Presidential Documents

Executive Order 14428 of September 16, 2026

Providing Meaningful Water Quality Improvements Through Collaboration and Oversight of Federal Support

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in furtherance of the purposes of the Clean Water Act of 1972, as amended (33 U.S.C. 1251 *et seq.*), it is hereby ordered:

Section 1. *Purpose and Policy.* The Chesapeake Bay is the largest estuary in the United States and serves a critically important economic purpose to the communities it directly and indirectly touches. In managing the Chesapeake Bay, as with other resources, governmental actors should prioritize environmental protection and economic objectives. Executive Order 13508 of May 12, 2009 (Chesapeake Bay Protection and Restoration), which has been in effect for 17 years, instituted a broad mandate for States and municipalities to contribute to improving the environmental health of the Chesapeake Bay, without providing clarity on how to implement that order's requirements.

In some instances, this lack of clarity has led to harmful economic impacts on affected Americans. For example, many localities have implemented stormwater management fees, commonly referred to as ''rain taxes,'' that impose hundreds of dollars in annual financial burdens on residents and small businesses in the name of implementing Executive Order 13508, though nothing in that order required or explicitly justified such measures, with little to no measurable benefits to Chesapeake Bay or to those residents. States use these rain taxes to pay for their stormwater infrastructure, whether or not it contributes to the environmental health of the Chesapeake Bay.

Since Executive Order 13508 was signed, a number of other Federal, State, and local government initiatives and programs have resulted in significant improvements in water quality in the Chesapeake Bay. As of 2025, the jurisdictions of the Chesapeake Bay watershed—New York, Pennsylvania, Maryland, Virginia, the District of Columbia, Delaware, and West Virginia—have collectively met 100 percent of their goal for sediment reduction, 90 percent of their goal for phosphorus reduction, and 57 percent of their goal for nitrogen reduction. These pollution reductions are improving Chesapeake Bay health and have resulted in thousands of acres of restored reefs and remain consistent with commitments made in the 2025 revised Chesapeake Bay Watershed Agreement, to which the Federal Government and the executive departments and agencies (agencies) mentioned in section 3 of this order are signatories. In 2026, scientists from the College of William & Mary, the Virginia Institute of Marine Science, FlowWest, and the University of Maryland Center for Environmental Science reported that the Chesapeake Bay's annual dead zone is projected to be among the smallest since 1985, about 31 percent below the long-term average.

Given this significant progress, and the need to provide clarity on how to continue improving the environmental health of the Chesapeake Bay, it is appropriate to revoke Executive Order 13508, which relevant jurisdictions have erroneously relied on to impose rain taxes, and to implement new actions and best practices that promote the economic health and wellbeing of the communities the Chesapeake Bay serves.

Sec. 2. *Revocation of Order.* Executive Order 13508 is hereby revoked.

Sec. 3. *Prioritization of Programs Directly Benefiting and Protecting Bay Health.* (a) The Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Homeland Security, and the Administrator of the Environmental Protection Agency shall assess the current support that their respective agencies provide for the health of the Chesapeake Bay and focus any resources—fiscal or personnel—on more direct, on-the-ground projects, in areas of highest need, that would result in the most impactful water quality improvements. All agencies that provide funding to support the health of the Chesapeake Bay shall prioritize funding in a manner that addresses water quality goals directly, redirecting funding away from activities that do not generate measurable progress towards stated goals, to implementation of projects that will directly reduce nutrient and sediment run-off into the Chesapeake Bay and its tributaries.

(b) The Environmental Protection Agency shall coordinate with the States of Maryland, Virginia, Pennsylvania, Delaware, New York, and West Virginia, and the District of Columbia, to:

(i) assess the additional financial burdens placed on residents of these jurisdictions through the imposition of stormwater management fees;

(ii) explore initiatives and opportunities to effectuate this order and promote the environmental health of the Chesapeake Bay that do not increase costs on individual residents of these jurisdictions; and

(iii) take measures to encourage the repeal or rescission of stormwater management fees imposed by States or localities and funded by their respective residents.

(c) Actions taken pursuant to this section shall prioritize strategies that are grounded in objective metrics and proven water management practices, supported by empirical data and scientific analysis, and measurable in impact. Strategies shall use and rigorously document performance indicators and outcomes, such as reductions in sediment, phosphorus, and nitrogen loads, and improvements in water quality.

Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The costs of publication of this order shall be borne by the Environmental Protection Agency.

THE WHITE HOUSE,
September 16, 2026.

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