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Farmers, Regulators Still Intent on Finding Common Ground on Bay

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In 2009, after President Obama signed an Executive Order directing federal agencies to redouble their efforts at restoring the Chesapeake Bay, as the Environmental Protection Agency simultaneously began developing a Total Maximum Daily Load (TMDL) plan for the entire watershed, it became clear that big changes were in store for agriculture in the region.

To Jim Baird of the American Farmland Trust, it seemed the wisest response was to confront it head-on.

"The best place for farmers is at the table, trying to effect how that change happens," said Baird, mid-Atlantic director for the AFT.

Last summer, Baird helped convene a diverse group of farmers and ag industry representatives who began working with several federal agencies to address concerns raised by the development of a Bay TMDL — broadly, how to restore the Chesapeake Bay without putting farmers out of business.

One of the largest issues the group identified was whether the data the EPA used to establish nutrient limits in the draft TMDL accounts for all the conservation measures already in place on farms in the region, particularly voluntary measures that received no public cost-share funding.

"I think it's a huge concern," said Buff Showalter, a Rockingham County, Virginia poultry and cattle farmer who was among the group meeting with Baird and others.

Showalter said that areas like Rockingham County and Lancaster County, Pennsylvania have large Mennonite and Amish farming communities that often implement conservation practices but don't participate in state cost-share programs. Also, he said, other farmers who sometimes use cost-share money don't necessarily do so for every conservation project on their farms — particularly smaller ones when the cost-share programs' requirements wouldn't be worth the hassle.

Since the Bay TMDL will have far-reaching implications for agriculture, Showalter, Baird and colleagues began discussing the creation of a database listing all conservation measures in place in the watershed, to ensure the TMDL properly accounts for all the nutrient and sediment reductions farmers have already achieved. All of them credited a woman named Dana York, a high-ranking official within the USDA's Natural Resource Conservation Service, with crucial leadership in the collaborative effort to properly document farm conservation practices in the region and improve the data used by the EPA.

Last month, however, York was suddenly reassigned to an NRCS position in Washington, D.C. — a move that prompted some speculation that her advocacy on behalf of farmers had provoked a backlash from someone in Washington. (The NRCS described it as a simple personnel move; that explanation was accepted by others interviewed for this article.) "York's reassignment was a setback to our efforts, but I don't think there was anything subversive to it," said Kenny Bounds, a vice-president for government affairs with MidAtlantic Farm Credit and another member of the group working with York to improve the data used by the TMDL model.

"I think it's a small bump in the road," Baird said. "I think that the NRCS is really responding. They get the message how important this is." Leonard Jordan, the NRCS Regional Conservationist for the East, said that his agency continues to work hard to develop the database of all conservation practices — voluntary and cost-share — that should result in a fairer nutrient limit for agriculture.

"(The database will) paint a different picture that will be very advantageous for the agricultural community," said Jordan, who is now working with NRCS state conservationists and their counterparts in state agencies to develop the system to account for all farm conservation practices now in place.

Jordan also made a point to emphasize that York's reassignment was a personnel move to fill open senior leadership positions within the agency. Speculation that the reassignment was a result of York's advocacy for agriculture in the Bay watershed, Jordan said, is "off the target." While York's reassignment came as an unpleasant surprise to the group working on the conservation database, her counterparts remain optimistic that they will complete what she helped start.

"I think there's energy," Jordan said. "We're going to keep it moving forward."

Bounds, from MidAtlantic, agreed.

"You don't have to make a choice between the environment and economically viable agriculture. You can have both," he said..700

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