



Public Comments on the *Chesapeake Bay Watershed Agreement* Revision Process

The following public comments were submitted to the Chesapeake Bay Program regarding the partnership's efforts to revise the *Chesapeake Bay Watershed Agreement* and update the structure and process of the partnership.

Submitter: National Wildlife Federation

Date: December 12, 2024

Letter: <https://www.chesapeakebay.net/files/documents/2024-12-12-NW-CBT-Mgmt-Board-Comments.pdf>

Submitter: National Parks Conservation Association

Date: December 12, 2024

Letter: https://www.chesapeakebay.net/files/documents/NPCA-Comments_CBP-MB-Dec2024.pdf

Submitter: Indigenous Conservation Council

Date: January 15, 2025

Letter: https://www.chesapeakebay.net/files/documents/Signed_Final_Resolution_1-2025.pdf

Submitter: Bill Wilson

Date: February 4, 2025

Letter:

Revising the old plan should not be the goal of the Executive Council. Rather, they should be developing a NEW plan.

The Total Maximum Load strategy did not prove effective as witnessed by the successive low grades, year in and year out. If the State of MD is not willing to take control of the chicken farming on the Eastern Shore, no progress should be expected in the Bay water quality.

The first step in planning should be to identify the major sources of nitrogen and phosphorous entering the Bay and focus on eliminating those sources. All the other activities for shore line protection, oyster restoration, under water grasses, etc are drops in the bucket.

Submitter: National Park Service

Date: March 4, 2025

Letter: <https://www.chesapeakebay.net/files/documents/MB-letter-jld-03042025.pdf>

Submitter: Kerri Batrowny, Delaware Department of Natural Resources and Environmental Control

Date: March 13, 2025

Letter: We support updating the protected lands outcome to reflect ongoing conservation needs beyond 2025, with new milestones for 2040 and 2050. Achieving previous goals does not mean the work is complete, as many communities still lack access to open space. We urge the incorporation of measurable indicators for wetlands, riparian and upland forests, and urban conservation, ensuring that land protection efforts extend beyond large landscapes to benefit small towns and underserved areas. Conservation should be elevated alongside restoration and science, with non-regulatory, voluntary mechanisms playing a key role in pollution prevention and sustainable land management. Maintaining a clear and trackable definition of protected lands is essential, and this initiative should be seen as complementary to economic development, fostering both environmental and economic benefits in the region.



Submitter: Cacapon & Lost Rivers Land Trust

Date: March 13, 2025

Letter: https://www.chesapeakebay.net/files/documents/CLRLT_CBP-Protected-Lands-Request_2025.03.13.pdf

Submitter: Matt Gerhart, Northern Virginia Conservation Trust

Date: March 18, 2025

Letter: I am writing to reiterate and expand upon comments I delivered at today's Management Board meeting to support the renewal and update of the Protected Lands outcomes for the Chesapeake Bay Program beyond 2025.

As I mentioned earlier, Northern Virginia Conservation Trust (NVCT) is a regional land trust with a 30-year history of protecting cherished lands within our 15-jurisdiction, 2.2 million-acre region serving greater Northern Virginia's three million residents.

We believe now is a critical time to reinforce the region's land conservation goals – in particular at the level of the Chesapeake as a whole – as our region is now seeing some of its greatest development pressures ever. Some of that is newfound in the sudden expansion of greenfield solar and data center development in the region, but much comes in the form of ongoing urban development pressures we've experienced for decades.

We, and increasingly the Chesapeake as whole, don't have the luxury of trying to outrun this pressure by securing far-off strongholds – we have to double down in our urban matrix to protect critical resources where and while we can. Our work is very much supported by robust long-term goals that match Virginia's effort to those of its partners – and we've appreciated being a part of the Chesapeake Conservation Partnership's efforts to help move in this direction.

We also need to expand and not restrict the circles of partnership that make conservation successes work, in particular bridging to our local and tribal partners that need additional support to meet these challenges. Our community is increasingly organizing support to provide dedicated state and local funding to pursuing these goals long-term – meaning we also increasingly need to convincingly document and communicate our collective impact.

Therefore, we very much support the continuation and expansion of the land conservation outcomes of the Bay Agreement, including the development of new metrics of success across a range of resource types and areas. In particular, we would emphasize the need for better tracking and metrics for our collective urban-area work to confront the dynamic nature of the challenges noted above, in addition to support for the partnership infrastructure needed to bring all parties to the table – in particular including, for the first time ever, a new metric for the protection of tribal lands. This output metric will support meaningful conservation, connection and leadership of Tribal Nations to protect their ancestral homelands – a critical component of our future joint success.



Many thanks for the opportunity to comment.

Submitter: The Nature Conservancy

Date: March 19, 2025

Letter: <https://www.chesapeakebay.net/files/documents/TNC-Manaement-Board-Recommendations-Wetland-Outcome-19March2025.pdf>

Submitter: Chesapeake Bay Foundation

Date: March 19, 2025

Letter: https://www.chesapeakebay.net/files/documents/CBF-Comments-re-Outcome-Reviews_3.19.2025_Final.pdf

Submitter: Jeff Swinehart, Lancaster Farming Trust

Date: March 25, 2025

Letter:

To Whom it May Concern,

The Chesapeake Bay Program's land preservation goal, established in the 2014 Watershed Agreement, aimed at protecting an additional two million acres of land in the watershed by 2025. Achievement of this goal is a tremendous success due to the efforts of private, nonprofit land trusts, as well as local, state, and federal government entities. While this is a milestone worth celebrating, the importance of focusing on the permanent protection of land within a revised Watershed Agreement should continue to be a key priority.

Lancaster Farmland Trust (LFT), a nonprofit land trust located in Strasburg, Pennsylvania, has permanently preserved a total of 600 farms representing 37,300 acres of land. All but 15 of these farms are located within Lancaster County, and more than 80% of the farms preserved by LFT are owned by members of the Plain Sect community (Old Order Amish and Mennonite). In conjunction with the work of the Lancaster County Agricultural Preserve Board, Lancaster County leads the nation in farmland preservation with more than 1,600 farms and over 122,000 acres permanently protected. This represents 34% of the total farms in the county and 30% of all the agricultural zoned land. Recognizing 70% of the county's agriculturally zoned land is still vulnerable to conversion emphasizes the importance of a land preservation goal in the revised Watershed Agreement.

Lancaster County is known for having some of the most productive, non-irrigated soils in the entire United States – and arguably the world. The agricultural industry in the county is a significant contributor to the county's economy and employment. The total value of all crops produced exceeds \$1.5 billion and more than 17% (nearly 59,000 jobs) of the county's workforce works in the industry. The infrastructure to support the industry is strong in the county because of the vast amount of agricultural land, and this infrastructure also supports farmers beyond the boundaries of Lancaster County with many farmers in the mid-Atlantic region sourcing their supply needs from Lancaster based agri-businesses.

The impact of Lancaster's agricultural industry can also be seen by the tremendous number of restaurants, food service providers, and food manufacturers that source products from Lancaster County. Large metropolitan areas such as Philadelphia, New York City, and Washington D.C. all have restaurants and markets that advertise "sourced from Lancaster County." And the robust nature of Lancaster's agriculture also ensures Lancastrians and its visitors benefit from access to fresh, locally grown food.

Lancaster County is also a destination for tourists due to the draw of the county's landscape and culture – most notably the Plain Sect community. In 2023, 9.92 million tourists visited the county and spent \$2.58 billion. Dozens of small, family-owned businesses rely on the tourists to support their companies, and without the agricultural land the county is known for this industry would certainly decline.

Lancaster County is also the most significant “polluter” of all counties within the Commonwealth of Pennsylvania due to the prominence of agriculture and is expected to achieve 21% of the Commonwealth's total nitrogen reduction goals. 80% of that reduction in the county is to occur within the agricultural sector.

LFT has been instrumental in advancing progress on this goal working with small family farmers – mostly Amish. To date, LFT has implemented best management practices (BMPs) on more than 50 farms by utilizing funds via various federal, state and private sources, and has another 60 farmers who have committed to implement similar measures. Due to the elevated interest by Lancaster County farmers in implementing conservation measures, LFT has shifted to only working with permanently preserved farm owners for the implementation of BMPs. By limiting our focus to only preserved farms, it offers the ability to “stack” the benefits achieved.

- The farm is permanently preserved thus eliminating the conversion of farmland into impervious surfaces (i.e. warehouses, data centers, residential developments, shopping complex, etc.).
- The BMPs implemented to mitigate the loss of sediment and nutrients will not be lost due to conversion of the farm into non-agricultural use.
- LFT can place areas of the farm with critical habitat in “highest protection areas,” protecting those areas from conversion to other uses – in perpetuity. This includes preventing conversion to farmland and pastureland.
- LFT's standard conservation easement requires an implemented conservation plan and manure/nutrient management plan and requires livestock exclusion fencing along waterways.
- The public is assured their tax dollars for BMP implementation are not being wasted because the farm must always remain a farm, thus the benefits of the BMPs can be realized for generations.
- Management of the farm is more efficient, which contributes to greater profitability and long-term sustainability.
- It helps to achieve food security locally and regionally.
- It promotes community health by having access to locally grown food and cleaner surface water and groundwater.
- It helps to solidify the infrastructure (i.e. land) that is needed for a successful agricultural sector and supports the broader agricultural industry (i.e. service providers, feed companies, banks, etc.)

Simply permanently protecting land has a positive impact on local and regional water quality, but when coupled with BMPs that are addressing a major contributor (agriculture) to local and regional water quality it achieves multiple goals of the Watershed Agreement. In addition, since a land trust is required to monitor and steward the conservation easement subject to the farm in perpetuity, it provides the opportunity to also monitor and verify the BMPs.



At the present time, the action of permanently preserving agricultural land is not viewed as a “best management practice” and one that is funded via Chesapeake Bay Programs. As documented by the significant value achieved when coupling farmland preservation with BMPs addressing water quality impairment, we feel strongly it should be considered.

While LFT’s work has mostly remained in Lancaster County, we know there are farmers within the Bay Watershed in the Commonwealth of PA that are interested in preserving their farms with a private, nonprofit land trust. Unlike programs at the Department of Conservation & Natural Resources in the Commonwealth that fund the permanent protection of forested areas and open spaces by land trusts, a land trust in PA has no access to state funding for the acquisition of a perpetual conservation easement on farmland. All state funds are awarded to county administered farmland preservation programs. If the Chesapeake Bay Programs included funding for the permanent protection of farmland, LFT would be interested in expanding our geographic scope, thus yielding the same “stacked” benefits that Lancaster County has realized in other counties in the Bay Watershed.

Thank you for the opportunity to provide comments and we encourage you to consider the suggested changes. Please feel free to contact me if further discussion is warranted.

Submitter: Evan Isaacson, Chesapeake Legal Alliance

Date: April 3, 2025

Letter:

To Whom It May Concern,

I am responding to the request for comment on the four new proposed outcomes for Nontidal Fish Habitat, Oysters, Soil Health, and Braiding Knowledge Streams. Each of these proposed outcomes appears to represent a meaningful step forward.

The Nontidal Fish Habitat outcome is important for the reason stated in the recent presentation, that it "relates landscape conditions to fish species" and, as such, serves as a great proxy for understanding the many stressors to water quality. Moreover, with the withdrawal of Clean Water Act protections for nontidal waters, this new focus will help us track any worsening conditions and marshal support from state, local, and private sources in protecting these resources that comprise a majority of the Bay watershed.

The soil health outcome is long overdue. With so much scientific and policy advancement in the last decade regarding how various policy decisions impacting soil health relate to water quality and climate progress, it would make sense that the Bay Program track and incentivize management actions. Several Bay Program partners have been moving ahead with policies to stimulate the growth of soil health practices that, as you know, are also modelled BMPs for improving water quality here in the Bay watershed. If we are to adequately promote BMPs that maximize co-benefits then it would be wise to recognize soil health benefits.

Last, but certainly not least, we are very supportive of greater integration of local and indigenous knowledge. It is critically important that those with the most at stake are given greater access to the decisions that affect water quality and ecosystem health. Public participation is required to be enhanced and maximized and this new outcome can help to support that.

Thank you for your attention,



Submitter: Kevin Tate, Alliance for the Shenandoah Valley

Date: April 3, 2025

Letter:

Dear Ms. Taillon and the Chesapeake Bay Program Management Board,

I am writing today to convey Alliance for the Shenandoah Valley's strong support for including a soil health outcome in the 2025 updates to the Chesapeake Bay Program goals.

Alliance for the Shenandoah Valley is a 501(c)(3) nonprofit conservation organization working in Augusta, Rockingham, Page, Shenandoah, Warren, and Frederick counties to ensure a Shenandoah Valley sustained by farms and forests, clean streams and rivers, and thriving communities. Our service area includes 4 of the top 5 agricultural producing counties in Virginia and the headwaters of two of the largest Chesapeake Bay tributaries. Alliance for the Shenandoah Valley works in partnership with other nonprofits, local governments, state and federal agencies, and communities, to encourage, facilitate, and assist farmers and landowners to adopt voluntary conservation measures. While our efforts have directly contributed to Bay Program goals and have been included in the calculation of Bay Program outcomes through various grant programs, we understand that there is still much work to be done to fully achieve the Bay Program goals, particularly regarding the agricultural sector and the TMDL. From our on-the-ground experience working with farmers in the Valley, we believe that adopting a soil health outcome in the Bay Program will accelerate outcomes from the agricultural sector.

First and foremost, as described in the two-page Novel Outcome Review document for a soil health outcome, soil health and water quality are inextricably linked. Many of the best practices that build and support healthy soils also improve water quality. Healthy soils are better able to resist erosion and retain nutrients. Healthy farm soils allow for better nutrient management and grow crops and livestock with fewer inputs. Healthy soils provide co-benefits across all other Bay Program goals. Promoting and supporting healthy soils throughout the Bay watershed will lead to a healthier Chesapeake Bay.

Secondly, a persistent impediment to accelerating Bay Program outcomes from the agricultural sector has been the disconnect between farmers in the headwaters of the watershed and the Bay itself. Most farmers in the Valley, and other headwater areas like the Valley, simply do not feel a strong personal or cultural connection to the Chesapeake Bay and are therefore not motivated to act on its behalf. Their day to day decisions are not dependent on how their actions will impact the Chesapeake Bay. However, every single farmer throughout the Bay watershed is deeply connected and concerned about the health and productivity of their soils. Including a goal on soil health will create a more direct and earnest connection between farmers and the Chesapeake Bay Program.

Lastly, the agricultural best management practices championed by the Bay Program are generally targeted to and work well for farmers who have surface water - streams, creeks, rivers, ponds, and wetlands- on their farms. However, not all farmland has surface water resources. Farmers who do not have direct access to surface water can be overlooked or excluded from participation in many of the programs available under the Bay Program. However, in the Shenandoah Valley, which is dominated by Karst geology, surface and groundwater are highly interconnected. As DCR Karst Protection Coordinator, Wil Ondorff said



at the 2024 Karst Symposium in Weyers Cave, "In the Shenandoah Valley, groundwater and surface water are the same thing". The soil health and nutrient management on upland farms, whose soils percolate and filter water into the groundwater, is just as important as farms with riparian areas. Since healthy soils are better at retaining and cycling nutrients, particularly nitrogen, improving the soil health of upland farms will have a direct benefit to the water quality locally and that of the Bay.

Soil health should not be overlooked as an important component of the Chesapeake Bay Program. In fact, there are ongoing state and regional efforts focused on improving soil health throughout the Bay watershed, as detailed in the two page review document. A soil health outcome will connect more people to the Bay Program, especially in the critical headwater areas, and lead to improved outcomes across the Bay Program goals.

Thank you for considering our perspective.
Sincerely,

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Kevin Tate

Submitter: Jessica Shippen-Hansen, Thomas Jefferson Soil and Water Conservation District

Date: April 4, 2025

Letter: https://www.chesapeakebay.net/files/documents/Letter-of-Support_CBP-Soil-Health-Outcome.pdf

Submitter: Brent Wills, Wills Soil & Stream

Date: April 4, 2025

Letter:

To whom it may concern,

As a farmer, soil health consultant and program manager for the Virginia Associate for Biological Farming (VABF), I strongly support the Agriculture Working Group's proposed Soil Health Outcome to increase awareness and implementation of soil health practices on the ground.

In my 20+ years of experience working directly with farmers—and on my own farm—it has been proven time and again that soil health practices improve the bottom line for farmers while healing the ecosystems within those farms. Implementing soil health practices and methods also incentivizes farmers to learn more about the systems they manage, which only increases awareness of and care for the system itself, leading to both on-farm and downstream benefits.

We need more soil health practices added to the list of 'approved' methods because farmers are innovating faster than our agencies can keep up. And while I don't necessarily believe that modeling the soil health impacts of current water quality BMP's is helpful—if those practices truly improved soil health, we wouldn't be having this conversation now—it is certainly necessary to identify additional BMP's or other priority actions that support long term soil health.



Improving soil health in the upland WILL improve water quality so this is one of the few win-win scenarios in modern agriculture.

Submitter: Michaela Pavlat, National Parks Conservation Association

Date: April 4, 2025

Letter: https://www.chesapeakebay.net/files/documents/NPCA_CBA-Outcome-Support.pdf

Submitter: Keisha Sedlacek, Chesapeake Bay Foundation

Date: April 4, 2025

Letter: <https://www.chesapeakebay.net/files/documents/CBF-Comments-re-Novel-Outcomes-4.4.25-final.pdf>

Submitter: Kristin Reilly, Choose Clean Water Coalition

Date: April 4, 2025

Letter:

Good morning,

Wanted to reach out with a few suggestions for the public feedback parts of the Management Board meeting. Given that stakeholders and the public don't normally join these meetings and usually require outreach to in order to ensure their attendance, the timing of public comment during the call should be consistent and preferably at the end of the meeting.

Part of the purpose of the allotted time is to allow opportunity for the public to provide feedback on what they heard throughout the meeting. They are unable to do that when the comment period is the first item on the agenda. The comment period has also typically been reserved at the end of the meeting, and that was the assumption for this meeting before being notified yesterday of the change.

Thank you for this consideration.