

6-1-07

Dr. Stallworth:

Attached is a copy of my comments to the SAB for their consideration during the June meeting in New Orleans. A written copy will be mailed today.

Thank you for your assistance.

Steve Taylor  
CEO, Environmental Resources Coalition  
<http://www.erc-env.org>



# Environmental Resources Coalition

Dedicated to maintaining, improving, and enhancing land and water resources

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June 1, 2007

Science Advisory Board Hypoxia Advisory Panel  
U.S. EPA Science Advisory Board (1400F)  
1200 Pennsylvania Avenue, NW.  
Washington, DC 20460

Dear Panel Members:

I am submitting the following comments for your consideration during your meeting June 13-15, 2007 in New Orleans, Louisiana. ERC is a not-for-profit organization dedicated to improving land and water resources through the use of sound science and technology. Also, I am a member of the Upper Mississippi River Subbasin Hypoxia Nutrient Committee (UMRSHNC) stakeholders group representing corn growers.

I have been directly involved in the hypoxia issue for nearly 10 years. Most recently, in September 2006, I attended the UMRSHNC meeting in Moline, Illinois. I also attended meetings held to develop the 2001 Action Plan. In July 1999, I attended the Gulf of Mexico Hypoxia Working Group meeting in Memphis, Tennessee and provided comments. During that meeting, scientists identified methods to reduce nutrient loads and some options included 20% reductions in fertilizer applications, creating 24 million acres of riparian zones and wetlands, and even a 500% nutrient tax. I remember these alternatives were controversial to many.

I have reviewed your draft report re-assessing the science of hypoxia in the Northern Gulf of Mexico. I agree with some aspects of the draft report. There are many unknowns and more research is needed. I agree that more comprehensive monitoring needs to be conducted and that gulf hypoxia models should be linked with watershed models. I understand the philosophy of moving forward in some manner under adaptive management. However, under adaptive management, I would expect the SAB to recommend a more reserved approach with some of the alternatives under consideration.

I was disappointed to see that the draft report included discussion of some of the same alternatives that were discussed in 1999. In my opinion, some of the more

aggressive issues in the draft report include the conclusion that “voluntary programs can have small effects but cannot be relied upon to induce major environmental improvements” (page 127), “taxes can be a powerful market signal” (page 132), and “nutrient reductions cannot be expected without strong economic signals, either taxes, subsidies, restructuring of subsidies, or removal of subsidies” (page 133).

I disagree with the statement that voluntary programs cannot be relied upon. I can give examples of voluntary programs that can work, if designed properly. The threat of taxes and removal of subsidies are sure to spark heated debate. With the cost of fertilizer at an all time high, and predicted to go even higher, raising taxes on fertilizer seems certain to meet great resistance. Would we not all agree that a 500% tax on agricultural fertilizer and removal of subsidies are very aggressive options and are likely to distract from productive dialogue?

Also, specifically related to corn production, the draft report states that expansion of corn production to support grain-based ethanol and impacts of ethanol co-products on the animal industry are likely to cause major increases in N and P losses. I think this should not be presented as a predestined cause and effect situation. Again, with properly designed voluntary programs incorporating the latest knowledge and technology, agricultural producers can produce more corn and ethanol without creating more nutrient runoff.

In addition to my comments on the draft report, I would like to bring another matter to your attention. I want to make you aware of actions being taken by the U.S. Army Corps of Engineers (COE) in conjunction with their Habitat Restoration Projects on the Missouri River. Through these projects, the COE are excavating soil and dumping these soils into the Missouri River. The Missouri Clean Water Commission (CWC) has raised concerns with the sediment and nutrient loadings into the Missouri River. The CWC held a well-attended public meeting on this matter on May 16, 2007. I have attached a document from the CWC entitled “The Corp is Dumping Huge Amounts of Farm Soil into the Missouri River” as background information.

I would like to ask this panel to examine the COE actions and determine whether these actions are contributing to hypoxia in the Gulf of Mexico. I feel this relates specifically to your charge to examine the “Characterization of Nutrient Fate, Transport and Sources - Nutrient loadings, fate, transport and sources in the Mississippi River that impact Gulf Hypoxia”.

Environmental issues concerning agriculture are one of the primary concerns of ERC. ERC administers programs with the goal of reducing agricultural runoff, including sediment and nutrient runoff. Our agricultural partners and especially

individual agricultural producers are dedicating time and resources in an effort to reduce sediment and nutrient runoff into our streams and rivers. With this being the case, they question why the COE is dumping sediment and nutrients into the Missouri River and possibly negating their efforts. It is hard for my agricultural friends to understand why they are being asked by EPA to be concerned about issues like Hypoxia and to reduce nutrient runoff while the federal government contributes to nutrient runoff.

I appreciate the opportunity to comment and your consideration of the issues I have raised. If you have any questions, please do not hesitate to contact me.

Sincerely



Steve Taylor  
CEO

Enclosure

cc:	ERC Board of Directors	UMRSHNC Stakeholders Group
	Mo Corn Growers Assn	John Delashmit, EPA Region 7
	Iowa Corn Growers Assn	Kristin Perry, CWC
	Illinois Corn Growers Assn	Iowa Soybean Association
	Minnesota Corn Growers Assn	National Corn Growers Association
	Wisconsin Corn Growers Assn	Ohio Corn Growers Assn

## The Corp is Dumping Huge Amounts of Farm Soil into the Missouri River CWC Meeting will discuss this on May 16



The Army Corp of Engineers is doing a series of 22 projects in Missouri to create habitat for the pallid sturgeon in the Missouri River. As a part of those projects, they are DUMPING HUGE QUANTITIES of soil into the Missouri River by digging huge ditches through nearby farmland. This is not dredging. They are digging through farmland that they have purchased along the river and dumping the soil into the river.

At one of these projects, Jameson Island near Arrow Rock, they are dumping 4.5 million cubic yards of soil (5.4 million tons) directly into the river. That project is 300 feet wide, more than 9 feet deep and 1.85 miles long. If you put that in terms of 2 tons of soil per acres runoff, that would be 2.7 million acres (which is more than the total of 2.63 million acres of corn harvested in the entire state of Missouri last year).

Calculating it in terms of nutrients, that is loading the river with 11.1 million pounds of nitrogen, 9.3 million pounds of phosphorus, and 100 million pounds of carbon. That is the same amount of fertilizer that you would have if you dumped 795 semi-trailers trucks (holding 46,000 pounds each) !!!! AND THAT IS JUST ONE OF 22 Projects. The cost of all the projects is 54 million this year and 86 million next year.

When fingers are pointed at agriculture for hypoxia in the Gulf, I'd like the Corp to admit they are contributing a huge part of the pollution. The USGS Survey for Missouri River Valley Sediment and Nutrients lists agricultural fertilizer as the top cause of nutrient loading. The Corp dumping needs to be listed as one of the leading causes. And doesn't this all sound counter productive to all our efforts to stop erosion on farm ground??? Why have CREP, CRP, CSP and EQIP ????

I serve on the Missouri Clean Water Commission in the seat to represent knowledge of agriculture. I am very concerned about what this dumping will do to the reputation of agriculture. If the truth be told, apparently some in DNR and the Corp think it is okay for the Corp to do this dumping because they believe the sediment is needed in the Missouri River. You can't dump soil without dumping the nutrients in the soil. If that is scientifically defensible, then everyone should be allowed to dump. Why do they make everyone else have a permit and clean the sediment OUT of the water? Why does the Corp get to dump and no one else?

On April 23 at the Clean Water Commission meeting, by unanimous vote, the Commission instructed our legal staff to **“Notify the US Corp of Engineers to stop dumping soil into the Missouri River within one week of receipt of our notice. If they fail to do so voluntarily, we instruct our legal staff to seek a temporary restraining order and injunction to stop them from dumping soil until the Corp proves they are not adversely affecting the quality of water in Missouri and further to have the Corp demonstrate why they do not have to abide by the same regulations affecting other land owners, municipalities, and industries in Missouri.”**

Last Friday the Corp issued a press release that they will cease dumping the soil until it is tested.

**The Clean Water Commission has invited the Corp to explain this dumping at the CWC meeting on May 16<sup>th</sup> at the Lewis and Clark State Office Building, 1101 Riverside Drive in Jefferson City. The meeting will start at 9 am.**

I encourage you to come.

Kristin Perry, Vice-Chair  
Missouri Clean Water Commission