

Preliminary Statement
by
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at
Southwest Area Meeting
of
National Association of Conservation Districts

Glenwood Springs , Colorado

September 21, 1973

"Effects of Implementation"

In his letter inviting me to attend this interesting session, Marv Cronburg advised me that my good friend, Bob Hagen, was to analyze the non-point pollution requirements for the Federal Water Quality Act, and I was to follow with an analysis of the effects of implementing the non-point pollution requirements on agricultural, industrial, municipal, and recreational uses of water. Fortunately, Mr. Cronburg recognized that in 15 or 20 minutes the subject could not be covered. He suggested that emphasis might be placed on one area of pressing concern. Therefore, because this is a meeting of the southwest area of the National Association of Conservation Districts, I am going to attempt to limit my remarks to the effects of non-point sources of pollution as related to agriculture.

It is interesting to note that the U.S. Senate's Public Works Committee report says:

"Water pollution from agricultural production is clearly a growing problem of great magnitude and complexity. Agriculture is now one of the major contributors to the degradation of the quality of our navigable water. The basic problem is one of managing the inputs and outputs of agricultural production to maintain the quality of the water, air, and soil environment while economically producing food and fiber."

With this statement, the United States Senate gave water pollution from dissolved salts, pesticides, herbicides, fertilizers, sediment, feedlots, etc., major significance in the effort to clean and maintain a desirable environment.

From a quick perusal of P.L. 92-500, it appears that Sections 104 (p), 105 (e), 304 (e), and 305 (b) apply directly to effluents originating from agricultural sources. An examination of those parts of these three sections of the law that are directly keyed to agriculture, corroborates Congress's understanding that water pollution from agricultural practices is growing in size and complexity --and that there is insufficient, reliable knowledge available at the present time

to implement a full-scale pollution control program for non-point sources. Subsection 104 (p) directs the EPA Administrator to carry out a comprehensive study and research program to determine new and improved methods of preventing and controlling water pollution from agriculture, including legal, economic, and other implications of the use of such methods.

Under subsection 105 (e), the Administrator, in cooperation with the Secretary of Agriculture, is authorized to make grants up to 75% of the costs of research and demonstration projects with respect to new and improved methods of preventing, controlling, and eliminating water pollution from agriculture, or from sewage in rural areas, and to disseminate information obtained with the objective of encouraging and enabling the adoption of such methods in the agricultural industry.

Subsection 304 (e), which addresses directly the problem of non-point sources of pollutants, is regarded as one of the most important of the 1972 amendments. The Administrator, under this section, is required to issue to other Federal agencies, States, and water pollution agencies, guidelines for identifying and evaluating the nature and extent of non-point sources of pollutants, and for processes, procedures and methods to control pollution resulting from agricultural activities, including runoff from fields and crop and forest lands, and several other specified non-point sources, such as mining, construction, etc.

Under section 305 (b) each State is required to submit to EPA by January 1, 1975, and for each year thereafter, a report that shall include a description of the nature and extent of non-point sources of pollutants, together with recommendations concerning programs which must be undertaken to control such sources, including an estimate of the costs involved.

It is apparent that so far as implementation of controls of non-point sources of pollutants is concerned, EPA simply does not know what it is doing. I do not mean that statement in a derogatory sense at all. The simple fact is that EPA has not been able to act definitively, because it does not have the necessary data and information concerning non-point sources. Congress was cognizant of this fact. The very nature of those parts of the law that I have mentioned above, you will notice, were designed for the purpose of filling the gaps of missing knowledge, and the dissemination of information.

The effects of implementing those sections of the Act, if State officials and representatives of water organizations will cooperate with Federal officials, who have no choice but to act under the law, should be to develop and make available new and improved methods of preventing, reducing, and eliminating pollution from non-point sources. Under new processes and procedures, if through dissemination and education programs they are made available and

accepted, we certainly should be able to look forward to a cleaner, more healthful, and more appealing environment for man. Your cooperation with Federal, State, and local officials is necessary and desirable. If local and State cooperation fails, the Federal government, with law behind it, will do the job for you.

Although the Federal Water Pollution Control Act Amendments of 1972, in their 89 pages, contain very little direct reference as to how controls of non-point sources will be implemented and the controls enforced, you can rest assured that as soon as the necessary information on processes and procedures is obtained this type of pollution will be eliminated, insofar as possible, or controlled, and regulated. I am sure there is enough latitude and authority in P.L. 92-500, or in other laws, such as the Refuse Act of 1899, to meet the objective of restoring and maintaining the chemical, physical, and biological integrity of the Nation's water. That is the objective of P.L. 92-500.

Within the limitations of the present state-of-the-art, EPA has acted by issuing its guidelines regarding agricultural activities (F.R. July 5, 1973). I am sure you have all heard of the regulations regarding feedlots and the requirements for permits for discharges of irrigation return flows from lands aggregating 3,000 acres or more using the same drainage system.

Let us now take a look at probable effects of implementing water quality criteria that might be promulgated under the pollution control act with regard to non-point sources. In order to do this let us assume that research and studies that are now underway, or to be initiated, do, in fact, produce new and improved methods of preventing effluents from agricultural activities from entering our streams, or of reducing or eliminating those pollutants. Certainly there are going to be effects upon our American agricultural society--in fact, upon society as a whole. These impacts or changes will be physical, social, and economic. Some will be drastic and painful; others will hardly be noticed. Without separating them into categories, some of the effects of implementation that we might expect are:

(a) Farmers will be faced with the prospect of adopting and practicing new and better methods of farming. New expertise will be developed in procedures, such as trickle irrigation, or sprinkling, instead of furrow or flood application of water. Overuse of water will have to be foregone. Runoff from farms will be monitored as to quantity and quality.

(b) Greater care will be necessary in the selection and application of pesticides and fertilizers. New types of crops, compatible with soils and climate, and new farm methods will be developed. Look at the example of rice in Asia, as an example.

(c) It is well within the realm of possibility that within 20 years we will see what might be called "zoned-agriculture," a system under which certain types of crops will be assigned to specific lands, which, in turn, will not be allowed to produce other types of crops.

(d) Methods of financing farmers to accomplish all that would be required in pollution prevention and control will have to be put into practice, at least, until the economic situation can adjust itself with higher prices for their products.

(e) Higher prices for every commodity and service will be the result. The farmer will have to have higher prices for his yields in order to survive. The consumer will need more income in order to purchase higher priced food and fiber. Taxes will be higher in order to pay for the government's share. Pollution control costs money. It is the taxpayer and the consumer who must fork over the dollars for an improved environment.

(f) Federal money that in the past went into natural resource development programs won't go there any more in as large a proportion of the Federal budget as it has in the past. It will be diverted to water pollution control. This trend has already started. Witness the hold orders of the Office of Management and Budget on seven authorized western Colorado projects right now for the purpose of studying their effects on salinity pollution.

(g) Comprehensive, semi-technical, educational programs will have to be initiated, developed, and maintained in order to acquaint the farming industry with new technology that will be developed under those sections of the law we have been discussing.

(h) The agriculture industry is going to have to get rid of a lot of archaic, wasteful practices in order to survive. This is not going to be easy. The farmers are going to find that to stay in business they will have to practice self-discipline, and at times fight frustration. It is going to be equally difficult for the State and Federal regulatory agencies. They know that the farmer is the backbone of American society and that the proper approach is not to force him from the land. The proper approach in time of social and economic change such as that we are now encountering is to aid him to aid the Nation. Education and adequate financing are included in this aid.

(i) If agriculture refuses to comply with reasonable measures to prevent, reduce, and control water pollution, it is a foregone conclusion that either State or Federal water quality criteria for streams affected by effluent discharges from agriculture or industry will be established and enforced. Such drastic steps would, of course, force a lot of people out of business and out of jobs. This we cannot tolerate.

In summary, the effects of this latter type of implementation that we have been discussing will cause a change in life style of rural America, simply because emphasis is being shifted from one type of priority to another. Whether these changes and their implications are "good" or "bad" depends upon one's viewpoint.

Personally I have been pleased with the attitude of EPA, that it wants to aid the States to get pollution control programs going and then step out and let the States and local governments do the administering. In my view this is the American way to get the job done. The closer the solution is to the people, the better they are able to appreciate and understand it. Everyone of us in this room is an environmentalist. We are interested in our surroundings because we are dependent upon them for our health and general welfare. Our Nation, that is, you and I -- we -- are embarked in this country on an improvement campaign under the aegis of the Federal Water Pollution Control Act. That die is cast. We cannot unring the bell, and I am sure we don't want to. We want to get the job done. There is always a reasonable way to get a difficult job accomplished, which is usually the middle-of-the-road approach, without the adverse effects of extreme positions on either side. Here is where we have a responsibility. We had better exercise it.