

Comments of Robert N. Whitescarver before the Chesapeake Bay Commission on May 12, 2016 at the Bethesda Hyatt Hotel in Bethesda, Maryland

Good afternoon, thank you Mr. Chairman and members of the Commission for allowing me to be here today.

I want to send out a special thank you to Senator Emmett Hanger, my state Senator from the Shenandoah Valley and to Delegate Lingamfelter who has family in the Shenandoah Valley that are sterling examples farm stewardship.

The Chesapeake Bay Commission's publication "Healthy Livestock, Healthy Streams"is outstanding (hold up publication) and I applaud its recommendations.

I also want to applaud Secretary Ward and the Virginia DCR for offering a 100% cost share program to exclude livestock from streams and for doubling the state's cost share rate in our Conservation Reserve Enhancement Program.

At the moment Virginia has a \$28M backlog from farmers signing up to fence their cows out of the Commonwealth's streams.

[Slide of Poague Run fecal counts]

Livestock stream exclusion is a paradigm change for farmers and it's moving forward. Thirty years ago we never thought of fencing cows out of streams.

I'm a retired District Conservationist with USDA and a farmer. I married a ninth generation farmer. We are in the beef cattle business. I asked my wife if she thought I was a farmer and she said I was (intended humor)....so I am a farmer.

[Slide of farm on Middle River]

This is one of our farms near the beginning of the Middle River a tributary of the South Fork of the Shenandoah.

It has two Conservation Reserve Program contracts on it. [explain] A continuous sign-up CRP contract and a CREP contract.

You can see all the buffers along the river and the unnamed tributaries.

I sample the river for the Friends of the Middle River for E. coli every month. It consistently measures over 1,000-colony forming units/100 ml. here where it enters our farm.

The state standard in Virginia for E. coli is 235. I have tested it here where it leaves our farm and the E. coli count drops in half.

Why? Two reasons. First and foremost, we fenced the cows out of the river. There is no direct deposition from our cows anymore, but there are thousands of cattle upstream with direct access and feedlots, so how can one-quarter mile of buffers clean up half the E. coli?

It's because the vegetation from the native trees and shrubs provides shade and energy for the aquatic microbes and macroinvertebrates to exist.

[Slide from Stroud]

In fact, "Improved stream health due to a forest buffer can increase the level of in-stream processing of nutrients and organic matter by 2 to 8 fold".

It's because the leaves from native trees feed the critters. I like to refer to the leaves as the corn silage of the aquatic ecosystem.

If we had forest buffers along most fresh water streams in the Bay watershed, we could have 8 times the cleansing power – and it doesn't matter if the pollution comes the back end of a cow or a sewage treatment plant. And it's cheap.

[Slide of cost/lb of reduction]

The flagship program to establish forest buffers along streams is the Conservation Reserve Enhancement Program. Every Bay state is relying heavily on riparian forest buffers to meet their WIP targets and CREP, a federal/state partnership is what we need to meet the targets.

Every Bay state has a CREP program that is unique to that state. It's a partnership between two federal agencies and at least three state agencies. It began around 2000 and has been responsible for thousands of acres of riparian forest buffers.

It's had its problems. It was in dry-dock for over two years when Congress failed to pass a farm bill and because it has so many partners it's a bit complicated.

We need a robust, flexible, simple, program to carry out our WIP targets for riparian forest buffers.

[Slide of buffer goal v. progress]

How can we accelerate the application of RFB. I have three recommendations:

1. Develop common performance goals for all agencies, at all levels
2. Increase maintenance funding

3. Streamline/eliminate processes

Number 1: Develop common performance goals for all agencies, at all levels.

I worked for NRCS for 31 years. My boss always had goals for me, which were handed down to him by his boss. We always met those goals. Sadly, in my entire federal career, I never had a goal from the upper chain of command for stream exclusion or for riparian buffers or for CREP or for WIP targets.

We are unique in the Bay watershed that we have state generated WIP targets and we have a presidential Executive Order to Clean up the Bay. So, why can't we agree on common performance goals?

To accelerate the application of Riparian Forest Buffers in the Bay states we need the Secretary of Agriculture to embrace State WIP targets as USDA performance standards at every level.

I'm not alone in this recommendation.

Each of the Bay states convened a forest buffer task force to re-energize CREP and the number one recommendation from all these talented people from each state was: and I quote:

Evaluate WIP targets and set annual riparian forest buffer performance goals within each agency down to the local level to accelerate RFB implementation.

We could fix this with the stroke of the Sec. of Agriculture's pen.

The largest riparian buffer program in American history is given to two federal agencies to administer. It is odd to me that neither agency takes leadership for or has goals for it in their employee performance plans.

Recommendation Number 2: Increase maintenance funding

Too often, we plant the trees in the buffer and just walk away. Nothing ruins the reputation of buffer programs more than a sea of tree shelters fallen over with no trees in them and a bunch of invasive weeds.

We are investing a lot of public money for hardwood tree planting - we can't afford to just walk away. Management of these buffers needs to be mandatory backed up by robust funding and third party vendors to conduct the work - it will create jobs.

Recommendation Number 3: Streamlining/eliminating processes

Streamlining processes has always been a priority for legislators. Too often, the bureaucrats take your legislation and muck it up with too many rules, hoops to go through and forms to fill out.

In 2001 when Virginia began its CREP program I was able to take a CREP application and turn it into a contract in a single day.

Today, the wait time is 6 months to a year.

Maybe a task force needs to be formed to streamline processes or maybe we need to pilot a block grant in the Bay, where we give the federal portion CREP dollars to the state and let the state agencies administer the whole program. That would eliminate a lot of hoops and paperwork at the field level.

[\[Slide of ebook\]](#)

I wrote a book about selling riparian forest buffers to livestock producers...it's free to download. I think some of our team members may need to read this book.

And lastly I want to say that all the incentives we keep incrementally improving are working, slowly, but I do not think it's fast enough to achieve our 2025 WIP targets in agriculture. I think we need to use the sacred cow of farmland – land-use taxation to accelerate progress. You recommend it in your “Healthy Livestock, Healthy Streams publication”.

Well-managed farmland produces far more than food, fiber, feed and fuel; it produces clean water, clean air and wildlife for all of us.

Farms that do this, like Cave View Farms in Weyers Cave, Virginia should not be taxed at all.

Farms that make us pay to clean up their lack of stewardship should be taxed perhaps at a higher rate than they are paying now.

Call it a two-tiered land-use tax system, one that is revenue neutral where the polluting farmland pays for the ecosystem rich farmland. And make it optional for localities to adopt.

That concludes my remarks. Thank you for allowing me to be here.