

## V. Leaving our world in better shape than we found it

Farming using Best Management Practices (BMP) will improve the environment.

- A. Environmental Policy
- B. Water Quality
- C. Crop Protection Use Policy
- D. Conservation Programs

# NCGA Position

Title: Domestic Environmental Policy

Position Number: V-A-1

Background: Corn growers are very concerned with the health and well-being of American citizens and are mindful of the need to balance environmental stewardship with the need for a long-term, dependable food and energy supply and necessity for long-term profitability in farming. We support interaction with any organization that shares our concern for the environment.

Resolution/Position:

1. Support a domestic environmental policy based on sound science. TBR 2012
2. Actively work on reform of the Endangered Species Act. TBR 2012
3. If any public environmental demands or regulations are placed on private land, the loss of income, loss of property value including the cost of capital improvements to make those changes should be paid by the public. TBR 2012
4. Water Flows TBR 2012
  - a) Urge federal government agencies to fully consider impacts of regulating water flows on agriculture.
  - b) Urge all federal, state and local governmental agencies to expeditiously repair water retention and protection structures damaged by flooding to protect all cropland producers who wish to keep their land in production.
  - c) Support individual's water rights.
5. While noting the importance of eminent domain for the orderly growth of our country and the expansion of our land transportation system, we oppose any government action that would infringe upon property owner's rights without appeal and proper compensation. We also recognize the importance of conserving agricultural land for future generations and oppose the unnecessary use of Eminent Domain to convert agricultural lands to other uses. TBR 2012
6. Natural Resource Policy. Encourage a system that incorporates local farmer input as a model for dealing with farm-related environmental issues and regulations. TBR 2012
  - a) Encourage the development of local resource planning groups composed of agricultural landowners and producers to address local conservation and environmental issues.
  - b) Encourage the utilization of organizations and government agencies as technical advisers to the local resource planning group.

Producer Notification: The Environmental Protection Agency (EPA) and the U.S. Department of Agriculture (USDA) shall issue timely notification of regulatory changes to allow individual producers adequate lead time to adjust agricultural production practices. TBR 2012

7. Conservation/Tax Policy TBR 2014
  - a) Oppose taxes on the usage of crop inputs as an effort to reduce their usage.
  - b) Recommend legislation be enacted to allow farmers and landowners income tax credits for approved conservation structures and practices.
  - c) Support a change in the U.S. tax code to allow tax deductibility for permanent conservation practices to land owners who cash rent their land.
8. Support farmland protection and smart growth partnerships that would provide funding, in matching grants to states, communities, tribes and land trusts, for the purchase of development rights with the underlying fee running with the land to be used on farmland threatened by development. This program should be administered by USDA. TBR 2012
9. Support state corn grower association efforts to secure federal funding for state water quality efforts. TBR 2012
10. We support sound science-based efforts to address air quality. Current efforts by the EPA to regulate agricultural dust go beyond what is reasonable or sound science-based and should be reevaluated. TBR 2012
  - a) We support gathering more data and science about the human health effects of agricultural dust.
  - b) Additionally, we support Congressional oversight to review the effects of air quality standards on agriculture to ensure they are workable.
  - c) We oppose mandatory air quality standards for ozone and particulate matter on agriculture.
11. Require that any new environmental regulations show a positive cost and risk benefit analysis before implementation. TBR 2014
12. We believe agricultural environmental standards should not be more strict than industry and municipal standards. TBR 2012
13. Support research efforts to address nutrient management. TBR 2013
  - a) Support research to identify these processes.
  - b) Support research and watershed programs to identify how agricultural practices can capture these natural movements.
  - c) Oppose EPA regulations that do not account for nutrient movement and amounts caused by natural processes.
  - d) Agricultural environmental standards should only address nutrient issues that agriculture can control as part of normal agricultural practices.
14. Considering the wide margin of error when using satellite imagery to illustrate cropping patterns, we oppose the use of said images in legislative and/or regulatory processes when not verified by on-the-ground data. TBR 2013
15. All scientific data and models generated by government agencies should be subject to a credible peer review process. TBR 2014
16. Support legislation that prevents EPA from regulating greenhouse gas emissions. TBR 2013

# NCGA Position

Title: Global Climate Change

Position Number: V-A-2

## Resolution/Position:

1. NCGA should fully explore through policy research the impacts of climate legislation on agriculture and biofuels, for example; a cap and trade or other systems. TBR 2012
2. In the event Climate legislation is introduced, the agriculture sector must not be capped and must be afforded an opportunity to contribute via the market for offsets. Artificial caps will prevent legitimate carbon sequestration, livestock methane capture, and manure gasification projects from occurring. TBR 2012
3. Support the designation of qualified offsets that will be acceptable in a cap and trade program. Qualified offsets must be real, additional, verified, registered, fungible, and permanent (or of contracted duration). TBR 2014
4. NCGA should ensure that carbon cap and trade legislation addressing climate change issues incorporate the following conditions: TBR 2012
  - a) Energy costs to business, industry and consumers must remain affordable for our economy to compete in the global marketplace
  - b) Growers of crops must be able to derive sufficient economic benefits from a voluntary enrollment sequestration environment to adequately incentivize their participation and to materially offset the increases in production costs arising from a cap and trade program.
  - c) To mitigate negative impacts of cap and trade program on corn farmers, allowances for fertilizer manufacturers must be strong and permanent.
5. In the event climate legislation is introduced the agriculture sector should be fully rewarded for all verifiable GHG emission reductions. Any climate legislation passed should not restrict private property rights nor penalize or impede producers from utilizing the best and most efficient farming practices for their operation. TBR 2012
6. Support federal funding for thorough life-cycle analysis of corn production and the end uses of corn, including livestock and corn-to-ethanol technology. TBR 2012
7. The cap and trade system design should reward early actors in uncapped sectors for incremental reductions after a specified date. The cap and trade system design must identify and guard against potential perverse outcomes such as the temporary cessation of a practice in order to restart the same practice as a qualified additional project earning offsets. TBR 2012
8. Encourage the Department of Energy (DOE) to support policy, research, and infrastructure directed to the use of using corn cobs, stover, and corn kernel fiber as a fuel to generate steam and electricity and as a source of cellulosic feedstock for ethanol. Benefits include replacement of fossil fuels, a reduction of the carbon footprint, and a significant improvement to the energy ratio for growing and processing corn for ethanol in the near term. TBR 2012
9. Support USDA as the administrator of any greenhouse gas or carbon based cap and trade program as the developing agency with respect to the agricultural offset project rules. TBR 2012

10. We oppose using international indirect land use change in calculation of the carbon footprint for renewable fuels so that renewable fuels are on an equal footing with petroleum and other industries. TBR 2013
11. If carbon or cap and trade legislation or regulations are proposed, NCGA should review the scientific merit and economic impacts of such proposals. NCGA should be opposed to a climate change bill if it does not support long-term corn grower opportunity for profitability. TBR 2013

# NCGA Position

Title: Water Quality

Position Number: V-B

Background: The quality of water is a critical national issue, and the efficient use of nutrients is essential for profitable crop production.

Resolution/Position:

1. Urge the appropriate federal and state agencies to work with universities, commodity groups and general farm organizations to: TBR 2012
  - a) Urge the Environmental Protection Agency (EPA) to use scientifically sound health-based maximum contaminant levels (MCL) when establishing the rules for restricted use crop protection products and nutrients. State governments should use the federal standards for evaluating any need for remedial action.
  - b) Determine the methods and quantities by which contaminants enter water.
  - c) Research effects of such contaminants on human health and environment.
  - d) Acknowledge that the best way for producers to do their part in protecting the quality of our water resources is through the recommended use and safe handling of fertilizers and crop protection products. Develop and prove best management practices to protect water quality and educate farmers in their implementation.
  - e) Make the goal of maintaining and achieving quality water the mutual responsibility of all rural, urban and industrial users of water.
  - f) Acknowledge the importance of responsible nutrient use in profitable crop production.
  - g) Use state land grant university developed nutrient management recommendations for their programs.
2. Support continued funding for federal non-point source pollution programs authorized by the Clean Water Act. TBR 2012
3. Support defending the word "Navigable" in the Clean Water Act. TBR 2012
4. Encourage all contractors, state agencies and individuals to properly close all test wells, abandoned wells and boreholes to protect groundwater. TBR 2012
5. Whether agriculture contributes to hypoxia should be determined based on sound scientific facts. We support the right of growers to voluntarily develop a plan of action to address the agricultural non-point source portion of the plan developed by the interagency task force addressing hypoxia in the Gulf of Mexico. We believe the plan's goals and objectives can best be administered at the local level through soil and water conservation organizations and farm groups. TBR 2012
6. Support independent peer review of findings that non-point source runoff is the major cause of hypoxia in the Gulf of Mexico. TBR 2014
7. Support voluntary non-point source programs to assist farmers in achieving water quality goals. TBR 2012
8. Support research on the impact of site specific application technology on the environment and agriculture. TBR 2012

9. Encourage any guidelines for watershed nutrient management to be constructed through watershed and statewide stakeholder input. TBR 2012
  - State Departments of Agriculture should manage nutrient application issues.
  - Continue promoting programs to educate producers on the benefits and need for voluntary Best Management Practices.
10. All Total Maximum Daily Load (TMDL) implementation plans for watershed protection programs should remain voluntary, be incentive based, and provide for farmer input into the decision-making process concerning TMDL assessment and monitoring. TBR 2012
11. NCGA believes that manure applied on cropland at agronomic rates using Best Management Practices should not be considered point source pollution under the provisions of the Clean Water Act. TBR 2012
12. Water quality cost share assistance programs, such as EQIP, should be made available to livestock/poultry facilities without bias to size or location. TBR 2012
13. Identify water quality, equity and usage- issues that affect corn producers, ultimately leading to future water policies. TBR 2012
14. Support the concept of science-based surface and groundwater monitoring on a local, watershed basis to provide a baseline set of data and to help determine the extent and sources of water quality impairment. Historical monitoring data should be considered when setting nutrient standards for surface water. TBR 2012
15. Encourage EPA to adopt science-based water quality standards that are reasonably attainable for the TMDL process. TBR 2012
16. Encourage farmer involvement and participation in watershed planning committees and state technical committees. TBR 2012
17. Support industry, urban and agricultural practices which continue to minimize sedimentation. TBR 2012
18. We oppose any legislation which would remove or redefine the word “navigable” from the Clean Water Act and put all water bodies, regardless of size, under Federal jurisdiction. TBR 2012
19. We support the use of EQIP funds and other cost share funding to meet any governmental requirements for storage of fuel, fertilizer or crop protection products. TBR 2013
20. NCGA recognizes the importance of protecting water bodies such as the Chesapeake Bay and the Gulf of Mexico from nutrient and sediment loading. We support voluntary measures, including Farm Bill conservation programs to achieve desired environmental goals but opposes EPA efforts to impose mandatory and enforceable requirements for non-point sources of pollution from agricultural lands. Furthermore, NCGA supports the collection of robust data from ongoing voluntary conservation practices-to ensure that state and federal agencies have a more accurate accounting of water quality impacts from agriculture. TBR 2013

21. NCGA should lead the development of a Best Management Practices (BMP) database cataloging the past and current research on existing BMP's for agriculture (similar to the current storm water BMP database). TBR 2013
22. Participate in water quality research to create a baseline for nitrogen and phosphorus on tilled land. TBR 2013

# NCGA Position

Title: Crop Protection Use Policy

Position Number: V-C

Background: The Environmental Protection Agency (EPA) should recognize the importance of crop protection products as effective and economical corn production tools, and should recognize that, over the past few years, manufacturers of these products and corn growers have voluntarily initiated and adopted changes in use rates, application practices and additional best management practices (BMP) that have resulted in significant decreases in total volumes applied and significant increases in soil and water protection measures. We urge EPA to objectively evaluate the risks and benefits of these crop protection products using the best available science.

## Resolution/Position:

1. Farmers should not be held liable if they use products according to label directions and generally accepted agronomic practices. TBR 2012
2. Support efforts to increase the testing, research and adoption of science-based, environmentally safe methods and products for the control of pests and diseases. Encourage the use of these methods by agriculture. TBR 2012
3. Mandatory record keeping of crop protection products should be limited to restricted-use crop protection products. Confidentiality of the individual's records should be maintained. TBR 2012
4. Support the FQPA to take precedence over local crop protection product regulation. TBR 2012
5. Oppose efforts by EPA to require implementation of pesticide management plans. Support individual state water quality plans. TBR 2012
6. In its review of the registration of the triazines, EPA should recognize the importance of these products as effective and economical corn production tools that work well with conservation tillage. TBR 2012
7. Oppose the arbitrary non scientific-based review of crop protection products by EPA or any other governmental agency. TBR 2013
8. Encourage and support the labeling of all crop protection product containers to clearly state the trade names and the amount of each chemical in a premix product, as well as the disclosure of this information in print advertising and promotional materials. TBR 2012
9. Require a cost risk/benefit analysis for the registration and re-registration of crop protection products. TBR 2012
10. When addressing risks of crop protection product residues in food, the most scientifically reliable estimates of risk and exposure should be used. TBR 2012
11. Oppose EPA efforts to implement zero tolerance or unrealistic spray drift policies or otherwise attempt to implement drift policy on a case by case basis. TBR 2012

12. With the passage of the FQPA, we recommend that the EPA move expeditiously to: TBR 2012
  - a) Make decisions based on sound science instead of based on default assumptions.
  - b) Register new crop protection products.
  - c) Release regulations and tolerances for products that have completed data.
13. Support the use of counterpart regulations to clarify the process of pesticide reviews under FIFRA and endangered species reviews under the Endangered Species Act. TBR 2012
14. NCGA opposes Inherently Safer Technologies (IST) provisions in federal chemical site security legislation because it would require chemical facilities to assess the viability of switching to "safer" chemical alternatives without considering agronomic necessity and could jeopardize the availability of widely used, lower cost sources of essential plant nutrient products used by farmers. TBR 2013
15. NCGA opposes the EPA requirement for National Pollutant Discharge Elimination System (NPDES) permits for pesticide applications in crop protection. TBR 2013

# NCGA Position

Title: Conservation Program

Position Number: V-D-1

Resolution/Position:

1. Cost-Share Programs. Urge USDA to fund conservation cost-share programs with local farmer-elected committee oversight. TBR 2012
2. Urge the Natural Resources Conservation Service (NRCS) to provide technical and financial assistance and educational resource planning programs to agricultural producers to help them meet society's expectations for clean water, clean air and healthy land. TBR 2012
  - a) Urge Congress and USDA to ensure that adequate technical assistance is available to agricultural producers to help them address conservation challenges.
  - b) Urge Congress and USDA to look at a long-term view of budgeting for technical assistance that balances national priorities with local needs.
  - c) Encourage USDA to explore the use of multi-year agreements when arranging Technical Service Providers (TSPs) to address year-to-year fluctuation of financial assistance.
3. Encourage NCGA state affiliates and individual growers to participate in state technical committees. TBR 2012
4. Support compensating producers who already utilize conservation practices in the event that a portion of future program payments are based on switching to such conservation practices. TBR 2012
5. Support matching federal funds to state and local governments for research and education to adapt conservation practices to a modern agriculture. TBR 2012
6. Conservation programs should be uniformly implemented. TBR 2012
7. Oppose the public use of private lands enrolled in conservation programs without owners permission. TBR 2012
8. Funds should be made available for agricultural uses from Environmental Quality Incentive Program (EQIP) on a cost-share basis for environmental conservation practices. TBR 2012
9. Support voluntary programs that create environmental incentive payments for implementation of conservation practices. TBR 2012
10. Conservation Reserve Program (CRP) and Wetlands Reserve Program (WRP) contracts should be administered as the contract was written with original intent maintained. TBR 2012
11. Support conservation cost-share work to be done after the 8<sup>th</sup> year of a 10-year CRP Contract without forfeiture of CRP payments. TBR 2012
12. Support using EQIP funds for livestock operation odor control mechanisms. TBR 2012

13. Support significant improvements to the application, selection and implementation process with regard to the Conservation Security Program (CSP) so that the program's provisions are fairly applied to all eligible growers. TBR 2012
14. Conservation Compliance TBR 2012
  - a) Urge conservation plans to incorporate sound acceptable cultural practices for the area and provide for the economic capability of the producer to implement the plan according to a defined timetable.
  - b) Recommend that the USDA allocate the necessary resources to adequately and fairly implement the conservation compliance requirements of current and future farm acts, including continued research to update the universal soil loss equation.
  - c) Penalties assessed to commodity program participants, under the conservation provisions of the Farm Bill, should only be the amount of the payments received on the tract found to be out of compliance.
15. Urges USDA to retain local farmer elected committee oversight of cost-share programs and the Conservation Security Program. TBR 2012
16. Support funding conservation incentives from sources other than the commodity title. TBR 2012
17. Support a conservation program available for all corn growers that rewards them for best management practices used in their operations. TBR 2012

# NCGA Position

Title: Swampbuster and Sodbuster Programs

Position Number: V-D-2

## Resolution/Position:

1. The Swampbuster provision should not apply to lands cropped or considered cropped during any one year of the 1981-1985 period. Federal program benefits should be denied only to those lands broken after the enactment of the legislation. TBR 2012
2. NCGA believes that when a wetlands violation occurs, FSA should be limited to retroactively withholding payment for a maximum of five years. County and state FSA committees shall have the authority to negotiate reasonable penalties. TBR 2014
3. Swampbuster and sodbuster provisions should have clear and concise definitions, with the National Resources Conservation Service (NRCS) being the sole regulatory agency. TBR 2012
4. Support a simplified, timely and equitable dispute resolution process. TBR 2012
5. Support the rights of farmers and drainage districts to repair, upgrade, and maintain all public and private drainage systems. TBR 2012
6. Support the rights of farmers and drainage districts to drain, improve or maintain any land that has been changed by wind, floods or any forces beyond the farmer's control. TBR 2012
7. We support wetland policies where new wetlands be only from voluntary sources, be specifically targeted (not whole farms) and not result in a loss of fertile cropland suitable for farming. TBR 2012
8. Proper compensation should be provided to property owners, drainage districts and other units of local government if delineation of a parcel of land as a wetland results in an economic loss. TBR 2012
9. Support mitigation banking for agricultural wetland conversions utilizing a values and functional use criteria which is reasonable and reciprocal. TBR 2012
10. Delineation of agricultural wetlands should be made by soil and water district boards, with state NRCS offices providing standard interpretation of wetland guidelines. TBR 2012
11. Support a paid wetlands reserve program. TBR 2012
12. A minimal effects system should be developed and implemented that would permit acreage with little or no wetland value to be exempt from regulation under Section 404 and Swampbuster. TBR 2012
13. To be classified as a wetland, a parcel of land must exhibit during the growing season (to be defined as historical average of frost-free days in the geographic area) all three of the following criteria: TBR 2012
  - a) Hydric soils.
  - b) Hydrophytic vegetation.
  - c) Saturation to the soil surface for 21 days or standing water for 15 days following normal rainfall.
14. Maps used for wetland determinations must accurately reflect the above criteria. Farmers should have the right to local on-site determinations, if they wish. TBR 2012

15. Oppose wetlands determinations based on the 15 days standing water criteria that resulted from failure of internal drainage due to high river stages. TBR 2012
16. We believe all land farmed and/or where conversion was commenced or was within a drainage district prior to December 23, 1985, should be considered prior converted and exempted from further regulation. TBR 2012
17. Appropriate agencies should conduct educational programs to encourage the voluntary conservation of wetlands. TBR 2012
18. Wetlands guidelines should allow the benefits of agricultural conversion to be considered in the Section 404 permitting process and the determination of farm program eligibility. TBR 2012
19. State wetland regulations should be no more restrictive than comparable federal guidelines. TBR 2012
20. The scope of wetlands regulation should be limited to wetland areas of 5 acres or larger. TBR 2012
21. Sunsetting of wetland determinations and certifications should be discontinued. TBR 2012
22. All regions of the country should use the same wetland hydrology criteria with no exception areas such as prairie potholes and playa lake regions. TBR 2012
23. Support all federal regulatory agencies claiming jurisdiction over wetlands being required to identify and coordinate their areas of jurisdiction and to submit proposed rules to public comments to avoid abuse of authority and to prevent overlapping regulations at any specific site. TBR 2012
24. We support streamlining the process of modernizing drainage districts especially in the area of wetland and farmed wetland mitigation. TBR 2012
25. NCGA opposes the sodsaver provision of the 2008 Farm Bill and requests that the Governors of affected states not opt in. TBR 2012

# NCGA Position

Title: Conservation Reserve Program

Position Number: V-D-3

## Resolution/Position:

1. Support enrollment into and renewal of the Conservation Reserve Program (CRP) and Conservation Reserve Enhancement Program (CREP) contracts targeted to the most environmentally sensitive land, such as: TBR 2012
  - a) Field borders, large waterways, filter and buffer strips and other areas needed for conservation compliance. If areas above are included, then grazing would be allowed during non-growing seasons. These targeted areas should be allowed to be managed in such a manner that would not disrupt the normal management of the entire field.
  - b) Other land that Natural Resources Conservation Service (NRCS) designates as environmentally sensitive lands.
  - c) Encourage USDA to enroll partial fields with the intent of targeting the most environmentally sensitive areas.
2. Oppose permanent easements. TBR 2012
3. USDA to ensure that payments for whole field enrollments are 30% less than the county average rental rates for similar land capability classes. TBR 2014
4. Urge that CRP rental rates should be adjusted to keep environmental and/or significant wildlife habitat sensitive lands in the CRP program. TBR 2012
  - a) Review and update land rental rates as needed
  - b) Pro-rate land rental rates based on sensitivity
5. Urge Secretary of Agriculture to allow individual states to start on conservation work prior to the land coming out of the CRP Program. TBR 2012
6. Promote and support the voluntary enrollment under the continuous enrollment provision of CRP including: TBR 2012
  - a) wildlife habitat/food plot areas
  - b) filter and buffer strips
  - c) established waterways and turn rows
  - d) other partial field enrollments impacting water quality
7. Support the rights of farmers to bring land back into production at the end of their CRP contract. Encourage utilization of sound conservation practices as land is returned to production. TBR 2012
8. Support allowing mechanically harvested hay crops as an acceptable rotation crop for CRP eligibility. TBR 2012
9. Support the fall harvesting of biomass on a percentage of CRP acres if a market for biomass is available. In the event such a harvest takes place, CRP program payments on those harvested acres will be forfeited for that year; but there will be no other penalties and the contract will remain intact. TBR 2012

10. We support shifting any government savings from early release of CRP acres to further enhance conservation efforts on working lands. TBR 2012
11. Support the establishment of an E-CRP (Energy and Conservation Reserve Program). This program would mimic and expand the BCAP (Biomass Crop Assistance Program) established under the 2008 farm bill, which makes farmers within qualified areas eligible to receive assistance to cover the cost of establishing and bringing to production, perennial biomass crops. While most perennial biomass crops can serve as filter strips and wildlife cover, under E-CRP these crops will be primarily managed for biomass production. TBR 2012
12. Methodology of breaking contracts should be changed to focus on the farmer and/or landlord being required to pay off the remaining years of contract and reimburse establishment costs provided for by USDA. TBR 2014