

August 12, 1999

Gulf of Mexico Hypoxia Working Group
National Centers for Coastal Ocean Science
WS 13446 SSMC4
1305 East-West Highway
Silver Spring, MD 20910

Dear Sir or Madam:

CF Industries, Inc. (CF) submits the following comments on the request for public comment regarding the six topical scientific reports assessing the causes and consequences of hypoxia in the Gulf of Mexico (Hypoxia Reports), as requested by Committee on Environment and Natural Resources (CENR). CF is also a member of The Fertilizer Institute (TFI) and supports their technical comments on the Hypoxia Reports.

CF is an interregional farm supply cooperative, which is owned by and serves nine regional cooperatives. CF manufactures nitrogen and phosphate fertilizers and purchases potash fertilizer. We distribute these fertilizer products to over one million farmers and ranchers in 46 states and two Canadian provinces. CF also actively encourages the protection of our Nation's water quality through their sponsorship of the CF National Watershed Award. This annual event rewards communities and companies that identify and implement innovative, non-regulatory solutions to nonpoint source pollution based on economic incentives, voluntary initiatives and education.

After an extensive review of the Hypoxia Reports, CF is dissatisfied with the scientific foundation of the six Reports, the policy recommendations delineated in the Reports and the process to date in assessing the hypoxia issue and constructing policy recommendations.

Currently, the Hypoxia Reports are written to support the narrow, single hypothesis that nutrient additions to the Mississippi River watershed from agricultural practices contribute significantly to over-enrichment of Gulf waters and subsequent decline in water quality. As such, the researchers failed to analyze several viable hypotheses to determine the relative contribution of various physical and chemical parameters—including increased precipitation in the basin, channelization of the Mississippi River, increased river flow, and other sources of nutrients. The reports also establish loose correlation between agricultural runoff and the extent and duration of hypoxic conditions in the Gulf, without any discussion of the uncertainty associated with the dataset or the stated correlation. CF strongly encourages the CENR Task Force writing the Integrated Report to develop a conceptual model that incorporates all physical and chemical parameters causing hypoxic conditions in the Gulf and that any correlation among these parameters include a discussion of the uncertainty associated with the conclusions reached.




Policy recommendations delineated in the Hypoxia Reports—specifically a twenty- percent reduction in fertilizer application and restoration/creation of five million acres of wetlands—do not build on existing, successful federal water quality programs. Instead, the Hypoxia Reports focus on the creation of a new, unfunded and unauthorized regulatory program that uses a “control and command” model that has proven highly cumbersome, inefficient and ineffective. American farmers have a long-standing tradition of protecting natural resources while providing the world with an abundant, reliable, and affordable supply of food and other agricultural products. Farmers' demand for conservation cost share and technical assistance exceeds USDA's current funding supply. The Environmental Quality Incentives Program (EQIP), the buffer component of the Conservation Reserve Program (CRP), and the Wetlands Reserve Program are examples of USDA-led and farmer-supported, incentive-based voluntary programs with important water quality benefits. Finally, a policy based on fertilizer use restrictions does little to prevent nonpoint source pollution from reaching the Mississippi River. CF requests that the CENR Task Force crafting policy recommendations employ nutrient loading reduction strategies that build on current local, voluntary, incentive-based programs to protect water quality.

To date, the CENR process has not been open to outside sources of information in the development of the Hypoxia Reports, as delineated in section 603(c) of Public Law 105-383. The Task Force is expected to submit an assessment of hypoxia “in cooperation with the coastal States, Indian tribes, and local governments, industry (including agricultural organizations), academic institutions, and non-governmental organizations with expertise in coastal zone management.” While we appreciate the opportunity to provide responses in the formal, ninety-day comment period, CF urges the CENR Task Force to provide the agriculture community a substantive role in the formulation of the Integrated Report and subsequent Action Plan. CF requests that the CENR Task Force open a direct dialogue with agriculture groups, so that subsequent reports can benefit from the views of the most immediately impacted stakeholders, as well as the resources we as stakeholders can bring to bear. Further, we strongly urge that the Department of Agriculture be assigned the lead role in completing the CENR process.

Please contact CF directly at 202-371-9279 should you have any questions regarding these comments. We look forward to the opportunity for increased participation and input by the agricultural community towards improving water quality in the Mississippi River Basin.

Sincerely,



Rosemary L. O'Brien
Vice President, Public Affairs