



November 23, 2020

The Honorable Joseph R. Biden, Jr.

Dear Mr. President-elect:

Congratulations on your election as the 46th president of the United States. We also congratulate Vice President-elect Kamala Harris for her historic, groundbreaking election. As members of the Choose Clean Water Coalition we have been extremely concerned about the erosion of federal support over the past four years for programs and laws that are essential to maintaining and restoring clean water in the Chesapeake Bay watershed. The current Administration has implemented an all-out attack on clean water protections nationwide, including in the Chesapeake Bay watershed. We urge you to stop and reverse this decline, and have identified some key areas that will greatly help the Chesapeake Bay watershed.

In May 2009, President Obama recognized the iconic status of the Chesapeake with the issuance of Executive Order 13508, "Chesapeake Bay Protection and Restoration." This executive order, which designated the Chesapeake Bay "a national treasure", was followed by the establishment of a historic Total Maximum Daily Load (TMDL) for the Chesapeake Bay watershed, which covers parts of six states and the District of Columbia. We strongly support these actions, but this momentum was stopped and, in some cases, reversed under the current Administration. The 64,000 square mile Chesapeake Bay watershed is home to 18 million people. More than 11 million people in this region get their drinking water directly from the rivers and streams that flow through our cities, towns and farms. Maintaining healthy local water and restoring the Chesapeake Bay is critical for our regional economy and for human health.

Our immediate request is for the President-elect to restore support for three key programs in the President's FY22 Budget Request to Congress. America's Conservation Enhancement (ACE) Act recently passed unanimously in both the House and Senate. P.L. 116-188, enacted on October 30, 2020, contains three specific Chesapeake programs that are critical to achieving progress in the Chesapeake region.

We urge the President-elect to include full funding for these three programs in the FY22 Budget Request.

[U.S. Environmental Protection Agency \(EPA\) - Chesapeake Bay Program - \\$90.5 million](#)

The recently enacted ACE legislation updated the Chesapeake Bay Program's expired authorization for the first time since 2000. The new authorized level of funding for the Bay

Program is \$90.5 million in FY22, and increases to \$92 million in FY25. We urge you to include \$90.5 million in the President's FY22 Budget Request.

The Chesapeake Bay Program is the nation's premier estuarine restoration program, and is the model for the National Estuary Program. EPA is the lead Federal agency for the restoration of the Chesapeake Bay watershed, and coordinates and enforces this comprehensive effort. We and many others, including Congress, have fought the current Administration's attempts to, at first, eliminate the Program, and then for the past three years to cut its funding by 90%.

There has been a lot of progress in restoring the Bay and bringing cleaner water to all of its tributaries throughout the six-state region. The COVID-19 pandemic, however, has greatly slowed restoration progress. Formal cleanup deadlines are coming due in 2025 and it is critical to provide adequate funding for this restoration program.

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

This new program, created by ACE, is authorized at \$15 million annually through FY25. We urge inclusion of \$15 million in the President's FY22 Budget Request for the U.S. Fish and Wildlife Service to establish this new fish and wildlife habitat protection and restoration program. The recently enacted ACE legislation directs the U.S. Fish and Wildlife Service to create a habitat program specifically in the Bay watershed. 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.

This new law will enable the U.S. Fish and Wildlife Service to more fully engage in habitat restoration activities in the Chesapeake region.

National Park Service - Chesapeake Gateways and Watertrails Program - \$3.0 million

The Park Service works with state and local partners to promote and increase access for the public to iconic natural, historic and cultural landscapes around the entire Chesapeake Bay watershed. ACE was silent on an authorized dollar amount, but the Program was funded at \$3 million in FY20, and that amount is also in the House-passed and Senate-released FY21 Interior Appropriation Bills. We respectfully request that this program be included in the President's FY22 Budget Request for \$3.0 million.

This program is critical to our nation's economy. For example, recent studies show that tourists spend \$25.7 billion annually in the Chesapeake Bay Gateways Network region alone. First

authorized by Congress in 1998, the Gateways Program has contributed over \$17 million in technical and financial assistance for more than 300 projects in the Bay watershed.

These are the three critical programs and amounts that we request be included in the President's FY22 Budget Request.

There are a number of other assaults that the current Administration has made to a bevy of laws and regulations that have impacted the environment and the residents of the Chesapeake Bay region. We look forward to discussing rescinding or reversing those items at a later date, but some key examples are:

- "Waters of the United States" - Rescind the Trump Administration's 2020 final Clean Water Act rule erroneously entitled "The Navigable Waters Protection Rule".
- Clean Water Act Section 401 Proposed Rule - Rescind the proposed rule "Updating Regulations on Water Quality Certification" published by the Administrator of the EPA on August 22, 2019.
- National Environmental Policy Act - Rescind the July 16, 2020 "Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act".
- Executive Order 13950 - Combatting Race and Sex Stereotyping - Rescind the Trump Administration's Executive Order 13950 issued on September 22, 2020 that hinders equity and inclusion training within federal agencies and their contractors.

Thank you for your consideration of these important requests that are critical to clean water throughout the Chesapeake Bay region. We would respectfully request a meeting to further discuss our recommendations. Please contact Peter J. Marx at 410-905-2515 or peter@choosecleanwater.org with any questions or concerns.

Sincerely,

Alice Ferguson Foundation
Alliance for the Chesapeake Bay
Alliance for the Shenandoah Valley
American Chestnut Land Trust
Anacostia Riverkeeper
Anacostia Watershed Society
Audubon Naturalist Society
Baltimore Tree Trust

Beaverdam Creek Watershed Watch Group
Blue Ridge Watershed Coalition
Blue Water Baltimore
Butternut Valley Alliance
Cacapon Institute
Canaan Valley Institute
Capital Region Land Conservancy
Chesapeake Bay Foundation
Chesapeake Legal Alliance
Chesapeake Wildlife Heritage
Citizens to Conserve and Restore Indian Creek
Clean Air Council
Clean Water Action
Conservation Voters of Pennsylvania
Defenders of Wildlife
Defensores de la Cuenca
Delaware Nature Society
Delaware-Otsego Audubon Society
Earth Forum of Howard County
Eastern Pennsylvania Coalition for Abandoned Mine Reclamation
EcoLatinos
Elks Run Watershed Group
Environment America
Environment Maryland
Environmental Justice Center of Chestnut Hill United Church
FracTracker
Friends of Accotink Creek
Friends of Lower Beaverdam Creek
Friends of Sligo Creek
Friends of St Clements Bay
Friends of the Bohemia
Friends of the Cacapon River
Friends of the Nanticoke River
Friends of the Rappahannock
Interfaith Partners for the Chesapeake
Interfaith Power & Light
Izaak Walton League of America
James River Association
Lancaster County Conservancy
Lancaster Farmland Trust
Little Falls Watershed Alliance
Lower Susquehanna Riverkeeper Association
Lynnhaven River NOW
Maryland Campaign for Environmental Human Rights

Maryland Conservation Council
Maryland League of Conservation Voters
Mid-Atlantic Youth Anglers & Outdoors Program
Montgomery Countryside Alliance
National Aquarium
National Parks Conservation Association
National Wildlife Federation
NeighborSpace of Baltimore County
Ohio Valley Environmental Coalition
Otsego County Conservation Association
Otsego Land Trust
PennEnvironment
PennFuture
Piedmont Environmental Council
Potomac Conservancy
Potomac Riverkeeper Network
Potomac Valley Audubon Society
Preservation Maryland
Prince William Conservation Alliance
Rachel Carson Council
Rappahannock League for Environmental Protection
Restore America's Estuaries
River Network
Rock Creek Conservancy
Severn Riverkeeper
ShoreRivers
Sleepy Creek Watershed Association
Southeast Rural Community Assistance Project
Southern Environmental Law Center
Southern Maryland Audubon Society
SouthWings
Surfrider Foundation – DC Chapter
Susquehanna National Heritage Area
The Opequon Watershed, Inc.
Trout Unlimited
United Parents Against Lead & Other Environmental Hazards
Virginia Aquarium and Marine Science Center
Virginia Association for Biological Farming
Virginia Conservation Network
Warm Springs Watershed Association
Waterfront Partnership of Baltimore, Inc.
Waterkeepers Chesapeake
Watts Branch Watershed Alliance
West Virginia Citizens Action Group

West Virginia Environmental Council
West Virginia Interfaith Power & Light
West Virginia Rivers Coalition
West Virginia Wilderness Coalition
Wicomico Environmental Trust