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## Wetlands and the Farm Bill

Your support will be needed to save key agricultural conservation programs in upcoming legislation

by *Scott Yaich, Ph.D.*

At this time of year I am frequently asked, "How are things looking up north on the breeding grounds?" DU members understand that the number of ducks they see in the fall is to some degree determined by wetland conditions (<http://www.ducks.org/conservation/habitat/benefits-of-wetlands-and-grasslands>) on the breeding grounds the previous spring. Viewed continentally, more wetlands mean more ducks, and fewer wetlands mean fewer ducks.

Many of the wetlands that are most important to waterfowl exist on agricultural landscapes. That's why the "Conservation Title" of the Farm Bill is a major focus of Ducks Unlimited's public policy (<http://www.ducks.org/conservation/public-policy>) work. The next version of the Farm Bill (<http://www.ducks.org/conservation/Farm-Bill>) is anticipated in 2012, and as in years



past, this legislation will be of historical significance to wetlands and waterfowl.

While Farm Bill conservation programs have been instrumental in slowing the loss of wetlands important to waterfowl in recent decades, that wasn't always the case. From the mid-1950s to the mid-1970s, the Farm Bill included what was known as the Agriculture Conservation Program, which recognized tile and open-ditch drainage as "conservation" practices, contributing to national wetland losses of 550,000 acres per year. Approximately 87 percent of the 14.9 million acres of wetlands lost in the United States during that period was converted to cropland.

The tide began to turn in favor of wetlands in 1972 with the passage of the Clean Water Act (CWA) (<http://www.ducks.org/conservation/public-policy/clean-water>), which provided much-needed protection for many of the nation's wetlands. Complementing these protections, each Farm Bill since 1985 has included several key conservation programs that have dramatically slowed wetland loss to agricultural conversion.

In addition, these programs have been the catalyst for many significant partnerships between the conservation and farming communities that have conserved millions of acres of prime waterfowl habitat on agricultural landscapes across America.

But these innovative and cost-effective conservation programs are approaching a crossroads in the upcoming 2012 Farm Bill. Debates over spending are affecting everything in which the federal government is involved, including agriculture and conservation. In this political climate, Farm Bill conservation programs could suffer significant cuts if hunters, anglers, and other stakeholders don't make their voices heard on their behalf. With that in mind, let's take a look at three of the agricultural conservation programs that most directly benefit wetlands and waterfowl, as well as how you can help support these programs in the upcoming debate over the next Farm Bill.

#### Wetlands Reserve Program



The Wetlands Reserve Program (WRP) (<http://www.ducks.org/conservation/farm-bill/wetlands-reserve-program>), administered by the USDA Natural Resources Conservation Service (NRCS), is the Farm Bill program that is most directly focused on wetland restoration. Created in 1990, WRP is a voluntary, incentive-based program in which landowners enroll wetlands previously impacted by agriculture in perpetual or 30-year easements, or in 10-year restoration agreements.

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Converted wetlands are often flood prone and marginally productive as cropland. WRP provides landowners with the financial and technical assistance required to restore these former wetlands on the landscape.

WRP has been tremendously popular among farmers and other private landowners (see "WRP is at Greatest Risk"). Of the 2.45 million acres currently enrolled in the program, about 80 percent is permanently protected with perpetual easements. In 2010 alone the NRCS worked with more than 1,400 farmers to enroll a one-year record of 272,762 acres.

**WRP is at Greatest Risk** Despite the popularity of the Wetlands Reserve Program (WRP) among farmers and its many contributions to the public good, the program currently faces great challenges in Congress. With \$119 million already cut from the Fiscal Year (FY) 2011 budget, WRP's funding authority ends with FY 12. If new funding isn't found, WRP could go from an FY 10 budget of \$613 million and restoring 272,000 acres of wetlands to zero dollars and acres in FY 12. Waterfowl hunters and other conservationists must act now to save this important wetlands conservation program by contacting their elected representatives in Congress.

Restoring wetlands on WRP land not only benefits landowners financially but also U.S. taxpayers by reducing the acreage of flood-prone land eligible for subsidized crop insurance and disaster payments. In addition, wetland restoration prevents soil erosion, improves water quality, and reduces flooding. Every acre of cropland restored through WRP conserves tons of soil that otherwise would have washed into adjacent wetlands, lakes, and streams.

Of course, WRP has been a windfall for waterfowl as well as landowners. Approximately 26 percent of the nation's WRP acreage is in the highly flood-prone Mississippi Alluvial Valley of Arkansas, Mississippi, and Louisiana. In this region, wetlands restored by WRP along with flooded agricultural fields provide vital wintering habitat for waterfowl and other migratory birds. In California, where more than 117,000 acres of wetlands have been restored via this program, a recent study found that WRP habitat helps attract and hold waterfowl regionally, further demonstrating how working agricultural lands and

restored wetlands complement one another to benefit ducks. And in Nebraska's Rainwater Basin, where approximately 95 percent of the region's original wetlands have been lost, research indicates that 80,000 acres of wetlands restored by WRP provide nearly 12 percent of the wetland foods available to migrating waterfowl in this key midcontinent staging area.

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Breeding waterfowl in the Prairie Pothole Region (PPR) (<http://www.ducks.org/conservation/where-we-work/prairie-pothole-region>) have also benefitted from WRP, with more than 179,000 acres enrolled in the Dakotas and Montana to date. These restored wetlands are a vital component of the Duck Factory's breeding habitat and also provide important ecosystem services for people. For example, one wetland acre can store millions of gallons of floodwater. Restored wetlands on WRP and Conservation Reserve Program (CRP) (<http://www.ducks.org/conservation/can-we-save-crp>) lands in the PPR store runoff that otherwise could contribute to downstream flooding.

In this way, wetlands restored through WRP and other Farm Bill conservation programs benefit downstream riverside communities in addition to farmers and ducks.

### Wetland Conservation Provision

Since 1985 the Farm Bill has contained a Wetland Conservation Provision that helps protect wetlands by disqualifying farmers who convert wetlands to cropland from receiving some Farm Bill payments. This disincentive, commonly known as "Swampbuster," has helped reduce agriculture's role in national wetland loss from more than 80 percent to about 18 percent during 1997-2002. It has also encouraged many landowners to restore additional wildlife habitat by enrolling land surrounding wetlands in WRP, CRP, and other agricultural conservation programs.

The Wetland Conservation Provision took on greater importance for wetlands and waterfowl following two U.S. Supreme Court decisions during the past decade that significantly weakened CWA protections for many wetlands crucial to waterfowl, including prairie potholes. Of the 20 million acres of wetlands that once existed in the Duck Factory, approximately 7.3

million acres remain today. Only about 1.5 million acres of these remaining prairie wetlands have been protected by government agencies and conservation groups through fee-title acquisition and conservation easements. A recent U.S. Fish and Wildlife Service analysis estimated that about 40 percent of the breeding ducks in the U.S. PPR depend on small wetlands embedded in cropland, which are at greatest risk of conversion.

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Consequently, the Wetland Conservation Provision is a vital last line of defense for wetlands in North America's most important landscapes for breeding waterfowl. Among the Wetland Conservation Provision's greatest attributes, especially in these austere times, is that it requires zero appropriated funds. In fact, it likely saves the U.S. Treasury money by preventing more marginal, flood-prone cropland from being added to the rolls of federally subsidized crop insurance and disaster payments. With so many other fiscal pressures on conservation programs, maintaining or strengthening the Wetland Conservation Provision is a no-cost way that the 2012 Farm Bill can contribute to wetlands and waterfowl conservation.

#### Conservation Reserve Program

CRP is best known for providing millions of acres of grassland, restored by cooperating landowners via 10- or 15-year contracts, that serves as important nesting cover for waterfowl, pheasants, and scores of other grassland birds. But CRP grasslands also benefit wetlands in many ways. Wetlands surrounded by CRP cover typically have much better water quality than those surrounded by cropland. And wetlands with high water quality typically support healthier vegetation and a greater abundance of high-protein invertebrates that provide essential habitat and food for ducks during the nesting, breeding, and brood-rearing periods.

Moreover, wetlands surrounded by grassland are afforded some degree of protection from drainage. In 2008, CRP lands in the PPR contained almost 400,000 acres of protected or restored wetlands. While wetlands in cropland are often seen as a nuisance by farmers who have to work around them with large equipment, wetlands on CRP land are viewed much more favorably. They can even be a valuable asset such as a water supply for cattle during emergency situations.



Unfortunately, CRP cutbacks and changes in the 2008 Farm Bill have resulted in a net loss of 1.3 million acres of CRP land in the PPR of the Dakotas and Montana since September 2007. Moreover, CRP contracts are set to expire by 2012 on an additional 1 million acres in North Dakota's PPR alone. While securing funding for CRP will remain a significant challenge in the 2012 Farm Bill, conservationists can certainly make an argument that this program has already experienced significant budget cuts and should be maintained at similar acreage targets.

### Wetlands Conservation in the New Farm Bill

As formal debate on the 2012 Farm Bill gets under way, it's important to keep the state of America's wetlands in proper perspective. Think of our remaining wetlands as a bucket of water with holes in the bottom. At times, there have been a lot of holes, and our bucket of wetlands has lost volume fast. At other times, government policies have plugged some of the holes and the drainage slowed. We have even added some wetlands in recent decades via conservation programs like WRP. But regardless of the rate of loss, the total acreage of our nation's wetlands has continued to decline relentlessly over time, taking with it critical waterfowl habitat.

Meanwhile, soaring commodity prices pose a serious threat to wetlands and waterfowl. If current trends continue, more farmers may opt out of the Farm Bill's commodity support programs. And if this financial assistance becomes unnecessary for producers to profitably farm, the Wetland Conservation Provision will lose its power to discourage wetland drainage.

To keep wetland losses from once again accelerating, everyone who values waterfowl and their habitats must stand up in support of WRP, CRP, and other Farm Bill conservation programs (see sidebar). Despite the increasingly polarized tone in Washington, most of us reside much closer to the center. And whether we're farmers, duck hunters, conservationists, or all of the above (as is often the case), most of us care about protecting our remaining wetlands.

That was driven home to me a couple years ago in a meeting with a national agricultural advocacy organization in a key farming state. We were asked to meet with the organization's leaders and explain why DU had taken an anti-farming position

on a pending piece of legislation. After we discussed what the bill actually said, and clarified that DU's position was in no way anti-farming, one of the farm group's leaders said, "Look, we're fine with protecting the wetlands that are still there, we just don't want to have to get permits to disk through wet spots in fields that we've been farming for over 25 years!" He was pleasantly surprised when I told him that DU was in complete agreement with them.

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From that frank exchange of ideas, I realized that despite the polarization that is all too common in today's politics, those in the conservation and agricultural communities share many of the same values and can find common ground on important policies affecting our nation's wetlands. Successfully maintaining wetland conservation programs in the 2012 Farm Bill will require us to clearly identify this common ground, share in the sacrifices that may need to be made, and work together to ensure that our collective voices are heard on behalf of the wetlands and waterfowl that are so important to us all.

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#### **Your Opinion is More Important Than Ever**

When I was growing up, like most outdoors enthusiasts, I didn't care to get involved in "politics." I just wanted to enjoy the outdoors, and I knew that I didn't enjoy talking to congressmen (although I never actually tried it). I followed the issues and understood their importance, so I was glad that other people were dealing with politicians and fighting for conservation. "Besides," I thought, "no congressman is going to care what I think."

Only after working in government did I realize how important it is for private citizens to tell their elected representatives what they think about conservation issues. First, I learned that not many individuals actually speak up. There are the usual organizations that argue both sides of the issues, but not many "average people" contact their elected representatives to tell them what they care about.

But I also learned that when voters do speak up and contact their elected representatives, these officials listen to them and take their opinions seriously. During my time in government, I answered hundreds of letters and was asked to brief officials on important conservation issues only because someone like you contacted them.

Taking time to contact your elected representatives may not be much fun, but it's vital to conserving the wetlands and waterfowl that we all enjoy. And as the debate begins about the 2012 Farm Bill, there has never been a more important time for you to be heard than right now. Regularly visit the DU website at [www.ducks.org/publicpolicy](http://www.ducks.org/publicpolicy)

(<http://www.ducks.org/publicpolicy>) for updates on how you can show your support for Farm Bill conservation programs, and please don't hesitate to tell your elected representatives what is important to you.

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#### William Hardisty

There is a problem with the wetland protection. Over zealous NRCS agencies in Iowa are regarding any pasture conversion to crop land to feed Americans as "wet land conversion". Even though USDA definitions of wetland contains 3 parts of land under water for 14 days in a row, wetland vegetation (ie cattails, sedges, willows) and hydric soil. Hydric soil is common through out Iowa anywhere there is river or creek bottom land. When a pasture is called wetland, all govt programs cease and the land is lost to conservation forever. Thus the upland birds loose habitat and any CRP program which might have occurred because all govt programs no longer exist for that land. This is not what conservations hoped for. High commodity prices make any govt programs ineffectual.

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