

The **Ground Water Protection Council** represents state ground water quality and underground injection control agencies. The GWPC is governed by a board of directors comprised of two senior state regulatory officials, elected by their peers, from each of the ten regions defined by the U.S. Environmental Protection Agency's. Core members include representatives of state agencies responsible for regulating ground water, oil & gas, and underground injection activities.

## Ground Water Protection and the Federal Farm Bill

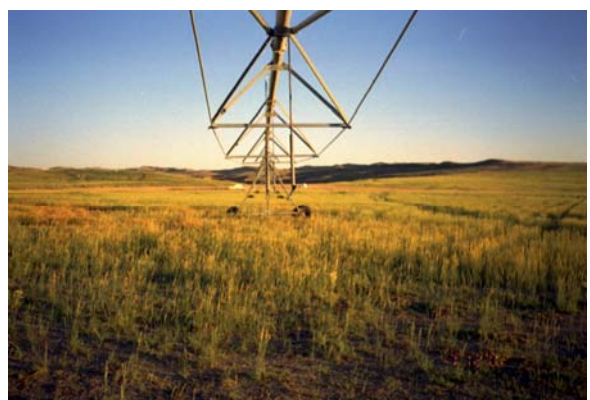
### *A Briefing*

by the Ground Water Protection Council



The 2008 Farm Bill will provide support to the farming and ranching community throughout the U.S., but also has the potential to protect a resource vital to this constituency, ground water. Ground water is used as drinking water for local communities, for watering livestock, and for irrigating crops. **Without ground water, rural farmers and their families could not survive.** As the House Agriculture Subcommittee prepares the upcoming farm bill an opportunity exists to provide greater protection of this important resource.

Existing farm bill programs should be paired with state ground water efforts to increase protection and conservation. These efforts can help farmers and ranchers become more economically stable and at the same time help protect a valuable and needed commodity, fresh water. This briefing offers some general recommendations on improving program implementation at the state level and some specific recommendations on select programs.



## Overarching Recommendations

The GWPC encourages changes to all existing programs that would provide more focus on priority areas as defined by each state. This can be accomplished by increasing coordination between agencies through data sharing and leveraging financial resources to

facilitate ground water protection activities. Ground water protection can be greatly enhanced by a management approach that recognizes the immediate interconnectivity of all waters within a watershed. For this reason, the GWPC advocates protection strategies that focus on ground water as a component of the hydrologic cycle such as:

- Acknowledge state priority areas such as wellhead protection, source water protection, and drinking water protection areas and give these locations priority status,
- Encourage data sharing between agencies implementing Farm Bill programs and state environmental quality agencies, and
- Encourage better coordination between Farm bill programs and other funding programs such as 319<sup>1</sup>.

This briefing outlines changes to existing programs that will help satisfy these goals. Comments are provided for three general areas, the Environmental Quality Incentives Program, Conservation Programs, and the Private Lands Protection Program as outlined by the USDA farm bill document: Title II, Conservation.

## **EQIP Recommendations**

The USDA proposes to consolidate several existing programs (Environmental Quality Incentives Program, Wildlife Habitat Incentives Program, Agricultural Management Assistance Program, Forest Land Enhancement Program, Ground and Surface Water Conservation Program, and the Klamath Basin Program) that provide financial assistance through cost-share and incentives for working lands under a newly-designed Environmental Quality Incentives Program (EQIP).

The GWPC offers the following recommendations on existing programs that would help improve ground water protection at the state and local level.

**Environmental Quality Incentives Program** - The Environmental Quality Incentives Program (EQIP) is a voluntary program that provides assistance to farmers and ranchers who face threats to soil, water, air, and related natural resources on their land. Other programs also exist (both state and federal) to help farmers with environmental quality incentives. For example, assisting farmers and ranchers in utilizing EQIP programs in concert with Clean Water Act (CWA) 319 grant programs on targeted priority watersheds would better support state efforts in protecting ground water.

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<sup>1</sup> Congress amended the Clean Water Act (CWA) in 1987 to establish the section 319 Nonpoint Source Management Program because it recognized the need for greater federal leadership to help focus State and local nonpoint source efforts. Under section 319, State, Territories, and Indian Tribes receive grant money which support a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess the success of specific nonpoint source implementation projects.

Recommended changes to EQIP:

- Provide assistance to properly plug inactive or out of service irrigation wells to help protect ground water from nonpoint source pollution.
- Reinstate a requirement to target a percentage of EQIP to state-designated priority areas (e.g. wellhead protection, source water protection, and drinking water protection areas). EQIP is the most effective vehicle to allow coordination of other funding resources like CWA Section 319, SDWA, SRF, and other non-federal programs.
- Enhance eligibility points allowed for select practices or a suite of practices within state priority areas.
- Ensure contracts are implemented within 1 year or resend contracts and re-distribute monies to other eligible producers.

**Wildlife Habitat Incentives Program** - The Wildlife Habitat Incentives Program (WHIP) is a voluntary program that encourages creation of high quality wildlife habitats that support wildlife populations of National, State, Tribal and local significance.

Recommended changes to WHIP:

- Give preference to state-designated priority areas.

**Agricultural Management Assistance** - Agricultural Management Assistance (AMA) provides cost-share and incentive payments to agriculture producers to voluntarily address issues, such as water management, water quality, and erosion control by incorporating conservation practices into their farming operations.

Recommended changes to AMA:

- Include ground water protection measures in conservation plans.
- Give preference to state-designated priority areas.
- Provide funding for technical advisors to assist farmers and ranchers in utilizing Farm Bill programs to support wellhead protection efforts.
- Assist farmers and ranchers in the proper disposal of potential contaminants to ground water and drinking water such as old pesticides.
- Allow matching price supports for alternative fuel crops other than corn to support existing farm lands (corn requires more irrigation than some other alternative fuel crops such as switch grass).
- Assist farmers in the proper management of manure to protect groundwater and drinking water sources.
- Support state efforts to assist farmers operating in source water protection areas.
- Support coordination that recognizes watersheds and source water protection areas that cross state borders.

## Conservation Program Recommendations

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**Conservation Reserve Program** - The Conservation Reserve Program (CRP) provides technical and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands in an environmentally beneficial and cost-effective manner. The program provides assistance to farmers and ranchers in complying with Federal, State, and tribal environmental laws, and encourages environmental enhancement. The program is funded through the Commodity Credit Corporation (CCC). CRP is administered by the Farm Service Agency (FSA), with the Natural Resources Conservation Service (NRCS) providing technical land eligibility determinations, conservation planning and practice implementation.

The USDA proposes reauthorizing and enhancing the Conservation Reserve Program to focus on lands that provide the most benefits for environmentally sensitive lands. The GWPC supports focusing on these lands and urges the USDA, NRCS, and FSA to work with state ground water programs to protect designated source water protection areas. State programs work closely with local NRCS offices by providing them with detailed information of the priority area within their state. NRCS uses this information for CRP land eligibility determinations, but does not have an efficient way of communicating the location of existing priority areas enrolled in the CRP program. This information would help state programs determine the status of state ground water protection.

Recommended changes to CRP:

- Modify CRP policies to acknowledge state priority areas.
- Allow state ground water protection programs access to FSA data on locating existing CRP properties.
- Assist farmers and ranchers in utilizing CRP programs in concert with Clean Water Act (CWA) 319 grant programs on targeted priority watersheds.
- Promote mechanical mowing instead of herbicide use for controlling weeds on CRP lands to reduce chemical contact with ground water.
- Recognize the protection of drinking water sources as a priority environmental benefit.
- Make irrigation well buffers eligible under CRP.
- Change the WHPA delineation criteria for CRP eligibility from a fixed radius formula to a modeled formula that recognizes ground water flow.
- Remove or increase the acreage limit for CRP that can be put into a source water protection area.
- Exempt CRP acres in source water protection areas from the county limit to promote municipal source water protection.
- Ensure that lands within sensitive hydrogeologic settings are eligible for enrollment in CRP.

**Conservation Reserve Enhancement Program** - The Conservation Reserve Enhancement Program (CREP) is a voluntary land retirement program that helps agricultural producers

protect environmentally sensitive land, decrease erosion, restore wildlife habitat, and safeguard ground and surface water.

Recommended changes to CREP:

- Assist farmers and ranchers in utilizing CREP programs in concert with Clean Water Act (CWA) 319 grant programs on targeted priority watersheds.
- Recognize priority areas and locally- or state-designated aquifers as environmentally sensitive land.
- Target land in watersheds with existing water quality impairments and sensitive hydrogeologic recharge zones.

**Conservation of Private Grazing Land Program** - The Conservation of Private Grazing Land Program (CPGL) is a voluntary program that helps owners and managers of private grazing land address natural resource concerns while enhancing the economic and social stability of grazing land enterprises and the rural communities that depend on them.

Recommended changes to CPGL:

- Promote irrigation management to slow nitrogen loading.
- Allow CPGL funds for drilling new or upgrading existing stock wells.
- Target state priority areas for permanent conversion from cropland to grasslands or forest lands.

**Conservation Security Program** - The Conservation Security Program (CSP) is a voluntary conservation program that supports ongoing stewardship of private agriculture lands by providing payments for maintaining and enhancing natural resources. CSP identifies and rewards those farmers and ranchers who are meeting the highest standards of conservation and environmental management. USDA Proposes modifying the CSP to create a stewardship program that emphasizes incentives for implementing higher levels of conservation practices. The GWPC agrees with these modifications. Conserving rural, low intensity land uses in drinking water protection areas would aid in ground water protection.

Recommended changes to CSP:

- Reward best management practices that protect ground water.
- Ensure that standards required of participants are protective of groundwater.
- Give priority to lands surrounding sensitive hydrogeologic settings as designated by states.

**Conservation Innovation Grants** - Conservation Innovation Grants (CIG) is a voluntary program intended to stimulate the development and adoption of innovative conservation approaches and technologies while leveraging the Federal investment in environmental enhancement and protection, in conjunction with agricultural production. Under CIG, EQIP funds are used to award competitive grants to non-Federal governmental or non-governmental organizations, Tribes, or individuals.

Recommended changes to CIG:

- Give preference to state-designated priority areas (such as wellhead protection).

**Resource Conservation and Development Program** - The purpose of the RC&D program is to encourage and improve the capability of volunteer local elected and civic leaders in designated RC&D areas to plan and carry out projects for resource conservation and community development. Program objectives focus on “quality of life” improvements achieved through natural resources conservation and community development.

Recommended changes to RC&D:

- Provide source water protection training to civic leaders.
- Encourage continued cooperation between RC&D’s, local partners, and state environmental protection agencies.

## **Private Lands Protection Program Recommendations**

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The USDA Proposes the consolidation of three existing easement programs (FRPP, GRP, and WRP) for working lands into one new Private Lands Protection Program to streamline processes, eliminate redundancies, and expand the strengths of each program. The GWPC offers the following recommendations to existing programs.

**Farm and Ranch Lands Protection Program** - The Farm and Ranch Lands Protection Program (FRPP) is a voluntary program that helps farmers and ranchers keep their land in agriculture. The program provides matching funds to State, Tribal, or local governments and non-governmental organizations with existing farm and ranch land protection programs to purchase conservation easements.

Recommended changes to FRPP:

- Allow FRPP funds for drilling new or upgrading existing stock wells to meet state standards.
- Provide priority for protection in water supply protection areas.
- Implement conservation water management practices such as water budgets.
- Implement pesticide and nutrient management practices.
- Provide conservation easements in wellhead protection efforts.

**Grassland Reserve Program** - The Grassland Reserve Program (GRP) is a voluntary program that helps landowners and operators restore and protect grassland, including rangeland, pastureland, shrubland, and certain other lands, while maintaining the areas as grazing lands.

Recommended changes to GRP:

- Encourage use of GRP in wellhead protection areas.
- Allow funds for drilling new or upgrading existing stock wells to meet state standards.

**Wetlands Reserve Program** - The Wetlands Reserve Program (WRP) is a voluntary program that provides technical and financial assistance to eligible landowners to address wetland, wildlife habitat, soil, water, and related natural resource concerns on private lands in an environmentally beneficial and cost-effective manner.

Recommended changes to WRP:

- Give priority to riparian lands within or upstream of source water protection areas.
- Give priority to WRP practices within close proximity of a public water supply.

## **Ground Water – A Critical Resource**

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There is no Federal program to oversee ground water protection. However, each state government has an agency or multiple agencies that are charged with protecting a piece of the ground water “pie.” State agencies protect ground water in a variety of ways through several programs including: public water supply, wellhead protection, source water protection, underground injection programs, underground storage tank programs, ground water monitoring, and water quantity.

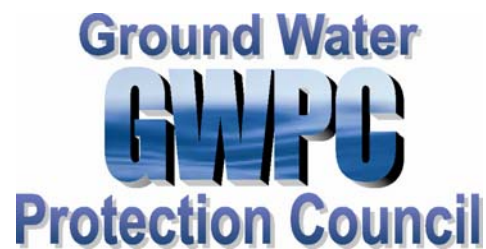
Our ground water resources are in serious need of attention. Abundant, high-quality, low-cost ground water resources are fundamental to the long-term growth and vitality of our nation, yet this most important resource is often overlooked, if not neglected. Attention to the protection and management of ground water has consistently lagged behind that given to surface waters. Historic and current water resource laws and policies deal primarily with the protection and management of our more visible lakes, rivers, and wetlands.

Such disparities and deficiencies in ground water protection can be attributed to not only the hidden nature of this resource, but also to a lack of appreciation for the fact that ground water is a key drinking water source nationwide, a critical resource for many sectors of our economy, and an integral part of the water cycle, providing base flow to the majority of surface waters. Finally, many of us are not aware that the quality and quantity of our nation’s ground water is now significantly threatened.

To reverse this trend, we must take swift and decisive action to ensure that ground water is meaningfully integrated into federal and state water resource conservation, management, and protection agendas. We must adopt new paradigms in water policy and science that demonstrate the interactive relationships among components of watersheds and

ecosystems and the essential role ground water plays in those systems. We must ensure that these new paradigms are based on solid scientific principles that allow us to better understand the role of ground water in maintaining watersheds so we can make wise water-policy, land-use, and water-use decisions accordingly.

**With some small changes to existing programs, the Farm Bill could aid state ground water protection efforts while still meeting its mission. This document contains comments from state ground water quality programs on what changes to current Farm Bill programs would aid in ground water protection efforts in their states. Acknowledging the necessity of protecting ground water in addition to efforts to protect surface water, and initiating effective communication and cooperation between farm bill and state ground water protection programs are vital steps in protecting this resource.**



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