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March 6, 2012

Responsible Care For Oklahoma's Natural Resources

The Honorable Frank Lucas  
U.S. House of Representatives  
2311 Rayburn House Office Bldg.  
Washington, D.C. 20515

Dear Congressman Lucas:

The Oklahoma Conservation Commission working with the state's conservation districts is responsible for a number of critical natural resource management programs in Oklahoma. Several of these programs are funded in whole or in part by the federal government. We have reviewed the President's FY2013 budget proposal with a great deal of interest and are offering our comments to the Oklahoma congressional delegation as you deliberate on federal appropriations in the coming months.

**USDA Natural Resources Conservation Service (NRCS) Watershed Program.** Oklahoma has long been the leader in the upstream flood protection program having constructed 2107 dams in cooperation with NRCS over the past 60 plus years. Funding for various parts of the NRCS Watershed Program has been declining or eliminated over the past decade. With the President's new budget proposal the Watershed Program will be permanently eliminated. **This is unacceptable.** Oklahoma's conservation districts rely on the technical and financial assistance of NRCS to construct, operate, maintain, repair and rehabilitate these dams. Funding for Watershed Surveys and Planning coupled with funding for Watershed Operations is needed to complete the planning and construction of 330 dams that are still needed to reduce flooding, protect the natural resource base and improve public safety and welfare. Over 200 Oklahoma dams have been designated as high hazard and will have to be rehabilitated to meet dam safety standards. The President's budget eliminates all federal funding for rehabilitation. Conservation districts are responsible for dam safety and without federal financial and technical assistance their liability will increase dramatically. We cannot emphasize enough that continuing NRCS financial and technical assistance in the Watershed Program is vital to the future of this critical flood protection infrastructure in Oklahoma. We also emphasize that investing in prevention of flooding is far more cost effective than paying for the cost of a disaster from flooding. The National Watershed Coalition of which the Conservation Commission is a member is recommending the following funding levels for the Watershed Program. We endorse their proposal:

\$35 million for Watershed Surveys and Planning  
\$100 million for Watershed Operations  
\$75 million for Watershed Rehabilitation of Aging Watershed Dams

STATE OF OKLAHOMA • OKLAHOMA CONSERVATION COMMISSION

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**Environmental Protection Agency (EPA) Clean Water Act Section 319 Program.** The Conservation Commission's water quality program is a national leader in nonpoint source pollution management. Over the past several years Oklahoma has ranked among the top states in reducing nutrient loads to our rivers and lakes and in published EPA Success Stories. This has been accomplished by leveraging EPA Clean Water Act funds (Section 319) against state, local landowner and USDA funds. We have used our traditional conservation delivery system to work voluntarily with landowners to install conservation practices to benefit our state's water quality. The Conservation Commission uses a significant portion of Section 319 program funds to implement priority watershed projects through which best management practices are installed on a cost-share basis with state and landowners contributing 40% of the program costs. We have had particular success in the Illinois River, Lake Eucha and Honey Creek (Grand Lake sub-watershed) watersheds.

Over the past two years EPA Section 319 funding to the Commission has been reduced nearly 19%, including a 13% reduction of funds mid-stream of the FY11 program year. Rather than reduce overall agency spending, these monies were put into other Clean Water Act regulatory programs. This cut has been a serious blow to our ability to effectively address nonpoint source pollution issues in the state. We cannot stress enough that this program is effective, efficient and vital to the protection of Oklahoma's waters. The President's 2013 budget recommends approximately \$164 million nationwide for the Section 319 program - effectively a level budget from last year. However, this keeps in place a 19% reduction that has occurred over the past two years. We must emphasize that Oklahoma has used Section 319 funds effectively. To address water quality issues in new priority watersheds we need continuing funding. While the President's budget proposal for the program is better than additional cuts, the current funding level will make it difficult to adequately address Oklahoma's water quality issues going forward. In addition, the directive for both USDA and EPA conservation programs to work cooperatively together will be challenged by these cuts as they jeopardize our ability to continue the water quality monitoring program we've used so successfully to prove that voluntary USDA, EPA and state funded conservation programs are effectively solving water quality problems in Oklahoma. We urge you to support restoration of program funding to FY10 levels for EPA's Section 319 water quality program.

**Office of Surface Mining (OSM) Abandoned Mine Land (AML) Reclamation Program.** The Conservation Commission receives funds from the Office of Surface Mining to reclaim hazardous surface and underground mined areas. This program has been in place since 1977 when Congress passed the Surface Mining Control and Reclamation Act. The AML program is funded by a tax on coal production and is no longer appropriated annually by Congress. Amendments to the federal law in 2006 established the allocation of funds to states. Oklahoma now receives \$3 million annually for our reclamation program. This was a welcome development as we will be able to efficiently plan our reclamation projects knowing we will have \$3 million annually through 2021 when the tax ends. Unfortunately the President's proposed budget takes aim at this allocation system and wants to have states compete nationally for

funding on an annual basis. We believe the President's proposal is not consistent with the amendments Congress passed in 2006 and would make managing our AML program very challenging, with potentially wide swings in funding on an annual basis. The President made a similar proposal in last year's budget and Congress refused to go along. We would ask you to reject the President's proposal again this year and direct the Administration to allocate AML funds to states as mandated by Congress in the 2006 amendments.

In closing we recognize Congress is faced with difficult decisions regarding the FY2013 federal budget. We also recognize that natural resource management rarely rises to the top of federal spending priorities. However, the federal natural resource programs we have outlined above are vital to the long term future of Oklahoma. Flood protection infrastructure, the quality of water, and elimination of health and safety hazards from past mining are needed and necessary programs. The Conservation Commission prides itself on working cooperatively with federal agencies and local conservation districts to effectively address natural resource issues. We have a working conservation delivery system that includes a federal role that needs to be adequately funded. Thank you for your consideration of the issues we have raised in the President's proposed budget.

Sincerely,



Mike Thralls  
Executive Director

copy: Commissioners of the Oklahoma Conservation Commission  
Jim Reese, Secretary of Agriculture  
Gary Sherrer, Secretary of the Environment  
Joe Parker, President, Oklahoma Association of Conservation Districts