in the region and has contributed over \$17 million in technical and financial assistance for more than 350 sites in the Bay watershed. Recent studies show that tourists spend \$25.7 billion annually in the Chesapeake Gateways Network alone, and indications are that use of these facilities has increased during the pandemic.

We also support continued funding for the Captain John Smith Chesapeake National Historic Trail at \$806,000. We are, however, concerned with the administrative transfer of this Historic Trail program from the National Park Service Chesapeake Bay Office to the Colonial National Historical Park in Virginia. The John Smith Trail was created by Congress in 2006 and the authorizing language is clear that the intent was for this program to be integrated into other efforts under the Chesapeake Bay Program, including the Chesapeake Bay Gateways and Watertrails Program, all of which is coordinated and administered by the Park Service Chesapeake Bay Office in Maryland. We urge Congress to reassert your intent that the Captain John Smith Chesapeake National Historic Trail be administered by the National Park Service Chesapeake Bay Office in Annapolis, Maryland, as it had been when it was created in 2007.

Thank you for your consideration of these very important requests to maintain funding for these programs which are critical to clean water throughout the mid-Atlantic region. Please contact Peter J. Marx at 410-905-2515 or peter@choosecleanwater.org with any questions or concerns.

Sincerely,

10,000 Friends of Pennsylvania
Action Together Northeastern Pennsylvania
Alice Ferguson Foundation
Alliance for the Chesapeake Bay
Alliance for the Shenandoah Valley
American Battlefield Trust
American Canoe Association
American Chestnut Land Trust
American Rivers

Anacostia Riverkeeper
Anacostia Watershed Society
Appalachian Voices
Arundel Rivers Federation
Audubon Naturalist Society
Audubon Society of Northern Virginia
Baltimore Green Space
Baltimore Tree Trust
Blue Ridge Watershed Coalition

Blue Water Baltimore
Butternut Valley Alliance
Cacapon Institute
Canaan Valley Institute
Capital Region Land Conservancy
Catoctin Land Trust
Catskill Mountainkeeper
Center for Progressive Reform
Chapman Forest Foundation
Chesapeake Bay Foundation
Chesapeake Conservancy
Chesapeake Conservation Landscaping
Council
Chesapeake Legal Alliance
Chesapeake Stormwater Network
Chesapeake Wildlife Heritage
Clean Fairfax Council
Clean Water Action
Cleanwater Linganore, Inc
Coalition for Smarter Growth
Conservation Montgomery
Conservation Voters of Pennsylvania
Corsica River Conservancy
Defensores de la Cuenca
Delaware Nature Society
Delaware-Otsego Audubon Society
Ducks Unlimited
Earth Conservation Corps
Earth Force
Earth Forum of Howard County
Earthworks
Eastern Pennsylvania Coalition for
Abandoned Mine Reclamation
Eastern Shore Land Conservancy
Eastern Shore Resource Conservation &
Development Council
EcoLatinos
Elizabeth River Project
Elks Run Watershed Group
Environment America
Environment Maryland
Environment New York
Environment Virginia
Environmental Integrity Project
Environmental Justice Center of Chestnut
Hill United Church

Forever Maryland Foundation
FracTracker
Friends of Accotink Creek
Friends of Little Hunting Creek
Friends of Lower Beaverdam Creek
Friends of Nanticoke River
Friends of Quincy Run
Friends of Sligo Creek
Friends of St Clements Bay
Friends of the Bohemia
Friends of the Cacapon River
Friends of the Chemung River Watershed
Friends of the Middle River
Friends of the North Fork of the Shenandoah
River
Friends of the Rappahannock
Friends of the Rivers of Virginia
Friends of the Shenandoah River
Gunpowder Riverkeeper
Interfaith Partners for the Chesapeake
Interfaith Power & Light (MD. DC. NoVA)
Izaak Walton League of America
James River Association
Lackawanna River Conservation
Association
Lancaster Clean Water Partners
Lancaster County Conservancy
Lancaster Farmland Trust
Little Falls Watershed Alliance
Loudoun Wildlife Conservancy
Lower Shore Land Trust
Lower Susquehanna Riverkeeper Association
Lynnhaven River NOW
Maryland Academy of Science at Maryland
Science Center
Maryland Campaign for Environmental Human
Rights
Maryland Conservation Council
Maryland League of Conservation Voters
Mattawoman Watershed Society
Mid-Atlantic Council Trout Unlimited
Mid-Atlantic Youth Anglers & Outdoors
Program
Mountain Lakes Preservation Alliance
National Aquarium
National Parks Conservation Association

National Wildlife Federation
Natural Resources Defense Council
New York League of Conservation Voters
New York State Council of Trout Unlimited
Otsego County Conservation Association
Otsego Land Trust
Partnership for Smarter Growth
Patapsco Heritage Greenway
PennEnvironment
PennFuture
Pennsylvania Council of Churches
Pennsylvania Council of Trout Unlimited
Piedmont Environmental Council
Potomac Conservancy
Potomac Riverkeeper
Potomac Riverkeeper Network
Potomac Valley Audubon Society
Preservation Maryland
Prince William Conservation Alliance
Protect Hanover
Queen Anne's Conservation Association
Rachel Carson Council
Restore America's Estuaries
Richmond Audubon Society
Rivanna Conservation Alliance
River Network
Rockfish Valley Foundation
Safe Healthy Playing Fields, Inc.
Severn River Association
Shenandoah Riverkeeper
ShoreRivers
Sidney Center Improvement Group
Sierra Club - Maryland Chapter
Sierra Club - Pennsylvania Chapter
Sleepy Creek Watershed Association
West Virginia Wilderness Coalition
Wetlands Watch
Wicomico Environmental Trust
Wild Virginia

Southeast Rural Community Assistance
Project
Southern Environmental Law Center
Southern Maryland Audubon Society
SouthWings
St. Mary's River Watershed Association
Surfrider Foundation – DC Chapter
Surfrider Foundation- Virginia Chapter
Susquehanna National Heritage Area
The Downstream Project
Theodore Roosevelt Conservation
Partnership
Transition Howard County
Trash Free Maryland
Trout Unlimited
United Parents Against Lead & Other
Environmental Hazards
Upper Potomac Riverkeeper
Upper Susquehanna Coalition
Upstream Alliance
Virginia Association for Biological Farming
Virginia Association for Environmental
Education
Virginia Conservation Network
Virginia Interfaith Power and Light
Virginia League of Conservation Voters
Virginia Organizing
Warm Springs Watershed Association
Waterkeepers Chesapeake
WaterNow Alliance
West Virginia Citizens Action Group
West Virginia Environmental Council
West Virginia Highlands Conservancy
West Virginia Interfaith Power & Light
West Virginia Rivers Coalition