



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

April 5, 2021

RE: Testimony of the Chesapeake Bay Foundation for the Senate Environmental Resources and Energy Committee Hearing on the State of the Bay, April 06, 2021

Dear Chairman,

On behalf of the Chesapeake Bay Foundation (CBF), we respectfully submit the following comments for the Pennsylvania Senate Environmental Resources and Energy Committee hearing on the State of the Bay, April 06, 2021.

CBF is a 501(c)(3) non-profit organization, founded in 1967. The organization's mission—carried out from offices in Maryland, Virginia, Pennsylvania and the District of Columbia—is to restore and protect the ecological health of the Chesapeake Bay, the nation's largest and one of its most vital estuaries. As such, we are very interested in matters that will impact the health of the Chesapeake Bay, the waters that feed into it, and the health of those who live and work within the Bay watershed.

State of The Bay—Signs of hope, but still dangerously out of balance

In January, the Chesapeake Bay Foundation's (CBF) assessment of the 2020 State of the Bay remained at a D+, but declined by one point from 2018. While concerning, the decline is largely due to ineffective management of the Bay's striped bass population, as opposed to water quality concerns.¹

Of the 13 indicators CBF assesses, four showed declines. Despite several years of challenges on numerous levels, most water quality measures are showing improving trends, including in Pennsylvania. Simple stated, since Pennsylvania joined the efforts to “Save the Bay” in the mid-1980s, notable progress has been made.

But much more needs to be done. Efforts must be accelerated to achieve the Chesapeake Bay Clean Water Blueprint goal of implementing practices by 2025 that will reduce pollution sufficiently to restore water quality in local rivers, streams, and the Chesapeake Bay. While efforts to save the Bay have been underway for decades, the Blueprint established in 2010 lays out a path to success.

Challenges to Clean Water in Pennsylvania and in the Bay

The Chesapeake Bay Clean Water Blueprint requires the Bay jurisdictions to develop Watershed Implementation Plans to decrease pollution to local creeks, streams and rivers that flow into the Bay. State and local governments have committed to put practices in place by 2025 to achieve specific, measurable reductions. All jurisdictions except for Pennsylvania and New York have plans in place to meet their goals. Pennsylvania's Phase 3 and final Watershed Implementation Plan (WIP3) only achieves 73 percent of its nitrogen-reduction commitments and is underfunded by more than \$300 million annually, according to Pennsylvania's own review. Pennsylvania also has the biggest targets still to hit by 2025 regardless of the WIP3 deficiencies. This includes reducing over 34 million pounds of nitrogen.

The Pennsylvania Department of Environmental Protection's latest report lists roughly 25,400 miles of Pennsylvania waters as being impaired, an increase of 5,500 miles in a four-year period. Agriculture runoff is the

¹ 2020 State of the Bay Report. <https://www.cbf.org/about-the-bay/state-of-the-bay-report/index.html>

source of 5,700 miles of impaired waters. The Pennsylvania WIP3 has identified our farms as the place to reduce 78 percent of that 34 million pounds of nitrogen in the Commonwealth over the next few years. This cannot be done without help from the Pennsylvania General Assembly.

Solutions start on the farm—the need for the Agricultural Conservation Assistance Program (Senate Bill 465)

Senator Yaw’s Senate Bill 465 is a great solution to the challenge. The bill would establish the Agricultural Conservation Assistance Program (ACAP) and targets resources and funding for local farmers through their county conservation districts. In ACAP, resources and funding will be prioritized to all county conservation districts based on factors like the amount of crop acres, livestock density, and miles of streams impaired by agriculture.

Farmers across the Commonwealth have demonstrated they are willing to invest their time, land, and effort to restore and protect local rivers and streams, but they cannot pay for it all themselves. While most conservation practices have a return on investment to the farm, the Covid-19 economy has resulted in disruptions to supply cycles, leaving many family farms with significant income reductions and little capital for conservation investments. Our Pennsylvania culture, vibrant wildlife habitat, and economy depend on a modern, productive, and economically viable agricultural community. Senator Yaw’s bill provides a program and funding mechanism to support farmers in achieving clean water goals in all of the Commonwealth’s watersheds.

County Conservation Districts, governed by a local board of directors, will work with farmers to make investments in erosion reduction measures such as cover crops, streamside trees, manure containment structures and more, while also devising criteria for which improvements and farms will have the most immediate and lasting impact on local water quality. Districts will work directly with farmers to ensure that conservation practices are installed properly and functioning as designed. It’s important to note these investments have a reciprocal benefit to the immediate community by boosting the economy through job growth and securing Pennsylvania’s supply of locally produced food. ACAP, as written has the option to utilize a variety of funding sources to support the program, including state dollars, federal allocations, grants, and private enterprise investments.

The concept of ACAP is modeled after the state’s very successful Dirt and Gravel Road program, in which funding is allocated to conservation districts based on a formula that factors in miles of unpaved road and proximity to high-quality streams. It focuses targeted dollars to areas with the greatest need, not through a one-size-fits-all approach. ACAP is the agricultural cost-share program Pennsylvania sorely needs to improve its impaired streams and get the Commonwealth on track toward meeting its community clean water goals.

In conclusion, the new session is one of opportunities for legislators to have a positive impact on not just the Bay watershed, but the quality of our local water, and the health and economic welfare of all Pennsylvanians. This can be achieved by including agricultural and environmental infrastructure in Covid-19 relief strategies as well as other bills. Investments in these sectors will put people to work, provide demand for small businesses and clean up local water pollution. This is possible through tree planting and agricultural conservation practices for improving soil health –which in turn improve public health and economic vitality.

Sincerely,

A handwritten signature in black ink that reads "Shannon Gority". The signature is written in a cursive, flowing style.

Shannon Gority
Pennsylvania Executive Director