

June 29, 2007

Dr. Holly Stallworth  
US EPA  
Science Advisory Board (1400F)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Dr. Stallworth:

Please accept these additional comments from Illinois Farm Bureau regarding the Science Advisory Board (SAB) Hypoxia Advisory Panel Draft Report. We submitted initial comments earlier this month.

Illinois Farm Bureau continues to support the utilization of voluntary best management practices and support incentive-based educational programs with technical assistance to address natural resource issues. It is proven that these types of programs work to help move in a positive environmental direction.

We have serious concerns with the Draft Report. We feel if the recommendations are implemented it would have severe negative ramifications for farmers in Illinois and will not achieve the main goal of addressing hypoxia in the Gulf of Mexico. Many scientists and representatives of state agencies and organizations have repeatedly raised basic questions over the past few years regarding information and data used to generate reports such as this one, and our questions and concerns about information used for reports have not been addressed.

**Need More Scientific Information to Address a Complex Issue**

The Mississippi River Basin is huge and a very complex natural system. It is vital to look at all aspects of the system to gauge interconnections within the system. The report should ensure that it looks at broad issues involved with the basin and not get too narrowly focused on one aspect. A narrow approach will only lead to incorrect assumptions and conclusions.

We believe that enough questions have been raised to indicate the need for additional information to evaluate this issue and the solutions. We need to have more confidence that the science behind the report is sound and that it will not detrimentally impact Illinois agriculture.

Additional emphasis on monitoring and evaluation would be a positive way to determine what strategies would be advantageous for various Illinois watersheds. The report cites 1993 research on corn response to nitrogen applications (figure 51, page 281). It is critical to use the most recent data possible in a report such as this one. In the last 14 years, there have been significant changes in crop management and corn hybrids. Any recommendations must be backed by

current sound scientific research and should give proper consideration to impacts on agriculture production.

### **Reduction Goal Should Be Revised**

We believe that based on current science, the reduction goal for the size of the hypoxia zone should be revised. The current reduction goal is that by the year 2015, subject to the availability of additional resources, the Gulf of Mexico hypoxic zone should be reduced to less than 5,000 square kilometers by the year 2015.

The Panel indicated that reversing our present course of action is likely to take decades of concerted effort. If we knew how to reduce the hypoxia zone and had sufficient funding to do so, we question whether the Gulf would respond quickly enough to achieve the current goal.

### **Remove the Numeric Nutrient Reduction Goals**

Through the past few years, statements such as these have been made:

“The complex nature of nutrient cycling and transport within the Mississippi and Atchafalaya River Basins and Gulf of Mexico make it difficult to predict specific improvements in water quality that will occur in the Gulf as well as the entire Mississippi River Basin for a given reduction in nutrient loads” - Federal Register.

“It is clear that the responses to management action will be slow, possibly requiring decades to demonstrate that remedial actions have helped the recovery of oxygen concentrations in the Gulf and have improved water quality in the Basin” - Federal Register.

“Significant uncertainties remain” about the causes and consequences of hypoxia - Federal Register.

With all of these statements, it is neither logical nor prudent to set specific numeric goals for the reduction of nutrients in the basin. An example of the unknowns is that the most recent USGS estimates of nutrient loadings to the Gulf indicate a 15.4% reduction in nitrate and a 22.4% reduction in total nitrogen to the Gulf from 2001 to 2005 compared to the 1980 to 1996 baseline period. However, there has been no reduction in the size of the hypoxic zone.

Past documents have also acknowledged there are many uncertainties on the issue and the economics of how the draft will impact agriculture in Illinois is not known. Because of all of these unknowns, including social costs and benefits, quantitative goals should be deleted.

### **Policy Options Need to be Deleted from the Report**

One of the main concerns we have with the report is that it focuses on recommendations for economic policy changes. It is not the charge of the SAB to make recommendations to policy. The SAB is a science-based group not a policy group and any reference to policy options should be deleted from the report.

Page 126 of the report indicated that “deciding who pays is not a question that can be addressed by science.” However, that is what has been done throughout the report, and, in many instances, individual farmers will be the ones who would pay for recommendations listed in the draft.

Illinois Farm Bureau is opposed to taxes or to mandates placed on agricultural practices. Even if the tax or mandate is not directed at farmers, the costs will eventually filter down to those individuals. Farmers cannot pass costs of mandates or taxes along to anyone else. Farmers are price takers and not price makers, meaning that they do not set the price that they receive for their crop.

### **The Draft Could Have Negative Ramifications on Agriculture**

The draft plan does not recognize the detrimental economic impact it will have on production agriculture in Illinois. The Federal Register has stated that primary approaches “appear” to be to reduce nitrogen loads in the basin and that “significant uncertainties remain” on the causes and consequences of hypoxia. How can the government develop reports that could have huge negative impacts on agriculture when it acknowledged that significant uncertainties remain?

Because of this lack of information, complicated with uncertainties, any workable plan must address economics.

### **Costs of Implementing Draft Recommendations Would Be Detrimental to State and Local Governments**

The cost of implementing the draft recommendations will not only be costly for agriculture but it also will be costly for states to implement. State agencies are already involved in addressing water quality issues at the local level. No specific increase in federal funding is mentioned to implement programs referenced in the draft. Also, the analysis does not discuss the impacts on local units of government in areas where large amounts of cropland would be taken out of production. In Illinois, property taxes on wetland acres are reduced compared with the taxes on cropland.

### **Voluntary Programs Work**

Many agencies and organizations are committed to implementing numerous voluntary, workable programs to address water quality and natural resource issues. The water quality trends are good in Illinois and soil erosion continues to be decreased. We will continue to work to increase the positive environmental trends we have seen and support the use of best management practices for agriculture.

Through the years, it has been proven that voluntary incentive-based programs work for agriculture. The challenge is that these programs for agriculture have been underfunded and understaffed. It is therefore not logical to assume that taxes or mandates are needed for agriculture. These types of statements incorrectly imply that voluntary programs are not working. The truth is that farmers are interested in and are on waiting lists for voluntary programs but these programs have not been adequately funded. Therefore it is incorrect to assume that voluntary programs are insufficient to address natural resource issues. It is also incorrect to leap to the conclusion that mandates and taxes are needed.

### **Correct References Are Needed**

Page 126 of the draft report states that there are lower than expected environmental results for voluntary agreements, although the programs cited in the report are “largely outside the realm of agriculture.” The report then states that even if the programs used as examples are outside the realm of agriculture, the conclusions made about the effectiveness of voluntary programs “are relevant.” We disagree. If you are looking at the effectiveness of agricultural programs, non-agricultural programs should not be used as examples to draw conclusions.

The report should use information from the Midwest and not other sections of the country to draw conclusions about the Midwest. Each watershed is different and each part of the country is different. While some Midwest researchers were contacted by the SAB, more information from the Midwest should be gathered and plans or recommendations should not be based on programs from other parts of the nation whose watersheds are different from the Midwest.

Parts of the Report contain statements “of fact” that are not supported by citations to the published literature or analyses of published data. Misleading information is also given in the draft. For example, where is the reference for the statement on lines 33-34, page 147 that animal feeding operations (AFOs) are now the major source of agricultural income? In the Appendix F, Animal Production Systems pp. 265-270, Table 18 is misleading by implying that large animal feeding operations on small farms is common.

Thank you for the opportunity to comment on the draft report.

Sincerely,

Nancy Erickson, Director, Natural and Environmental Resources  
Illinois Farm Bureau

Cc: Chuck Hartke  
Benjamin Grumbles