

112TH CONGRESS
2D SESSION

H. R. 6068

To provide for continued conservation efforts in the Chesapeake Bay watershed.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2012

Mr. VAN HOLLEN (for himself, Mr. WITTMAN, Mr. SCOTT of Virginia, Mr. HARRIS, Mr. HOYER, Mr. BARTLETT, Mr. CUMMINGS, Mr. RUPPERSBERGER, Mr. SARBANES, Ms. EDWARDS, Mr. WOLF, Mr. MORAN, Mr. CONNOLLY of Virginia, Mr. RIGELL, Mr. PLATTS, Mr. HINCHEY, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide for continued conservation efforts in the Chesapeake Bay watershed.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chesapeake Bay Wa-
5 tershed Fairness Act of 2012”.

6 **SEC. 2. CHESAPEAKE BAY WATERSHED PROGRAM.**

7 (a) IN GENERAL.—Section 1240Q of the Food Secu-
8 rity Act of 1985 (16 U.S.C. 3839bb–4) is amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) DEFINITIONS.—In this section:

4 “(1) CHESAPEAKE BAY STATE; STATE.—The
5 terms ‘Chesapeake Bay State’ and ‘State’ means
6 any of—

7 “(A) the States of Delaware, Maryland,
8 New York, Pennsylvania, Virginia, and West
9 Virginia; and

10 “(B) the District of Columbia.

11 “(2) CHESAPEAKE BAY WATERSHED.—The
12 term ‘Chesapeake Bay watershed’ means all tribu-
13 taries, backwaters, and side channels, including their
14 watersheds, draining into the Chesapeake Bay in a
15 Chesapeake Bay State.

16 “(3) OWNER.—The term ‘owner’ means an
17 owner of nonindustrial private forest land.

18 “(4) TECHNICAL SERVICE PROVIDER.—The
19 term ‘technical service provider’ means a third-party
20 provider who is eligible to be approved pursuant to
21 section 1242(e).”;

22 (2) by inserting “and owners” after “pro-
23 ducers” each place it appears in subsections (b), (c),
24 (d)(1)(A), (d)(2), and (e)(1);

1 (3) in subsection (b), in the matter preceding
2 paragraph (1), by inserting “and nonindustrial pri-
3 vate forest lands” after “agricultural lands”;

4 (4) in subsection (c), in the matter preceding
5 paragraph (1), by striking “The Secretary” and in-
6 serting “Except as provided in subsection
7 (d)(1)(B)(ii), the Secretary”;

8 (5) in subsection (d)(1)—

9 (A) in subparagraph (B), by striking “sec-
10 tion to cover the costs of the program involved
11 with each agreement.” and inserting “section—
12 ”; and

13 (B) by adding at the end the following:

14 “(i) to cover the costs of the program
15 involved with each agreement; or

16 “(ii) to provide technical assistance di-
17 rectly or through technical service pro-
18 viders.”;

19 (6) by redesignating subsections (e) through (h)
20 as subsections (f) through (i), respectively;

21 (7) by inserting after subsection (d) the fol-
22 lowing:

23 “(e) TECHNICAL ASSISTANCE.—

24 “(1) TECHNICAL ASSISTANCE TO CHESAPEAKE
25 BAY STATES.—

1 “(A) STATE WATER QUALITY GOALS.—The
2 Secretary may provide technical assistance to a
3 Chesapeake Bay State to assist in developing
4 the water quality goals of the State to result in
5 reductions in losses of nitrogen, phosphorus,
6 and sediment from agricultural or nonindustrial
7 private forest land in the Chesapeake Bay wa-
8 tershed to improve water quality in the Chesa-
9 peake Bay watershed.

10 “(B) TARGETED ASSISTANCE TO CHESA-
11 PEAKE BAY STATES.—

12 “(i) IN GENERAL.—The Secretary
13 may enter into an agreement with a Chesa-
14 peake Bay State (including any political
15 subdivision or agency of the Chesapeake
16 Bay State) to provide financial and tech-
17 nical assistance to the Chesapeake Bay
18 State.

19 “(ii) PURPOSE OF ASSISTANCE.—As-
20 sistance provided by the Secretary under
21 this subparagraph shall be used by the
22 Chesapeake Bay State to provide, through
23 a technical service provider, the technical
24 assistance needed by an agricultural pro-
25 ducer or owner in the Chesapeake Bay wa-

1 tershed to promote water quality goals of
2 the Chesapeake Bay State.

3 “(2) TECHNICAL ASSISTANCE TO AGRICUL-
4 TURAL PRODUCERS AND OWNERS OF CERTAIN NON-
5 INDUSTRIAL PRIVATE FOREST LAND.—

6 “(A) IN GENERAL.—The Secretary may
7 provide technical assistance to producers and
8 owners in the Chesapeake Bay watershed di-
9 rectly or through—

10 “(i) a technical service provider;

11 “(ii) an agricultural or silvicultural
12 producer association;

13 “(iii) a State or unit of local govern-
14 ment;

15 “(iv) an Indian tribe;

16 “(v) a farmer cooperative;

17 “(vi) an institution of higher edu-
18 cation; or

19 “(vii) an organization with an estab-
20 lished history of working with producers on
21 agricultural land, as determined by the
22 Secretary, to address—

23 “(I) local conservation priorities
24 related to agricultural production,
25 wildlife habitat development, and non-

1 industrial private forest land manage-
2 ment; or

3 “(II) critical watershed-scale soil
4 erosion, water quality, sediment re-
5 duction, or other natural resource
6 concerns.

7 “(B) PURPOSE OF ASSISTANCE.—Tech-
8 nical assistance may be provided under this
9 paragraph for—

10 “(i) conservation services to reduce
11 losses of nitrogen, phosphorus, and sedi-
12 ment from agricultural and nonindustrial
13 private forest land in the Chesapeake Bay
14 watershed, including—

15 “(I) education regarding activi-
16 ties such producers and owners can
17 undertake to reduce such losses; or

18 “(II) conservation planning, im-
19 plementation, and maintenance to re-
20 duce such losses;

21 “(ii) identifying best management
22 practices and assessing practices required
23 to achieve compliance with State and Fed-
24 eral water quality laws, including
25 through—

1 “(I) outreach to, and education
2 of, producers and owners regarding
3 available assistance; or

4 “(II) adoption and use of tools
5 and technology capable of assessing
6 practices that may be used to achieve
7 compliance with State and Federal
8 water quality laws; or

9 “(iii) other purposes as the Secretary
10 may determine appropriate.”; and

11 (8) in paragraph (2) of subsection (f) (as reded-
12 signed by paragraph (6)), by inserting “or owner”
13 after “producer”.

14 (b) FUNDING.—Subsection (i) of section 1240Q of
15 the Food Security Act of 1985 (16 U.S.C. 3839bb–4) (as
16 redesignated by subsection (a)(6)) is amended—

17 (1) in subparagraph (C), by striking “and”
18 after the semicolon at the end;

19 (2) in subparagraph (D), by striking the period
20 at the end and inserting “; and”; and

21 (3) by adding at the end the following:

22 “(E) \$50,000,000 for each of fiscal years
23 2013 through 2018.”.

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