

June 16, 2022

Mr. Clarence Prestwich
National Agricultural Engineer
Conservation Engineering Division
NRCS, USDA
1400 Independence Avenue
South Building, Room 4636
Washington, DC 20250

Submitted Via the Federal eRulemaking Portal at <http://www.regulations.gov>, docket ID NRCS-2021-0005

SUBJ: Comments on the Proposed Revisions to the Constructed Wetland Conservation Practice Standard Code 656

Dear Mr. Prestwich,

The undersigned agricultural and conservation organizations appreciate the opportunity to provide comments on the Natural Resources Conservation Services' (NRCS) proposed revisions to the Constructed Wetland Conservation Practice Standard Code 656 (CW-CPS-656), which when finalized will be included in the NRCS National Handbook of Conservation Practices. The undersigned, or their members, own and operate farming or ranching operations, organizations or businesses that support and service these operations. In so doing, they help farmers and ranchers produce and bring to market, row and specialty crops as well as livestock and poultry, and are helping ensure that safe and affordable food, fiber, and fuel is provided to Americans across the United States. We write you on behalf of the critical need for sound lands conservation practices on agricultural lands, and thank you for the opportunity to offer these comments.

We also offer these comments in light of the critical role a sound constructed wetlands practice standard can play in helping agriculture reduce nutrient losses to restore, protect and maintain surface water quality. Constructed wetlands are but one of the many conservation and nutrient management practices that help producers achieve water quality objectives. But constructed wetlands are a particularly effective and useful practice, making it the practice of choice in important instances. For example, the state of Iowa's science review conducted as part of their [Nutrient Reduction Strategy](#) found that wetlands constructed for treatment of agricultural stormwater in tile outflow could reduce statewide nitrate-N losses by 22% relative to the baseline, which is over half of the state's N load reduction goal for agriculture, with no associated crop yield losses. Along with other practices like cover crops Iowa's Nutrient Reduction Strategy places tremendous emphasis on the construction and use of these treatment wetlands and seeks to treat with constructed wetlands up to 45% of the state's agricultural lands (almost 14 million of the state's approximately 31 million acres of agricultural land). Constructed wetlands have also been shown to be an effective practice for P removal, with the ability to provide long-term P removal of up to 20% as indicated in the Iowa Nutrient Reduction Strategy. Given the importance of this practice for both N and P removal efforts, it is critical that the CW-CPS-656 is crafted in a manner that provides a clear pathway for effective use of constructed wetlands.

In general, we find that the proposed CW-CPS-656 will serve this function well and applaud its explicit application to this type of conservation need (“This standard applies where at least one of the following conditions occurs: Wastewater treatment is necessary for organic wastes generated by agricultural production or processing; Water quality improvement is necessary for agricultural storm water runoff, tile drainage outflow, greenhouse wastewater, or other waterflows”).

We very much support the distinction CW-CPS-656 makes between its critical wastewater treatment and water quality improvement functions and those functions of the agency’s other wetland practice standards (Restoration (CPS 657), Creation (CPS 658) and Enhancement (CPS 659)). Our organizations strongly support and endorse the use of these other practices to achieve habitat creation objectives and other wetland functions and values. We also note and welcome the fact that improved habitat is among the important ancillary benefits of constructed wetlands. But we strongly oppose efforts to impose on a CW-CPS-656 based project these other objectives if those other objectives reduce the number of wetlands constructed for treatment purposes by making them more costly. It is critical that the integrity of this water quality purpose be respected and sustained in states’ adaptation of this standard for use.

We ask that you consider an amendment to the “vegetative buffers” provision in the “Considerations” section to explicitly reflect the fact that vegetative buffers are not an effective practice for the removal of soluble nitrate-N in surface water flows, no matter the size of the buffer. The fact that constructed wetlands also remove substantial quantities of long-term P can obviate the need for vegetative buffers to perform this function, particularly if the primary nutrient of concern is nitrate-N. It is a common misperception that vegetative buffers can address surface flow with soluble nitrate-N present in it and that the bigger the buffer the more nitrate-N it will remove. This is not only incorrect, that larger buffer adds tremendous cost to the practice itself and therefore unnecessarily reduces farmers ability to use it. Agriculture’s efforts to protect water quality are hurt in the process. Given the primary purpose of this standard to help treat wastewater or agricultural stormwater, it seems important for CW-CPS-656 to explicitly address this aspect of stormwater treatment. We fully agree that protecting the constructed wetland from sediment inflow is critical to preserve the useful life of the practice and that there will be instances where an appropriately sized vegetative buffer merits consideration to help meet this need. To this end, we suggest the vegetative buffers language be amended as follows:

Consider vegetative buffers around the perimeter of the constructed wetland to protect from sedimentation while recognizing that the vegetative buffer does not provide water quality benefits for N treatment and that the constructed wetland itself provides P treatment. The buffer should not be sized larger than necessary as this adds unneeded land area that could make a project cost prohibitive.

Our organizations and the farmer members we represent or serve appreciate the work of NRCS to update its conservation practice standards and this opportunity to offer you with comments through this process.

Sincerely,

American Farm Bureau Federation
Iowa Farm Bureau Federation
Illinois Farm Bureau

National Council of Farmer Cooperatives
National Corn Growers Association
National Pork Producers Council