



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 22 2011

OFFICE OF THE  
CHIEF FINANCIAL OFFICER

The Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am transmitting the U.S. Environmental Protection Agency's response to the September 2011 Government Accountability Office report entitled, *Chesapeake Bay: Restoration Effort Needs Common General and State Goals and Assessment Approach* (GAO-11-802). The EPA prepared this response pursuant to 31 U.S.C. 720.

To improve the likelihood that bay restoration is attained, GAO recommends that the Administrator of the EPA work collaboratively with federal and state bay restoration stakeholders to take the following four actions:

**GAO Recommendation**

Develop common bay restoration goals to help ensure that federal and state restoration stakeholders are working toward the same goals.

**EPA Response**

While currently there are some differences in the bay restoration goals developed by the Chesapeake Bay Program partners and the Federal Leadership Committee convened through Executive Order 13508, both partnerships have agreed to a process for developing a common set of bay restoration goals. In fact, for our highest priority – reducing nutrient and sediment pollution – federal and state restoration stakeholders do share a common goal, outcome, process, tracking system, and monitoring program and an agreement that practices will be in place by 2025 that will achieve water quality standards. The process is managed through the Total Maximum Daily Load accountability framework and Bay Tracking and Accounting System.

For the rest of the Executive Order strategy goals (recover habitat, sustain fish and wildlife, conserve land and increase public access), while the Chesapeake Bay Program has not yet adopted the specific measurable outcomes associated with those goals, they have previously adopted similar outcomes for similar topic areas (e.g. fish passage, blue crabs, wetlands, forest, land conservation).



Adopting goals and outcomes is taken seriously at the Chesapeake Bay Program, and it takes time to gather public input, to reconsider priorities in times of shrinking budgets, and to determine how the Program will better represent the interests of all federal and state partners. Both the Chesapeake Executive Council of the Chesapeake Bay Program and the Federal Leadership Council are committed to a process that will immediately ensure the federal and state restoration stakeholders are working together on common goals through the Chesapeake Bay Program Goal Implementation Teams while taking the time to understand new directions, find the best governance structures and get public input, before formally adopting a new direction for the next thirteen years.

### **GAO Recommendation**

Establish milestones for gauging progress toward measurable goals for the entire restoration effort.

### **EPA Response**

Federal and State agencies are currently developing the next set of two year milestones for water quality, and each federal lead agency is developing both programmatic and numeric milestones. These milestones cover the period of 2012-2014 and will be final in January 2012. Currently, the general strategy for the measurable environmental response expected in these two year intervals assumes a straight line trajectory from now until 2025.

However, for those outcomes that are related to environmental response, it is important that we learn about these responses using adaptive management. For instance, there can be considerable lag time between when an action is taken on the land and when the response will begin in the tidal waters of the Bay, there can be severe weather events that we have limited control over, or we could learn new things about actions and response. For this reason, the Chesapeake Bay Program adopted an adaptive management decision framework this year that will help the Program to learn and reduce uncertainty. Therefore, any strategy that is used for forecasting the two year milestones needs to be flexible and adjusted accordingly depending on what is learned about an action or response.

### **GAO Recommendation**

Develop an adaptive management process that will allow restoration stakeholders to evaluate progress made in restoring the bay and adjust actions as needed.

### **EPA Response**

In May 2011, the Chesapeake Bay Program's Principals' Staff Committee, and the Federal Leadership Council agreed to use adaptive management and adopted a specific decision support framework based on adaptive management principles developed for complex large ecosystem programs. This framework was used by the Chesapeake Bay Program to realign the water quality monitoring stations used to measure environmental progress of actions taken in the Chesapeake



Bay watershed. Implementation of the framework has also been piloted by two Chesapeake Bay Program Goal Implementation Teams.

ChesapeakeStat will be the tool that is used to visualize the work of each Goal Implementation Team related to the Decision Framework.

### **GAO Recommendations**

Identify the indicators that will be used for assessing progress made in improving bay health and clarify how the entities responsible for assessing this progress will coordinate their efforts.

### **EPA Response**

The Chesapeake Bay Program currently uses a set of 23 indicators for assessing progress related to the bay and watershed health and our restoration efforts. These indicators are used to develop the annual Bay Barometer.

We are always exploring better and more complete ways to use information to improve how we are reporting on the health of the bay and its watershed. The Chesapeake Bay Program will likely make adjustments to these health indicators as early as this year and will consider improving that information using the environmentally based outcomes such as those developed for the Executive Order Strategy for brook trout and black duck.

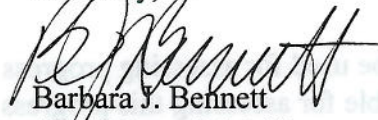
Indicators of restoration progress have to be updated and will ultimately need to be developed based on the results of the common bay restoration goal setting process described in the response to the first GAO report recommendation above. In the meantime, the Chesapeake Bay Program is establishing guidance for reporting progress to our stakeholders in 2012.

Departments of the Interior and Homeland Security also formally responded to the draft of this GAO report released in August. The Department of the Interior's response was coordinated with the EPA response and is consistent with the EPA responses. New York also responded to the draft report, and Pennsylvania responded to an earlier version of the draft findings. In both cases, they recognized the efforts the EPA has made in working with the Chesapeake Bay jurisdictions on the development of the Bay Total Maximum Daily Load, identified the enormity of the task, and the reason that they need to keep their immediate focus on water quality priorities.

This need for focused attention of state and the EPA resources is one of the key reasons that the approach the Chesapeake Bay Program is taking to align Federal and state goals and outcomes will be in stages. The individual Goal Implementation Teams that are part of the Chesapeake Bay organization and that have membership across federal and state agencies will begin to focus immediately on aligning directions and action at the federal and state level so that in Spring 2012, after the next phase of the jurisdiction-specific Watershed Implementation Plans is complete, the Chesapeake Bay Program partnership can turn its full attention to finding efficient ways to update the collaborative goals and commitments, and work together to implement key actions to restore the Chesapeake Bay ecosystem.

Thank you for the opportunity to respond to this recommendation. If you have any questions, please contact me or your staff may call Christina Moody, in the EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-0260.

Sincerely,

  
Barbara J. Bennett  
Chief Financial Officer





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 22 2011

The Honorable Daniel Inouye  
Chairman  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

OFFICE OF THE  
CHIEF FINANCIAL OFFICER

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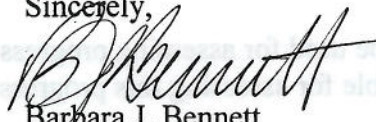
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Sincerely,

  
Barbara J. Bennett  
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 22 2011

OFFICE OF THE  
CHIEF FINANCIAL OFFICER

The Honorable Harold Rogers  
Chairman  
Committee on Appropriations  
House of Representatives  
Washington, D.C. 20515

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Sincerely,

  
Barbara J. Bennett  
Chief Financial Officer





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 22 2011

OFFICE OF THE  
CHIEF FINANCIAL OFFICER

The Honorable Darrell Issa  
Chairman  
Committee on Oversight and Government Reform  
House of Representatives  
Washington, D.C. 20515

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Sincerely,



Barbara J. Bennett  
Chief Financial Officer





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 22 2011

OFFICE OF THE  
CHIEF FINANCIAL OFFICER

The Honorable Jacob J. Lew  
Director, Office of Management and Budget  
Executive Office of the President  
Washington, D.C. 20503

Dear Mr. Lew:

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Sincerely,

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Barbara J. Bennett  
Chief Financial Officer

Enclosures



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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OFFICE OF THE  
CHIEF FINANCIAL OFFICER

The Honorable Eugene Dodaro  
Comptroller General  
Government Accountability Office  
Washington, D.C. 20548

Dear Mr. Dodaro:

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