

Thank you for the opportunity to comment on the Chesapeake Bay Agreement.

The Virginia Grain Producers Association represents corn and small grain producers around the Commonwealth. Our farmers care deeply about our natural environment, promote agricultural stewardship, and are committed to improving water quality and to a flourishing agriculture industry.

The Association is deeply concerned about the implications of the Chesapeake Bay Agreement in its current draft form. In citing the Chesapeake Bay Total Maximum Daily Load (TMDL) under the water quality goal and management strategies, the draft Agreement language clearly aligns itself with EPA's position that Section 117(g) of the Clean Water Act provides EPA the authority to enforce these goals.

VGPA firmly believes the TMDL goes beyond the scope of the authority of the Clean Water Act and we object to including this disputed authority within the Chesapeake Bay Agreement.

As drafted, the Agreement is not simply a commitment to a partnership between EPA and the state authority of its signatories to do good work to protect water quality in the state and the Bay. States should give serious consideration to the impact of signing this new Agreement in its current form, specifically to the wisdom of providing EPA with leverage that could allow them to dictate to the states how they must manage nutrient and sediment pollution issues. The Clean Water Act clearly specifies that states are the lead government entities, responsible for these critical programs that directly affect land use and economic activity statewide. A successful approach would allow for the flexibility necessary to let states pursue water policies in a manner and approach suitable for its unique circumstances. The Virginia Grain Producers Association does not believe it makes sense for states to simply hand over this prerogative, authority, and lead role to the EPA.

Sincerely,

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