

October 13, 2011

The Honorable Debbie Stabenow
Chairwoman
Committee on Agriculture, Nutrition and Forestry
United States Senate
Washington, D.C. 20510

The Honorable Pat Roberts
Ranking Member
Committee on Agriculture, Nutrition and Forestry
United States Senate
Washington, D.C. 20510

Dear Chairwoman Stabenow and Ranking Member Roberts:

Since passage of the Clean Water Act (CWA) in 1972, America's clean water resources have seen dramatic improvement in overall water quality, however over the past two decades these gains have been threatened by nutrient contamination that the CWA was not originally designed to address. Over this next decade, the critical challenge facing efforts to restore and maintain clean and safe water is whether excessive amounts of nitrogen and phosphorus (nutrients) in our waters can be reduced.

According to State water quality reports, 80,000 miles of rivers and streams, 2.5 million acres of lakes, reservoirs and ponds, 78% of the assessed continental U.S. coastal areas and more than 30% of estuaries are impaired due to excessive levels of nitrogen and phosphorus. In all, the U.S. Environmental Protection Agency attributes excess nutrients as the direct or indirect cause of impairments in over 50% of impaired river and stream miles; over 50% of impaired lake acres; and nearly 60% of impaired bay and estuarine square miles. For the majority of these waters, nutrient run-off from agricultural lands is the dominant source of the nutrient impairments according to studies by the U.S. Geological Survey (USGS). In fact, recent USGS data indicate that despite efforts to reduce nitrate levels in the Mississippi River Basin, concentrations at eight major USGS study sites did not consistently decline from 1980-2008.

America's clean water resources and agricultural practices are inextricably linked. In fact, over the next five years agricultural policies and practices will have the single greatest impact on our lakes, rivers and estuaries. Congress has an opportunity in this next Farm Bill to establish policies to more effectively reduce agricultural nutrient run-off and improve water quality throughout the United States.

Conservation practices designed to reduce agricultural nutrient run-off support multiple agricultural, water quality and ecological goals, many of which are already established policy goals for agricultural investments under the Farm Bill. For example, many practices that control for nitrogen and phosphorus loss also control for erosion and sediment loss thereby avoiding

unnecessary loss of fertile farmland and supporting the Highly Erodible Lands policy Congress established in the 1985 Farm Bill. In addition, many effective nutrient-control practices, such as wetlands and other riparian restoration activities, also have significant habitat and wildlife preservation benefits, thereby supporting goals of the Wetlands policy established by the 1985 Farm Bill and the Wetlands Reserve Program and Wildlife Habitat Incentives Program. Thus, many effective strategies for controlling nutrients not only improve water quality, but also can contribute to important benefits related to food security, biodiversity, and habitat and wildlife preservation. The following recommendations are designed to better leverage our agricultural resources to achieve real reductions of nutrient run-off.

1. Conservation programs: The Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), Conservation Reserve Program (CRP), Wetlands Reserve Program (WRP), and Cooperative Conservation Partnership Initiative (CCPI) provide technical and financial assistance for a variety of conservation activities on agricultural lands. While water quality improvement is a goal of these programs, program investments can more effectively achieve reductions of nutrient run-off through the following policy reforms:

- For EQIP, prioritize nutrient control as the primary program goal in watersheds impaired by nutrients and tie these investments to performance standards.
- For CSP, direct participants in nutrient impaired watersheds be assigned nutrient reduction as a required resource concern.
- For CRP (and the CRP enhancement program), ensure that sufficient acres are available for new conservation buffer enrollments and require buffer enrollments ensure nitrogen run-off is reduced.
- For WRP, restore full funding so restoration work continues and the important water quality benefits of wetlands are expanded.
- For CCPI, increase the percentage of funding available for targeted projects and require projects address performance-based nutrient reduction in impaired watersheds.

By incorporating these policies, Congress would ensure that conservation dollars more effectively reduce nutrient run-off in impaired watersheds. Should Congress consolidate these programs, these concepts and approaches should be incorporated into a consolidated framework.

2. Commodity and Crop Insurance Programs: Conservation compliance requirements should apply to all commodity and crop and revenue insurance programs. In addition, federal payments and premium subsidies should be linked in some manner to the goal of avoiding adverse water quality impacts from agricultural operations. Options to consider include expanding conservation compliance requirements to include nutrient reduction activities, particularly in watersheds impaired by nutrients, or providing increased assistance to producers in such watersheds to adopt an adaptive management approach to maximizing nutrient use efficiency and/or other effective and documentable practices and approaches to reduce nutrient losses. In addition, Congress should examine commodity and crop and revenue insurance programs to identify where these programs may create disincentives for effective nutrient management and remove those disincentives.

3. Monitoring and Evaluation: Successful nutrient control programs demonstrate that effective implementation of nutrient management practices by agricultural operations is critically dependent upon monitoring systems which generate timely, precise and accurate data about the environmental pathways of agriculturally applied nutrients. Congress should provide monitoring and evaluation tools and incentives to help farmers gather and evaluate real-time data on the most efficient nutrient management practices for site-specific soil and crop conditions. Congress should also strengthen mechanisms for improved collaboration among on-going state and federal water quality monitoring programs to gather water quality data to determine the effectiveness of on-farm site-specific nutrient management practices and to identify opportunities for more effective practices.

These recommendations are supported by a diverse cross-section of municipal water and wastewater organizations, state clean water officials, conservation and sustainable agricultural organizations (listed below) who call on Congress to strengthen the links between water quality and agricultural practices.

Again, we appreciate your attention to this important matter and look forward to working with you on the upcoming Farm Bill. If you have any comments or questions, please contact Patricia Sinicropi, Director of Legislative Affairs at the National Association of Clean Water Agencies, at 202-533-1823 or psinicropi@nacwa.org.

Sincerely,

**AMERICAN RIVERS
AMERICAN WATER WORKS ASSOCIATION
ASSOCIATION OF METROPOLITAN WATER AGENCIES
ASSOCIATION OF PUBLIC WORKS AGENCIES
CHESAPEAKE BAY FOUNDATION
ENVIRONMENTAL DEFENSE FUND
ENVIRONMENTAL LAW AND POLICY CENTER
ENVIRONMENTAL WORKING GROUP
IZAAK WALTON LEAGUE OF AMERICA
NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES
NATIONAL SUSTAINABLE AGRICULTURE COALITION
WATER ENVIRONMENT FEDERATION**