

**Congress of the United States**  
**Washington, DC 20515**

June 2, 2020

Matthew Lohr, Chief  
Natural Resources Conservation Service  
U.S. Department of Agriculture  
1400 Independence Ave, SW  
Washington, D.C. 20250

Dear Chief Lohr:

As members of the Chesapeake Bay delegation, we write with recommendations regarding implementation of the Regional Conservation Partnership Program (RCPP) under the 2018 Farm Bill. We thank you and your team for your ongoing work to implement the 2018 Farm Bill, which included key improvements to benefit water quality and the health of the Chesapeake Bay.

As you know, the U.S. Department of Agriculture (USDA)'s financial and technical assistance for conservation efforts plays a critical role in cleaning up the Chesapeake Bay watershed and supporting states' efforts to meet their commitments under the Chesapeake Clean Water Blueprint by 2025. These programs are essential to support farmers throughout the region as they adopt best management practices to limit the runoff of nitrogen, sediment and phosphorus and to improve the health of the Chesapeake Bay.

RCPP was created in the 2014 Farm Bill by consolidating four previously separate programs, including the Chesapeake Bay Watershed Initiative (CBWI). CBWI provided an annual average of over \$47 million over five years for conservation in our region, but that level of funding has not yet been provided to the region through RCPP. The 2018 Farm Bill made further modifications to RCPP, and the program continues to significantly contribute to farmer and partner driven conservation in the Chesapeake Bay Watershed. To further enhance opportunities for the Chesapeake Bay Watershed and implement the changes included in the 2018 Farm Bill, we provide the following recommendations for inclusion in the RCPP final rule:

**1) Ensure the Chesapeake Bay watershed remains a Critical Conservation Area (CCA)**

Agricultural conservation efforts are central to the Chesapeake Bay states' Phase III Watershed Implementation Plans (WIPs). Our states' agricultural sectors are committed to ongoing efforts to contribute to meeting nutrient reduction goals by 2025. Focused and targeted investments through partner driven programs like RCPP are a critical component of supporting our farmers in their efforts to improve the health of the Bay. We appreciate that the Farm Bill allocated 50 percent of RCPP funding to CCAs, and urge you to ensure that the Chesapeake Bay

retain its CCA designation. The 2018 Farm Bill made clear that Congressional intent was for the current CCAs to remain in place for the duration of the 2018 Farm Bill, unless the resource concerns of a given CCA were fully addressed. As conveyed through our states' WIPs, there is still significant conservation needed to address water quality goals in the Chesapeake Bay.

**2) Provide support for the critical role that technical assistance plays in RCPP agreements.**

We urge you to ensure that partners have appropriate technical assistance and administrative support from NRCS. We appreciate that Section 1464.23 (c) of the interim rule allows NRCS to provide funding to a partner for activities such as outreach, education and the development of metrics. As part of this critical component of RCPP projects, we also support the coverage of project management as part of an "Enhancement TA" allocation, within both RCPP Classic as well as the 2020 Alternative Funding Arrangement (AFA) funding announcement. We urge you to explicitly authorize this option in the final rule. There is a high administrative burden on lead partners and allowing them to recoup at least part of these costs is important and should be clearly stated. Additionally, we urge NRCS to provide clear guidance regarding the distinction between partner and NRCS roles under AFA or grant agreements. Following the publication of the AFA announcement, several outstanding questions remain, including questions around NRCS sign-off on implemented practices, producer privacy, contracts between partners and producers and the role of partners in monitoring project implementation following AFA completion.

**3) Clearly include and identify reporting requirements in the final rule.**

As highlighted in the Background section of the interim rule, and as directed in Section 2703 of the 2018 Farm Bill, NRCS must provide a semi-annual report on the status of obligated contracts and an annual report describing how the Secretary used technical assistance. This transparency and information is critical to partners in the Chesapeake Bay, and we urge NRCS to ensure that these details and directives are included in the final rule. Further, Section 2706 of the 2018 Farm Bill also required reports to Congress on RCPP projects. We recommend that these requirements also be specified in the interim rule. For CCAs, these reporting requirements include critical information regarding how conservation outcomes and goals are being achieved through the selected RCPP projects.

**4) Align Chesapeake Bay CCA goals with local WIP goals, CEAP findings and prioritize conservation outcomes.**

The 2018 Farm Bill adds language to the purpose of RCPP directing USDA to engage producers and partners in projects to achieve "*greater conservation outcomes and benefits*" for producers than would otherwise be achieved. We therefore urge NRCS to ensure that RCPP implementation maximizes conservation outcomes and benefits for the Chesapeake Bay. We urge you to work with your State Technical Committees to inform the project selection and ranking process at the state level. Further, our states' WIPs, which include local area goals, as well as the Chesapeake Bay Conservation Effects Assessment Project (CEAP) can help identify the acres, practices and projects with the greatest potential for water quality benefits. Through

RCPP, and through collaboration with Bay partners, NRCS should ensure that targeted conservation efforts continue to improve the health of the watershed.

Thank you for considering our recommendations and we look forward to working with you on RCPP implementation and continued efforts to support farmers and program partners in the Chesapeake Bay watershed.

Sincerely,

/s/ Chris Van Hollen  
United States Senator

/s/ Robert P. Casey, Jr.  
United States Senator

/s/ Benjamin L. Cardin  
United States Senator

/s/ Shelley Moore Capito  
United States Senator

/s/ Christopher A. Coons  
United States Senator

/s/ Thomas R. Carper  
United States Senator

/s/ Tim Kaine  
United States Senator

/s/ Mark R. Warner  
United States Senator

/s/ Joe Manchin III  
United States Senator

/s/ Steny H. Hoyer  
Member of Congress

/s/ John P. Sarbanes  
Member of Congress

/s/ Robert C. "Bobby" Scott  
Member of Congress

/s/ C.A. Dutch Ruppersberger  
Member of Congress

/s/ Jamie Raskin  
Member of Congress

/s/ Anthony G. Brown  
Member of Congress

/s/ Abigail D. Spanberger  
Member of Congress

/s/ A. Donald McEachin  
Member of Congress

/s/ Gerald E. Connolly  
Member of Congress

/s/ Eleanor Holmes Norton  
Member of Congress

/s/ David J. Trone  
Member of Congress

/s/ Jennifer Wexton  
Member of Congress

/s/ Donald S. Beyer, Jr.  
Member of Congress

/s/ Elaine G. Luria  
Member of Congress

/s/ Lisa Blunt Rochester  
Member of Congress

/s/ Kweisi Mfume  
Member of Congress