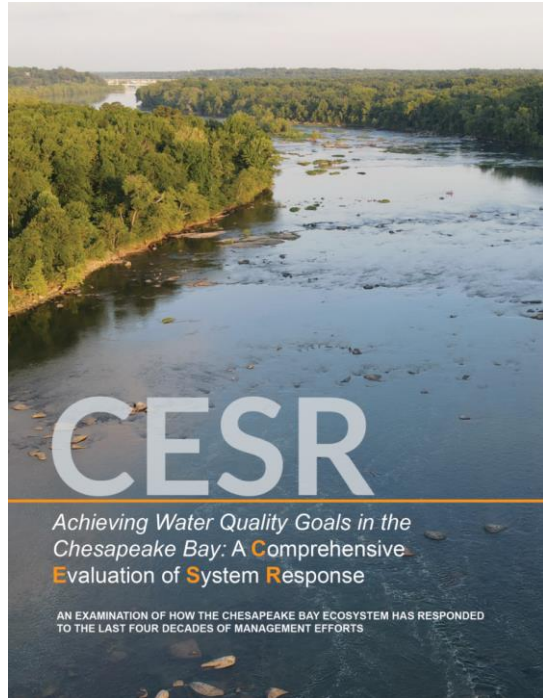


Why HB 1165, the Whole Watershed Act



*“The May 2023 report, A Comprehensive Evaluation of System Response (CESR), summarizes the Scientific and Technical Advisory Committee (STAC) evaluation of why progress toward meeting the TMDL and water quality standards has been **slower than expected** and offers options for how progress can be accelerated. CESR is a summation of a **three year investigation** into the 40 year effort to reduce nutrient loads to Chesapeake Bay.”*

- Chesapeake Bay Scientific and Technical Advisory Committee (STAC)

Source: [Chesapeake Bay Scientific and Technical Advisory Committee](#)

CESR Summary

1. Achieving pollutant load reductions for the Bay

FINDING: Agricultural and urban nonpoint sources programs are not generating sufficient reductions to achieve Bay pollutant reduction targets.

OPPORTUNITIES: Reforms and new programs have potential to improve nonpoint source program effectiveness

2. Achieving Bay Water Quality Goals

FINDING: Bay water quality is improving but the magnitude of the change unlikely to achieve all water quality criteria

OPPORTUNITIES: Focus on potential impact on Bay living resources



Whole Watershed Act

Objective

Based on the recent CESR report, incentivizes what is possible in **holistic watershed restoration** by establishing new funding streams and approval pathways for innovative local watershed projects which include **environmental co-benefits** to ensure a long-term positive impact on water quality, habitat restoration, and living resources.

Key Elements

- Focus on watersheds that present opportunities for most significant impact on a (relatively) **expedited timeline** with coordination among State, local, and private partners and input from community members
- Projects selected to represent different geographic & land use types and will **prioritize Environmental Justice communities**
- Requirement of **multiple co-benefits** to support the health of the whole watershed & community
- **State Management Team** consisting of multiple State agencies, local experts, and more to select projects, monitor and support progress, and expedite the permitting process
- **New certification for developers & contractors** who complete restoration projects to uphold standards & ensure quality

Whole Watershed Act

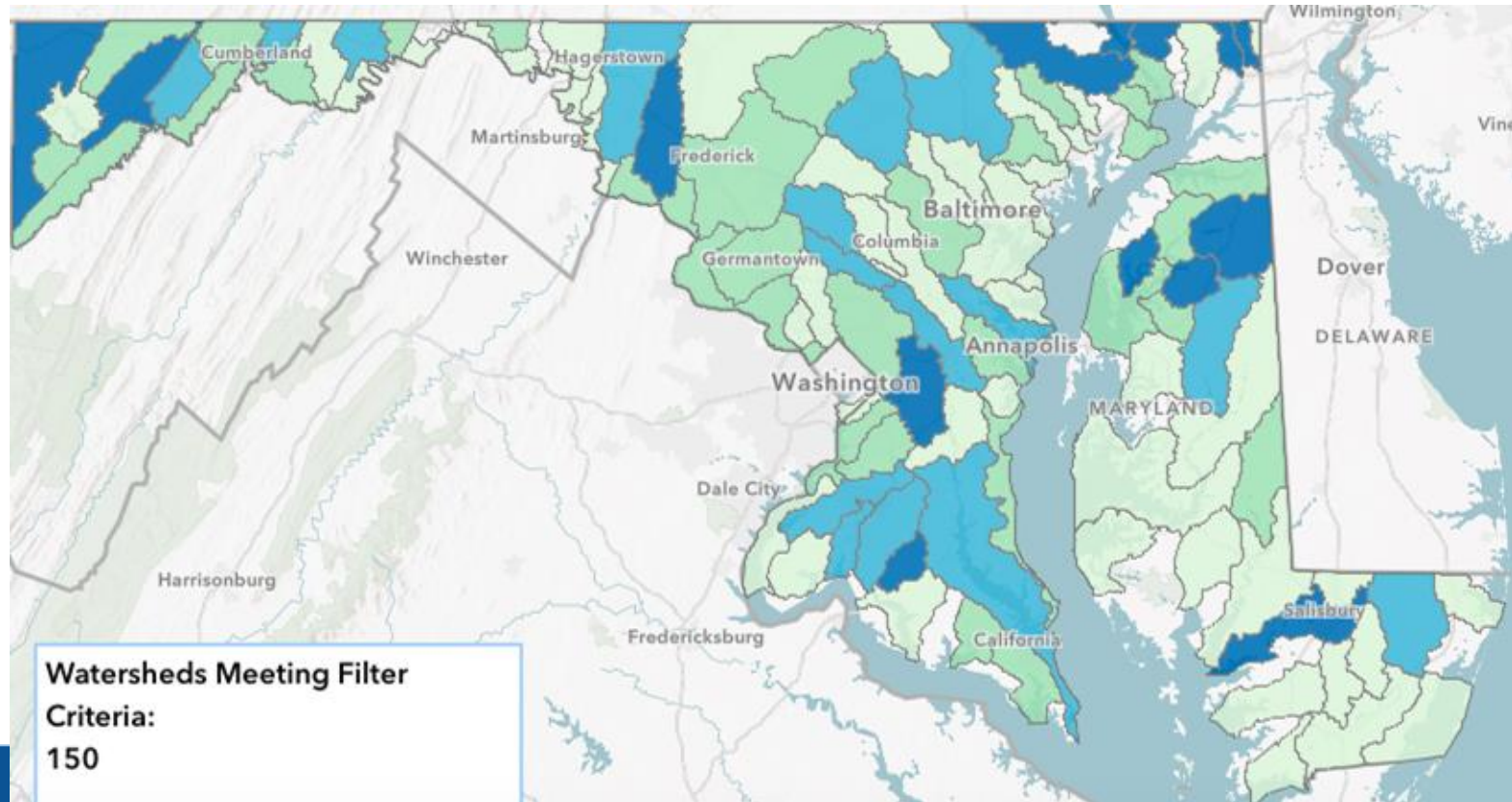
Bigger: Utilizing 8-digit watersheds

Smarter: Targeting the watersheds that need the most attention

Bolder: Requiring multiple co-benefits in order to ensure more holistic projects

Faster: Ensuring DNR, MDE, MDA, other state, local, and federal partners work together to responsibly streamline permitting and implementation

Going bigger: Using 8-digit watersheds



Thinking smarter: Targeting Most Effective

Final TMDL IR MAP 2020 2022

IR - Water Contact Recreation Bacteria Point Source

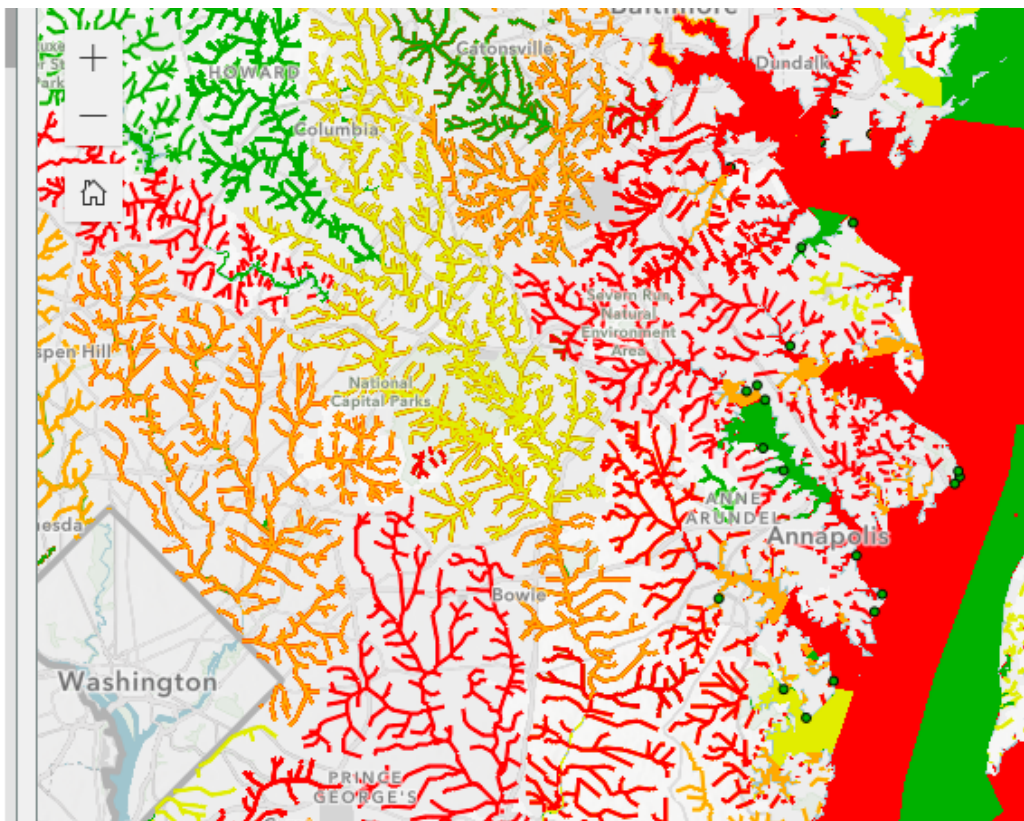
- 2-Meets Water Quality Criterion
- 3-Insufficient Information
- 4a-Impaired, TMDL Complete

IR - Bacteria- Streams

- 2-Meets Water Quality Criterion
- 3-Insufficient Information
- 4a-Impaired, TMDL Complete
- 5-Impaired, TMDL Needed

IR - Bacteria- Impoundments

- 2-Meets Water Quality Criterion



Thinking smarter: Investing in diverse communities



Of the five watersheds:

- One urban
- One suburban
- One agricultural
- One project along a state border
- Two within overburdened communities

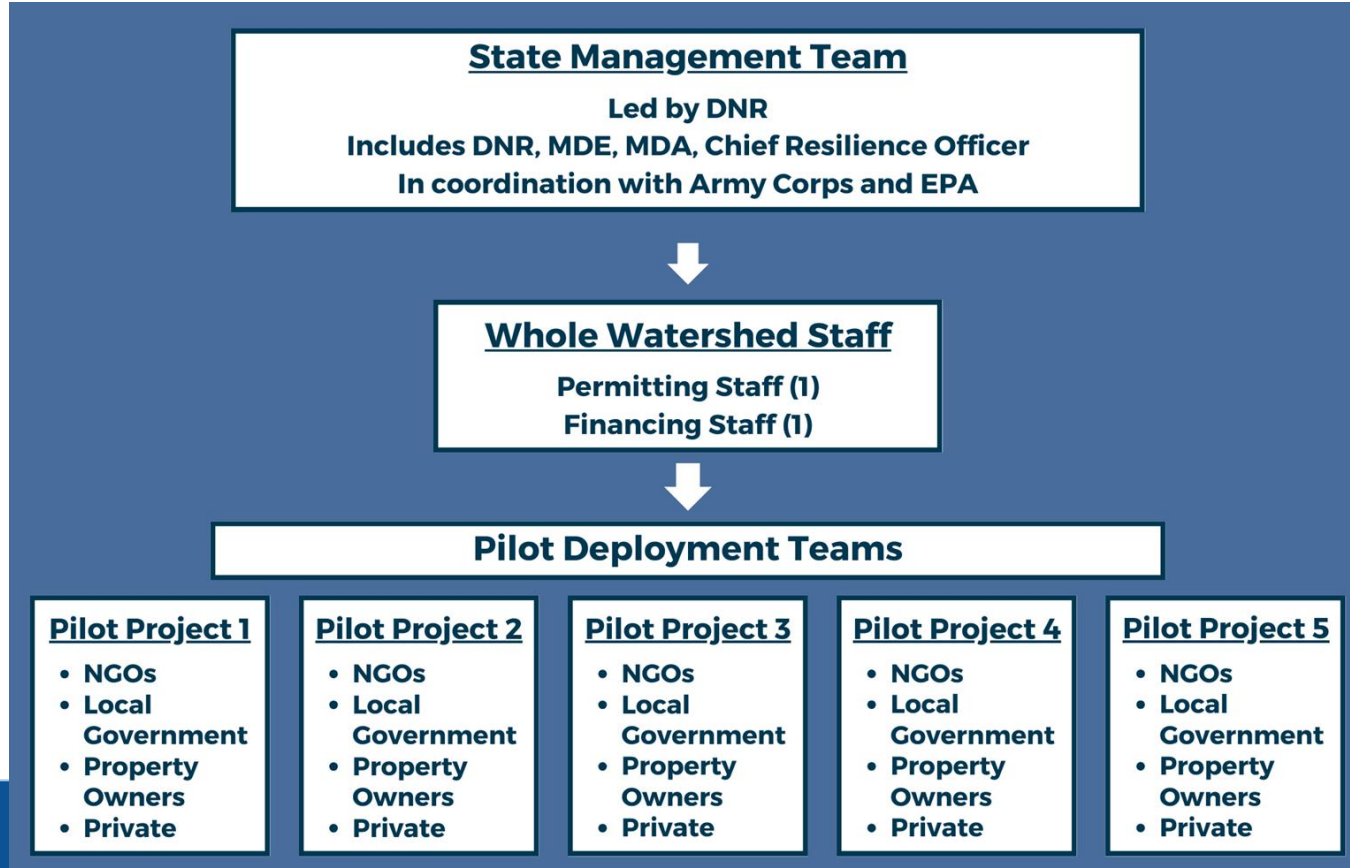
Being bolder: Requiring co-benefits

In addition to reducing tree loss, require projects include at least five of the following:

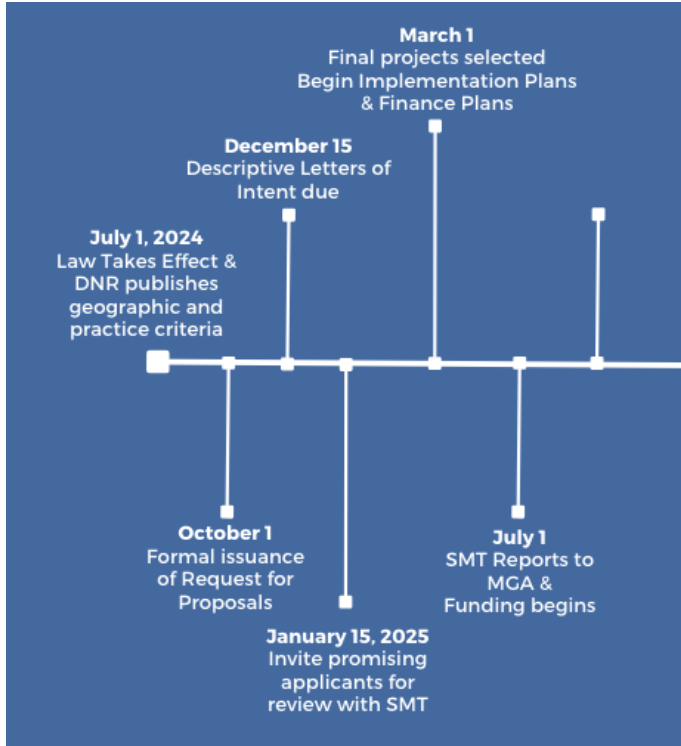
- Creation or restoration of wildlife habitat, riparian buffers, and wetland restoration
- Restoration of aquatic resources: freshwater mussels, fish passage, or oyster reefs
- Carbon sequestration
- Climate change mitigation, adaptation, or resilience
- Local employment opportunities
- Improving and protecting public health
- Provision of recreational opportunities and public access to waterways and natural habitats



Moving faster: Streamlining the process



Moving faster: Streamlining the timeline & bundling the funding



Funding Sources:

- Chesapeake and Atlantic Coastal Bays Trust Fund
- Bay Restoration Fund - Clean Water Commerce Act
- Maryland Agricultural Land Preservation Foundation
- Maryland Agricultural Water Quality Cost-Share
- Water Quality Revolving Loan Fund
- Federal: EPA's MEB funding, US Fish & Wildlife, Army Corps - Chesapeake Bay, NOAA
- Local
- Private

Whole Watershed Act

- Focus on watersheds that present opportunities for most significant impact on a (relatively) **expedited timeline** with coordination between State, local, and private partners
- Projects selected to represent different geographic & land use types and will **prioritize Environmental Justice communities**
- Requirement of **multiple co-benefits** to support the health of the whole watershed & community
- **State Management Team** consisting of multiple State agencies, local experts, and more to select projects, monitor and support progress, and expedite the permitting process
- **Pilot Deployment Teams** consisting of NGOs, local governments, affected landowners, private industry
- **New certification for developers & contractors** who complete restoration projects to uphold standards & ensure quality