



COMMONWEALTH of VIRGINIA

Executive Department

EXECUTIVE DIRECTIVE TEN (2024)

POSITIONING THE COMMONWEALTH OF VIRGINIA FOR CONTINUED SUCCESS IN CHESAPEAKE BAY RESTORATION EFFORTS

By virtue of the authority vested in me as Governor of the Commonwealth, I hereby issue this Executive Directive to position the Commonwealth for continued success in Chesapeake Bay restoration efforts.

Importance of the Initiative

In 1908, President Teddy Roosevelt held a Conference of Governors at the White House. The conference was convened to discuss the conservation of natural resources and the sustainable management of America's lands, waters, and forests.

America has recognized the intrinsic value of our natural resources through federal and state policies that preserve our natural resources. But the roots of conservation run all the way back to Thomas Jefferson's view that the wealth of Virginia lies in its abundant and diverse natural resources, which he believed were essential for the prosperity and well-being of its inhabitants. His compilation of *Notes on the State of Virginia* is filled with his observations on the land's agriculture, minerals, rivers, and forests, emphasizing their intrinsic and economic value.

The Commonwealth of Virginia is blessed with natural resources, from the treasures of Appalachia and the Blue Ridge Mountains to the beautiful Shenandoah Valley, Virginia's rich agricultural fields, the Richmond Fall Line, the vines of Virginia Wine Country, Jefferson's own beloved Natural Bridge, the mighty James, Potomac, York, and Rappahannock Rivers, and the Atlantic Coastline.

The Chesapeake Bay is a crown jewel of Virginia's abundant and unique natural resources, representing an iconic piece of the Commonwealth that has a personal connection to the people who live, work, and play on the Bay and its tributaries. The Bay is a major economic driver for state and local economies through the seafood, tourism, and recreation industries, generating \$3 billion of economy activities.

Over time, nutrient and sediment pollution has necessitated protection and restoration of its waters. Virginia, along with all states who host the watershed of the Chesapeake Bay, have a sacred responsibility as well as clear economic interest to protect the Bay's resources in a way that allows us to hold true to commonsense, efficiency, and being a good steward of tax-payer

dollars. Virginia's efforts to date have produced substantial progress, but it is evident that a clearer path forward is needed.

As a signatory of the *2014 Chesapeake Bay Watershed Agreement*, Virginia has, along with Maryland, Delaware, Pennsylvania, New York, West Virginia, the District of Columbia, the federal government, and the Chesapeake Bay Commission, committed to being a Chesapeake Bay Program partner and working towards the 2025 Total Maximum Daily Load (TMDL) targets, which established 10 goals and 31 outcomes to restore the Bay, its tributaries, and the lands that surround them. 2025 serves as a critical milestone and an important point in time to reflect on the progress made to date and discuss a better path forward.

Over the past three years, our Administration has pressed for change and targeted investments, and we are now seeing results due to those efforts. Our budgets have offered historic levels of funding for agricultural best management practices, fully funding the agricultural needs assessment for the first time ever, through a transparent stakeholder-engagement process. These efforts have resulted in record nitrogen reductions from the agriculture sector in 2023, as well as increased participation in the Virginia Agricultural Cost Share Program, which closed fiscal year 2024 with 574 new participants statewide. Substantial investments and improvements have been made in the areas of blue crab abundance, oyster restoration, and protected lands. Virginia's oyster population is now at a 40-year high, and the fishery is stable or increasing under the current management. Virginia has 2.9 million acres protected in the watershed and has met the Bay Agreement target of at least 70 percent riparian forest buffer coverage in areas that can be buffered.

As we look beyond 2025 and envision what an amended agreement looks like, our Administration is fully committed to the future of this Partnership, but we must see (i) a focus on policies and principles that embrace effective government, accountability and prioritization of funding, and (ii) voluntary incentive-based approaches that work with our farmers, not against them.

Accelerating progress will require evaluating investments, executing targeted implementation of Bay programs and initiatives, operating under realistic strategies, and exploring innovative ideas. This includes accelerating a shift from modeling to monitoring while protecting individual rights and privacy and allowing us to capture the real results that are happening on the ground that deserve to be credited. We must work together to bring all sectors to the table in the interest of working towards a common goal. The role of government is to coordinate and facilitate this progress, not be a barrier to success.

In Virginia, we must take a holistic approach and continue to prioritize what is best for our ecosystems, regardless of what goals have been established in the past. While it has been recognized that the Chesapeake Bay Program Partnership will not meet established water quality targets by 2025, that does not mean we stop working. Virginia is committed to being a part of the Partnership and continuing our efforts to protect the Bay. The Commonwealth has made significant and substantial progress towards meeting the Total Maximum Daily Load (TMDL). Virginia's reported pollution controls achieved 100 percent of the 2025 federal planning target

reduction goal for sediment, 80 percent of the reduction goal for nitrogen, and 62 percent of the reduction goal for phosphorus.

As we look beyond 2025, we must continue to build upon existing progress and not hit the reset button. We must have a solid accounting of the work that has been done and the work that is left to do to move forward in a strategic manner. To that end, the actions in this Executive Directive will put the Commonwealth in the best posture to produce a cleaner, healthier Chesapeake Bay for all Virginians.

Directive

Accordingly, pursuant to the authority vested in me as the Chief Executive Officer of the Commonwealth, and pursuant to Article V of the Constitution and the laws of Virginia, I hereby direct the Secretary of Natural and Historic Resources and the relevant agencies he oversees to do the following:

- I. Take a leadership role in amending the Chesapeake Bay Watershed Agreement with a focus on measurable and attainable results. The Secretary shall conduct a review of the Goals and Outcomes under the 2014 Chesapeake Bay Watershed Agreement to inform the Commonwealth's active participation and decisions throughout the Chesapeake Bay Program Partnership Beyond 2025 Phase II process. This review shall include determining to what extent each outcome aligns with the administrative goals and legislative mandates of the Commonwealth and how the Chesapeake Bay Program Partnership provides value in these areas.
- II. Reevaluate and assess all investments in the Bay. This shall include an evaluation of historic and current funding mechanisms, including all water quality improvement funds, to ensure they are the most effective way to drive progress and to prioritize support for programs with proven results. Such a review shall, at a minimum: (i) describe the intended purpose, function, and target recipient of each fund; (ii) provide up to 10 years of revenues and expenditures for each fund; and (iii) identify any overlaps and gaps in existing funding mechanisms. This undertaking should also include partnering with the private sector to ensure grant funds received by entities in the Commonwealth are being directed towards the most needed areas and efforts are not being duplicated.
- III. Develop streamlined guidance for available agriculture and forestry conservation resources, in conjunction with the Secretary of Agriculture and Forestry, to assist farmers and landowners in implementing water quality best management practices. Relevant state agencies shall prioritize and coordinate as needed with the agriculture industry and non-governmental organizations to identify the number of best management practices that are occurring on the ground but not being counted in the Chesapeake Assessment Scenario Tool of the Watershed Model.
- IV. Launch strategic initiatives focused on the holistic, science-based protection of living resources. This shall include the establishment of a Statewide Wetlands Technical Team, led by the Department of Wildlife Resources. The Team shall work to improve

coordination and communication around wetlands restoration and creation and provide recommendations related to wetland tracking, strategic planning, capacity building, and sustainable funding, including partnerships that leverage private sector investment. This shall also include the establishment of a Blue Ribbon Oyster Panel, led by the Virginia Marine Resources Commission, to address present challenges and future hazards inherent in managing this invaluable natural resource, safeguarding long-term sustainability and enhancement. This shall also include ensuring a comprehensive and forward-looking management framework for Virginia's blue crab population.

Effective Date

This Executive Directive shall be effective upon its signing and shall be in effect unless amended or rescinded by further executive order or directive. Given under my hand and under the Seal of the Commonwealth of Virginia, this 5th day of December 2024.




Glenn Youngkin, Governor

Attest:


Kelly Gee, Secretary of the Commonwealth