

Emergency Information Collection Request Justification

EPA's Chesapeake Bay Program Office (CBPO) requests approval of an emergency Information Collection Request (ICR) (attached) for the "Chesapeake Action Plan/Activity Integration Plan (CAP/AIP) Reporting System." The request is based on EPA's requirement to respond to Presidential Executive Order (E.O.) 13508 – *Chesapeake Bay Protection and Restoration*, May 12, 2009 (attached).

CBPO is requesting the emergency ICR to enable the collection of data in a timely manner and support the immediate needs and requirements imposed by the E.O. CBPO is committed to the ICR process and, upon approval of the emergency ICR, plans to issue a Federal Register notice to gather public comment on the data collection effort, which will provide ongoing information needed to adaptively manage the work of the partnership. Without approval of the emergency ICR, it is unlikely that data on local implementation efforts will be included in the database in time to:

- guide development of the strategy required in Section 203 of the E.O.;
- support an analysis to determine where overlaps exist and additional work needed (supports E.O. Section 204); and
- coordinate implementation activities in the near term (E.O. Section 204).

Approval is respectfully requested by August 17, 2009, allowing for announcement at CBPO's partnership Management Board Meeting on August 18th. This meeting is crucial in implementing the outreach and communication to local governments about data call workshops and related activities.

Background: The E.O. established a new Federal Leadership Committee (Committee), chaired by the Administrator of EPA, to oversee the development and coordination of programs and activities, including data management and reporting, of agencies participating in protection and restoration of the Chesapeake Bay. Section 203 of the E.O., *Strategy for Protecting and Restoring the Chesapeake Bay*, requires that the Committee prepare and publish, within one year, a final strategy for coordinating the implementation of existing programs and projects to guide efforts to protect and restore the Chesapeake Bay. Additionally, Section 204, *Collaboration with State Partners*, stipulates the goal of Federal consultations with State partners and the District of Columbia is to "ensure that Federal actions to protect and restore the Chesapeake Bay are closely coordinated with actions by State and local agencies in the watershed and the resources, authorities, and expertise of Federal, State, and local agencies are used as efficiently as possible for the benefit of the Chesapeake Bay's water quality and ecosystem and habitat health and viability." The CAP/AIP provides the tool needed in support of Section 204 to coordinate actions and funding with state and local agencies. The CAP/AIP is designed to collect project, funding and activity information in support of Sections 203 and 204.

The emergency ICR will enable EPA to include more than 10 non-federal partners in the CAP/AIP data call and the Committee to fulfill the immediate requirements of Sections 203 and 204 of the E.O.

Overview of the CAP/AIP Reporting System: CBPO and its partners developed the Chesapeake Action Plan (CAP) in 2008 to strengthen and expand partnerships in the watershed, enhance coordination of restoration activities, and increase the collective accountability for protecting the Chesapeake Bay.¹ The CAP is consistent with recommendations made by the U.S. Government Accountability Office (GAO) in its October 2005 report, *Chesapeake Bay Program: Improved Strategies are Needed to Better Assess, Report and Manage Restoration Progress*, and the Consolidated Appropriations Act (P.L. 110-161) of 2008. The Web-based CAP/AIP is the primary reporting system into the CAP. Bay partners provide data about their activities to protect and restore the Bay. The 2008 data call included 10 federal and 9 non-federal partners. Opening the CAP/AIP reporting system to all CBPO partners is needed to track goal progress and results of protection and restoration efforts.

¹ "Strengthening the Management, Coordination, and Accountability of the Chesapeake Bay Program Report to Congress," EPA/CBP/TRS-292-08. July 2008.