

United States Senate

WASHINGTON, DC 20510

May 19, 2015

The Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
Jamie L. Whitten Federal Building, Room 200-A
1400 Independence Avenue, SW
Washington, D.C. 20250

Dear Secretary Vilsack:

We are writing to encourage USDA to enhance the resources it is allocating to the Susquehanna River Basin, as well as to take greater responsibility and demonstrate on the ground leadership as a federal partner to the Chesapeake Bay Program and Federal Leadership Committee for the Chesapeake Bay. The findings of the 2014 annual report on the Chesapeake Clean Water Blueprint (also known as the Chesapeake Bay TMDL) make a very clear case for why USDA's leadership is so desperately needed. In addition, the report demonstrates how playing a greater role in the agricultural conservation efforts of farmers in the Susquehanna River Basin and Chesapeake Bay Watershed is essential to achieving the goals of the TMDL and may help other agencies avoid imposing enforcement actions on the Commonwealth of Pennsylvania.

The 2014 annual report revealed that overall progress to reduce pollution in the 64,000 square mile Susquehanna and Chesapeake Bay watersheds is improving. It is heartening to know that the cooperative efforts of the six states, and the District of Columbia, within the watershed by working through both the Chesapeake Bay Program and the Chesapeake Bay Commission are achieving most of the interim (2017) pollution reduction goals of the 92 individual sub-watershed TMDLs. The report details that reducing nitrogen pollution from Pennsylvania's agricultural sector is one very significant area of improvement that is critical to achieving the goals of the TMDL. Thus, USDA must play a bigger role in helping Pennsylvania's farmers achieve the nitrogen goals in Pennsylvania's Watershed Improvement Plan (WIP).

The 2009 Chesapeake Bay Executive Order makes clear the Administration's commitment and understanding of the national significance of the Chesapeake Bay and the watershed as a whole. The Chesapeake Bay Executive Order established the "Federal Leadership Committee for the Chesapeake Bay" and appoints a senior representative from USDA to this Committee. Part 4 of the Executive Order explains the Administration's intention to target resources to better protect the Chesapeake Bay and its tributaries, like the Susquehanna River in Pennsylvania, by instructing "the Secretary of Agriculture [to] concentrate the USDA's working lands and land retirement programs within priority watersheds in counties in the Chesapeake Bay watershed. These programs should apply priority conservation practices that most efficiently reduce nutrient and sediment loads to the Chesapeake Bay." USDA is a signatory to the latest Chesapeake Bay Agreement which affirms the pollution reduction goals of the TMDL and state WIPs. More specifically, it endorses the TMDL and the state WIPs' objectives of reducing nitrogen and

phosphorous from agriculture. Furthermore, USDA has spent considerable energy in promoting the Regional Conservation Partnership Program (RCPP), and other NRCS programs, in the Chesapeake Bay watershed.

USDA must live up to the leadership role it's been given in our region by providing improved financial and technical resources necessary for Susquehanna River Basin and Chesapeake Bay Watershed farmers to meet the goals of the state WIPs.

Recently, a group of Maryland legislators wrote to the Environmental Protection Agency's Mid-Atlantic Regional Administrator urging EPA to take enforcement action against Pennsylvania for the Commonwealth's failure to meet the nitrogen reduction goals of its state WIP. The frustration of these legislators is understandable, but it is our hope that Pennsylvania can meet its commitment without EPA taking enforcement action against the Commonwealth. Therefore, USDA is an essential partner in helping to make possible the more desirable outcome of Pennsylvania meeting its goals.

We expect USDA to fulfill its legal duty to provide greater resources to farmers in the Susquehanna River Basin and Chesapeake Bay Watershed. As a member of the Federal Leadership Committee for the Chesapeake Bay, USDA must act responsibly and responsively for farmers in the Susquehanna River Basin so that Pennsylvania can meet its commitment and state WIP goals. Furthermore, the joint explanatory statement accompanying the Agricultural Act of 2014, which created the RCPP, states:

"The Managers continue to support the efforts of farmers in the Chesapeake Bay watershed to reduce nutrient and sediment runoff. The Managers made significant investments in Title II programs aimed at providing financial and technical assistance to producers within the watershed. The Managers note the newly-created Regional Conservation Partnership Program which will provide USDA additional authorities to promote conservation practices within the watershed."

We strongly urge USDA to play a greater role in solidifying the conservation partnership between farmers in Maryland, Pennsylvania and all states of the watershed who must work together to conserve and protect our water resources in our own backyards, as well as downstream.

Thank you for your attention to this matter and we will be in touch about this request.

Sincerely,



Benjamin L. Cardin
United States Senator



Robert P. Casey Jr.
United States Senator