

Virginia Agribusiness Council Comments on Chesapeake Bay Agreement
March 17, 2014

On behalf of the members of the Virginia Agribusiness Council, we submit the following comments on the Final draft Chesapeake Bay Watershed Agreement dated January 29, 2014. The Council represents agricultural and forestry producers, suppliers, marketers, processors and commodity associations in the Commonwealth with a unified voice through its government affairs activities.

While we commend the efforts of the Partners in evaluating the Chesapeake Bay Agreement, we question the need for a new Bay Agreement given the work that is still ongoing to meet the 2000 Agreement and each of the states' individual Chesapeake Bay TMDL Watershed Implementation Plans. Efforts and attention, including local, state, and federal resources and funding, should be focused on meeting the Bay TMDL and associated Watershed Implementation Plans. Adding additional goals and measures not directly related to the Bay TMDL, such as toxins, could redirect necessary resources away from current efforts.

In addition, we encourage the states to consider not signing a Bay Agreement that establishes numeric goals as outlined in this agreement without also determining that the goals are achievable and economically feasible for persons who live and work in the Chesapeake Bay watershed, including the agribusiness industry. Of concern, there is no explanation for the legal authority under which the states would achieve the expanded numeric goals and how that legal authority relates to the existing Bay TMDL.

Further, states could be unintentionally opening themselves to further legal action and may be reducing their ability to manage their actions in an adaptive manner to prioritize action to restore the Bay. Instead, states may be ceding their authority to EPA and providing EPA with leverage that could allow them to dictate to the states how they must manage nutrient and sediment pollution issues.

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

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