

National Ocean Council and 2002 Farm Bill Implementation

20

NOC AND 2002 FARM BILL IMPLEMENTATION

21

(PowerPoint slide presentation in process.)

22

DR. SANDIFER: Trust this is the last one for

1 the day, unless somebody forces me to go forward. The
2 national coordinating body, not the National Ocean
3 Council, this again is an attempt to look at --

4 CHAIRMAN WATKINS: Wait a minute. We have
5 agreed to morph the "national coordinating body," body
6 being perhaps comatose, to the "National Ocean Council."

7 (General laughter.)

8 CHAIRMAN WATKINS: The National Ocean Council,
9 we have not finally resolved all of the various
10 functions that it is going to perform, but that is the
11 placeholder at this point for "coordinating body." I
12 don't like to get it all mixed up here. We have had to
13 define things like "documents," "segments," "sections,"
14 and "chapters." We are trying to keep our linguistics
15 common here.

16 The National Ocean Council is the coordinating
17 body. I do not want to put another acronym into our
18 system at this point. If there is no objection from the

19 rest of the Commission, I would like to keep National
20 Ocean Council at this point as the placeholder for
21 writing purposes so that we are all lobbing our grenades
22 into the NOC. Let's keep doing that into we decide what

1 it will be.

2 MR. RUCKELSHAUS: Good. I'm with you.

3 DR. SANDIFER: I am all for lobbing grenades.

4 All right, this again was an attempt to look at the
5 considerable conservation measures within the 2002 Farm
6 Bill and the far-reaching implications for nonpoint
7 source pollution management and make some suggestions
8 from Stewardship as to how the National Ocean Council
9 might affect implementation of those conservation
10 measures.

11 Again, looking at a specific goal, would be
12 for the National Ocean Council to work with the U.S.
13 Department of Agriculture to ensure that the
14 conservation programs in the farm bill are implemented
15 effectively, specifically to support and encourage
16 Agriculture's efforts to implement the farm bill, with
17 emphasis on maximizing the conservation programs'
18 benefits for water quality.

19 I understand that USDA's typical commodity
20 support programs were more focused on maximizing, getting
21 support payments to farmers. In this case, we would ask
22 Agriculture to spend a bit more effort on maximizing the

1 actual benefits of these programs with relation to water
2 quality in particular.

3 We say, further, that the National Ocean
4 Council should consult with the USDA and other
5 interested agencies as they develop specific measurable
6 national goals for nonpoint source that USDA would have
7 a lead role in achieving.

8 Again, what we are trying to do is help guide
9 the implementation of farm policy in such a way that
10 there is significant measurable improvement or reduction
11 in nonpoint source pollution over the six years of this
12 likely life of this Act with the long-term view of being
13 able to demonstrate that it was so effective in reducing
14 nonpoint source pollution that it ought to be re-upped
15 and perhaps even more money put into it.

16 Go to the next slide.

17 (PowerPoint slide presentation in process.)

18 DR. SANDIFER: The National Ocean Council
19 would work with USDA on specific priority initiatives
20 including the role of the state conservationists in
21 nonpoint source control, providing technical assistance
22 either to Natural Resources Conservation Service or

1 through the Natural Resources Conservation Service to
2 interested farmers, helping them focus on those kinds of
3 conservation practices that would gain them the
4 financial support and would also result in measurable
5 improvements in nonpoint source pollution reduction.

6 Next, see if we could help USDA link some of
7 these subsidies or the grants that would be received to
8 the imposition of best management practices for
9 conservation, again related to nonpoint source
10 pollution.

11 Also as a suggested priority initiative is the
12 review of commodity policies within USDA to see if there
13 are some other places that they might be able to tweak
14 their programs a little bit to continue payments but in
15 such a way that you have got other improvements in
16 nonpoint source control; to consider the potential for
17 carbon sequestration through farm activities as a

18 potential form of controlling atmospheric pollution.

19 Finally, we suggest that NOC work with USDA on

20 priority initiatives to look at research and marketing

21 efforts within Agriculture that in some cases promote --

22 that is, shifting from one crop to another -- less

1 conservation-oriented practices rather than more
2 conservation-oriented practices simply by commodity
3 supports or marketing support.

4 These were the kinds of things that we
5 suggested that the National Ocean Council should take
6 the lead on. This does not supplant in any way the role
7 of USDA. However, it makes sure the ocean leadership
8 understands the importance of the farm bill as a means
9 of helping to control nonpoint source pollution, and it
10 communicates to the USDA how important controlling of
11 NPS is to the health of coastal environments and,
12 ultimately, to the health of the farmers and the farm
13 community and the mechanisms by which that communication
14 might be most effective. That is what it boils down to.

15 MR. EHRMANN: Commissioner Rosenberg?

16 DR. ROSENBERG: Thank you.

17 I am concerned that we need to make sure that
18 issues like farm bill implementation are brought into

19 the structure that we are at least talking about that we
20 are proposing creating. Here we are talking about the
21 National Ocean Council, but it seems to me that these
22 recommendations should clearly indicate that the farm

1 bill activities need to be integrated into the watershed
2 council, or if you like ecosystem-based management,
3 efforts in the regions.

4 It is not simply a matter of support and
5 encourage effort on water quality. It is that USDA's
6 efforts should emphasize maximizing the conservation
7 benefits for watershed management, because there is more
8 than just water quality.

9 I realize that it is a little bit awkward
10 because we haven't talked about all of the structure
11 issues in the same meeting, but it does seem to me that
12 the National Ocean Council should be ensuring that the
13 farm bill work ties into the watershed council, the
14 ecosystem-based management work that we are proposing,
15 so that you in fact have an integrated program.

16 This doesn't quite say that, but I think it is
17 meant to go in that direction. I think we should be
18 very specific that we want it to be integrated with

19 other programs, not simply remind the USDA that they
20 should focus on conservation programs.

21 DR. SANDIFER: Andy, well spoken. The section
22 that deals with watersheds does include some specific

1 language relative to inclusion of the farm bill
2 activities, NRCS activities. However, you are
3 absolutely correct that what we need to provide to have
4 the direction coming from the top of the National Ocean
5 Council and the top of USDA, that that linkage needs to
6 be done at the watershed and local level. It is
7 probably missing from this list of bullets here, so we
8 will fix that.

9 MR. EHRMANN: Commissioner Borrone?

10 MRS. BORRONE: Thank you.

11 I think that nonpoint source pollution is one
12 of the most significant issues that we have to deal with
13 as we put our report together, and so I want my comment
14 to be interpreted with that understanding.

15 I think these are excellent recommendations,
16 but I think they go way too far in being prescriptive to
17 the National Ocean Council. What I am thinking about is
18 we have spent a lot of time in the Governance Committee

19 discussions about wanting to assure that the National
20 Ocean Council's role is one of policy setting or
21 assisting in policy setting, helping to assure agency
22 responsibilities are being carried out, working with the

1 agencies to set goals for achievement of the national
2 objectives, and doing the coordination things that can
3 be done to assure that federal agencies are working in
4 effective a cooperative fashion together as well as in
5 their individual program implementation activities.

6 However, we have also tried to be very careful
7 in not overloading the National Council with the
8 responsibilities for the management, oversight, or
9 control of other agencies. I think what you have
10 prepared is an excellent package of examples of an
11 approach or a concept that could be very effectively
12 worked through with Agriculture without saying, in the
13 degree of definitiveness that we have done in this, that
14 these are the things the NOC should do.

15 I am trying to sort of walk a fine line, and I
16 hope I am being clear about that. I am not arguing with
17 what you have put together. I think staff has done a
18 great job. I assume it has been with the help of

19 Agriculture, particularly since in the paper you even
20 put in the caution that you would want to work with
21 Agriculture to make sure that these ideas really have
22 viability.

1 DR. SANDIFER: Lillian, I think this gets to
2 the core of some discussion we will have tomorrow as to
3 how many things we really want to put onto the National
4 Ocean Council. If you simply struck NOC from this kind
5 of recommendation and said, "These are the
6 recommendations or things that need to be done at the
7 national level," our working group would probably be
8 okay with it. All of us have struggled with how much do
9 you put on the Council, per se.

10 My concern, however, still is that left to its
11 own devices the USDA responds to farmers, it does not
12 respond to NPS issues in the water. Maybe it is that
13 NOC would ask EPA and USDA to work together to resolve
14 this. Maybe that would be the way to get it done, I
15 don't know. However, these are the things we thought
16 had to be elevated to the national level.

17 MRS. BORRONE: Well, I don't agree with you.
18 All I am suggesting is that as we get into that

19 discussion we be clear about how much we are going to
20 put on the NOC to do either as a tasking organization
21 against the national objectives that it may be
22 establishing or national policies that it may be

1 recommending that the other agencies have an obligation
2 to carry out and that the NOC may coordinate.

3 All I am saying is that I think you have done
4 good work, but we should use it as an example of the
5 kind of concept or approach that we think has to be
6 implemented, regardless of who actually gets the final
7 designation for it.

8 DR. SANDIFER: Agreed.

9 MR. EHRMANN: Admiral Watkins?

10 CHAIRMAN WATKINS: Can I follow up just on
11 that point?

12 MR. EHRMANN: Yes.

13 CHAIRMAN WATKINS: I agree with Lillian that
14 we have to come to grips with what kind of burdens we
15 are going to put on the National Ocean Council, but I
16 would hate to do that now. I would rather lob them over
17 the fence into the National Ocean Council at this point,
18 and then sit back when we hear from everybody and

19 decide, "What have we just done to this National Ocean

20 Council?" That is a different approach.

21 If we put another variable into our thinking

22 that we don't need a coordinating body out front because

1 we may overburden something downstream, let's wait until
2 we get everything in and then decide, "My, God, we have
3 built a monster here that probably can't handle it."

4 However, by doing that what we do is we
5 justify the urgent need for not only coordination at the
6 federal level, but coordination down through the regions
7 of the country. We have built justifications
8 overwhelming the need for this cooperative effort. How
9 we deal with it then and where we might be able to foist
10 off some of this responsibility elsewhere, I think, is
11 another issue. I would like to defer overburdening NOC
12 at this point, if you all agree.

13 MR. EHRMANN: Admiral Gaffney, on this point.

14 ADMIRAL GAFFNEY: Thank you.

15 I think that every time we refer to the "NOC"
16 my impression we were thinking about supra-agency level,
17 something had to be done supra-agency above an executive

18 agency. What that is we don't know yet.

19 Generally, and I think in this case, when we
20 dealt with the State Department, the same thing, they
21 need some resources, technical resources, that know what
22 they are talking about to make this particular bill work

1 better. The NOC can marshal that kind of talent, so I
2 think that's what was behind this.

3 What we don't know yet is whether the NOC is
4 going to be a policy coordination group, a program
5 review group, an actual budgeting group that has a
6 budget, or whether it is going to be an operational
7 group.

8 Depending on how you structure it, if you look
9 at the National Security Council, that is one model that
10 has some of those features. If you look at the NORLC
11 with its substructure, it actually has some operational
12 functions. We can structure it any way we want to. I
13 still think until we hear your recommendation I think it
14 is a wide open issue.

15 MR. EHRMANN: Commissioner Coleman?

16 DR. COLEMAN: I have not read in detail the
17 farm bill, but I do know that there is a considerable

18 sum of money requested for monitoring purposes for
19 sampling the riversheds, and so forth.

20 MR. WAYLAND: (No microphone.) There is very
21 little for monitoring.

22 MR. WILLIAMS: (No microphone.) Very little.

1 DR. COLEMAN: Okay. Well, then, let me
2 rephrase it.

3 MR. BOWEN: That is one of our
4 recommendations.

5 DR. COLEMAN: What is that?

6 MR. BOWEN: That is one of our recommendations
7 is to enhance the resources available for monitoring.

8 DR. COLEMAN: Okay, good. Well, that was
9 going to be my suggestion. I would also increase that
10 to every agency that samples the river. I live on the
11 bank of the Mississippi River, and we have probably
12 decreased discharge because of it. The USGS, the Corps
13 of Engineers and 10 state agencies, they all do
14 different tests off different samples.

15 Since the USDA is very good at acquiring data,
16 they are exceptionally good at it. Why not just
17 recommend that enough funds be put in there to set up
18 some national standards for sampling, even if you have

19 got to get the NRC to say, "What do you need to sample,"
20 and so forth? I would urge you to look at that
21 approach.

22 MR. EHRMANN: Commissioner Ruckelshaus?

1 MR. RUCKELSHAUS: Let me say that this is the
2 kind of problem that I think precisely fits both what
3 the country needs and what the National Ocean Council
4 could address. I mean, think about what we have.

5 We have a problem that has been around for as
6 long as people have been around. It was identified over
7 30 years ago as an important enough problem to give to
8 one agency the responsibility to help solve it, EPA,
9 their water quality standards which an awful lot of this
10 runoff violates.

11 The top-down, standard-setting enforcement
12 process that EPA used effectively for point sources
13 simply does not work for these nonpoint sources, and
14 they have now gone to the major water pollution problem
15 of the country.

16 We have in the Agriculture Department a new
17 bill with enhanced conservation funds available. We
18 have had after EPA's initial assignment EPA and NOAA

19 being given a joint responsibility for dealing with
20 nonpoint source pollution, and that has not worked,
21 either.

22 We have seen what has worked. In my view, the

1 National Ocean Council, if it were acting as I would
2 envision it, would designate these three agencies, that
3 all of them sit on the National Ocean Council and come
4 up with a plan for how they intend to deal with the
5 nonpoint source problem and come back to this Council
6 and tell us how they intend to do it.

7 There is nobody telling them to do that now.
8 Maybe they get an assignment like that through some sort
9 of budgetary review, but there really isn't anybody
10 looking at the substance of the problem at the national
11 level and saying, "This is just a disgrace that we are
12 not getting at this problem better." What is it that it
13 is going to take in order for us to be successful?

14 A lot of the things that you have in here --
15 technical assistance, BMPs, commodity policies,
16 sequestration -- all of those things should be part of a
17 plan along with a lot of other things, if they really
18 sit down and do it, how are we going to get from here to

19 there and how are we going to measure progress, all of
20 the things that are necessary for any social program to
21 work.

22 If that National Ocean Council seizes its role

1 when faced with a problem like this that we have been at
2 for decades and haven't solved, then we have got to get
3 at it. It is just terrible that we are not getting at
4 this more effectively. Since that is generally within
5 our responsibility and it is impacting the oceans
6 adversely, let's get these people together and
7 coordinated their efforts and come up with a plan that
8 will involve local governments, state governments and
9 farmers.

10 I mean, nonpoint source also involves cities
11 and suburban streets. Highways that have runoff are big
12 contribution to it. Probably, the Department of
13 Transportation should be involved, and maybe even HUD
14 should be involved.

15 If this Council is sitting there and it has
16 the authority to put together teams to develop a plan
17 for the country to deal with this more effectively, we

18 are going to be better off. I think that is precisely
19 the case. In fact, I would use this as an example in
20 our report of the kind of thing that the Council could
21 do that would be very effective in dealing with an old
22 problem that we haven't figured out how to solve.

1 DR. SANDIFER: Bill, that is essentially what
2 we were trying to get across. You have done it better
3 than we have. You speak more eloquently than I.

4 (General laughter.)

5 DR. SANDIFER: However, the point really is
6 the one we originally made with regard to, Why do we
7 need a national coordinating body, a national council?
8 You have to have somebody with enough clout to tell the
9 agencies to get together and do something. You don't
10 tell them what to do. You tell them to go and do a plan
11 or to get something to come back to you with.

12 Our focus here on the farm bill is
13 recognition, one, that farms are a significant source,
14 not by far the only source but a significant source, of
15 nonpoint source nutrients; and, number two, that the
16 farm bill itself probably provides the greatest
17 financial vehicle available to make measurable progress
18 in diminishing that runoff problem.

19 Here is something that the Council could do,
20 work exactly through the mechanism you talk about, take
21 these three agencies or four agencies and go in a corner
22 and bring us back a real plan, and then do it. That is

1 the intent.

2 MR. EHRMANN: Admiral?

3 CHAIRMAN WATKINS: We will close on this
4 issue. Going back to Jim Coleman's discussion and our
5 discussion on the existing Ocean Partnership Act and the
6 relationship of that Act to the National Ocean Research
7 Leadership Council that is in being today, recall that
8 the Department of Agriculture is not listed in that law
9 as a member of the NORLC.

10 I have asked the NORLC twice to take the
11 initiative, Congress will approve it in a minute, and
12 get them on the list. They are part of the ocean issue,
13 and they are a big part of the research issue
14 particularly in this area and a whole host of other
15 areas we are going to talk about tomorrow.

16 I think that it is important to put that in up
17 front. This is something that I believe in, and in an

18 Executive Order can be done right away. If we have an
19 Executive Order that begins the move, there will be no
20 opposition on the part of the Congress to avoid the fact
21 that we have put the Department of Agriculture on it.
22 We just inform them up there, and hope that

1 the next time they change the law there that there is
2 not going to be any objection. I would urge us to do
3 that, to make the Department of Agriculture a key part
4 of the national ocean policy, and not just assume that
5 the farm bill is the linkage. I think it is bigger than
6 that. If that is agreeable with everybody, we would
7 like to push in that direction.