

STEVE KING
5TH DISTRICT, IOWA

721
COMMITTEES:

Congress of the United States

House of Representatives

Washington, DC 20515-1505

JUDICIARY

AGRICULTURE

SMALL BUSINESS

February 26, 2004

Secretary Ann Veneman
United States Department of Agriculture
213A Whitten Building
1400 Independence Avenue, SW
Washington, D.C. 20250

Dear Secretary Veneman,

Thank you for the work that the United States Department of Agriculture (USDA) has put into the Conservation Security Program (CSP). While I am pleased with the effort your staff has put toward the anticipated implementation, I want to express my concerns with the proposed rule.

Under the proposed rule, it is my understanding that the program would limit eligibility to producers in "priority watersheds". It is my analysis that this kind of system would drastically reduce producer participation eligibility and is not consistent with Congressional intent for the program. This approach lacks the state and local input needed to determine the environmental needs of certain states or regions. In addition, USDA already uses federal programs, such as the Environmental Quality Incentives Program (EQIP), to focus on watershed improvement.

I am also concerned about the proposed requirement that agricultural operations must show control of all agricultural land for several years. In Iowa, farmers lease considerable portions of land through annual renewable leases. If USDA goes forward to implement the proposed rule as written, a vast majority of the farms in Iowa would not be eligible to participate for this reason.

Finally, reducing the base payment from 5-15 percent of land rental rates to 0.5-1.5 percent significantly reduces CSP payments to a point that is not fair compensation for the producers' work. The environmental enhancements required by the producers who enroll in the program will far exceed their compensation.

I understand that it was difficult for the USDA to create this proposed rule under the budget restraints it was given. However, now that the overall cap has been eliminated, I hope your staff can look past FY2004 to implement the program in a way that makes sense.

Thank you for your consideration.

Sincerely,



Steve King
Member of Congress

SK/al

UNIVERSITY OF MINNESOTA

Extension

S E R V I C E

February 26, 2004

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David McKay
Conservation Operations, NRCS
PO Box 2890
Washington D.C. 20013-2890

Dear Mr. McKay,

I am writing to offer suggestions related to the Conservation Reserve Program.

- 1) Divide the \$41,000,000 dollars among the 50 states based on each states' proportion of tillable farmland compared to total tillable farmland in the state.
 - The program is meant to be applied to "working farmland."
 - This gives each state the chance to show it's people what the program is meant to be and gives agencies in each state the chance to work out some of the wrinkles in their processes for working with CSP.
 - This saves a lot of time in figuring out how to use the small amount of money allotted for 2004 and allow the use of time and energy to put a fully implemented program together for 2005.

Otherwise take a third of it and divide it equally among 50 states and divide the other 2/3 proportionally.

- 2) Keep the focus on the program on "WORKING" farmland. Don't let it be siphoned off for more wildlife habitat and taking land out of production like a lot of other programs are designed to do.
- 3) Make the payment rates valuable to farmer. To be good managers, farmers have to spend an hour of their time where it will do them the greatest amount of good. Practices that require time to return a good payment per hour if you think about the time it takes -- like \$20- \$50 per hour like most of in government who work with the program get with salary and benefits. Where a farmer spends money on practices, they ought to be able to get a benefit of at least \$1.20 to \$1.35 for each dollar spent. That could include program payments and income enhancing benefits IF there are any.
- 4) Make all conservation practices eligible for payments that have potential to accomplish the fundamental goals of the program. Make a clear menu of eligible practices so farmers clearly know what the opportunities are up front. I am told the proposed rule would provide payments for a "very limited number" of conservation practices.
- 5) As much as funding allows, provide a predictable, continuous, nationwide sign-up process.

6) Get on with implementing the full, uncapped funding for CSP for fiscal year 2005 and beyond as authorized by law. I believe the bottom most basic stone in the foundation of our national security is preserving, protecting, and enhancing our ability to produce our own food and to be a dependable source of food for people in other parts of the world.

Sincerely,

A handwritten signature in cursive script that reads "Daniel C. Martens".

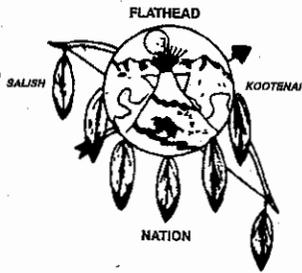
Daniel C. Martens

Extension Educator, Technical Advisor
Crop Production, Certified Crop Advisor

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD NATION

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February 26, 2004

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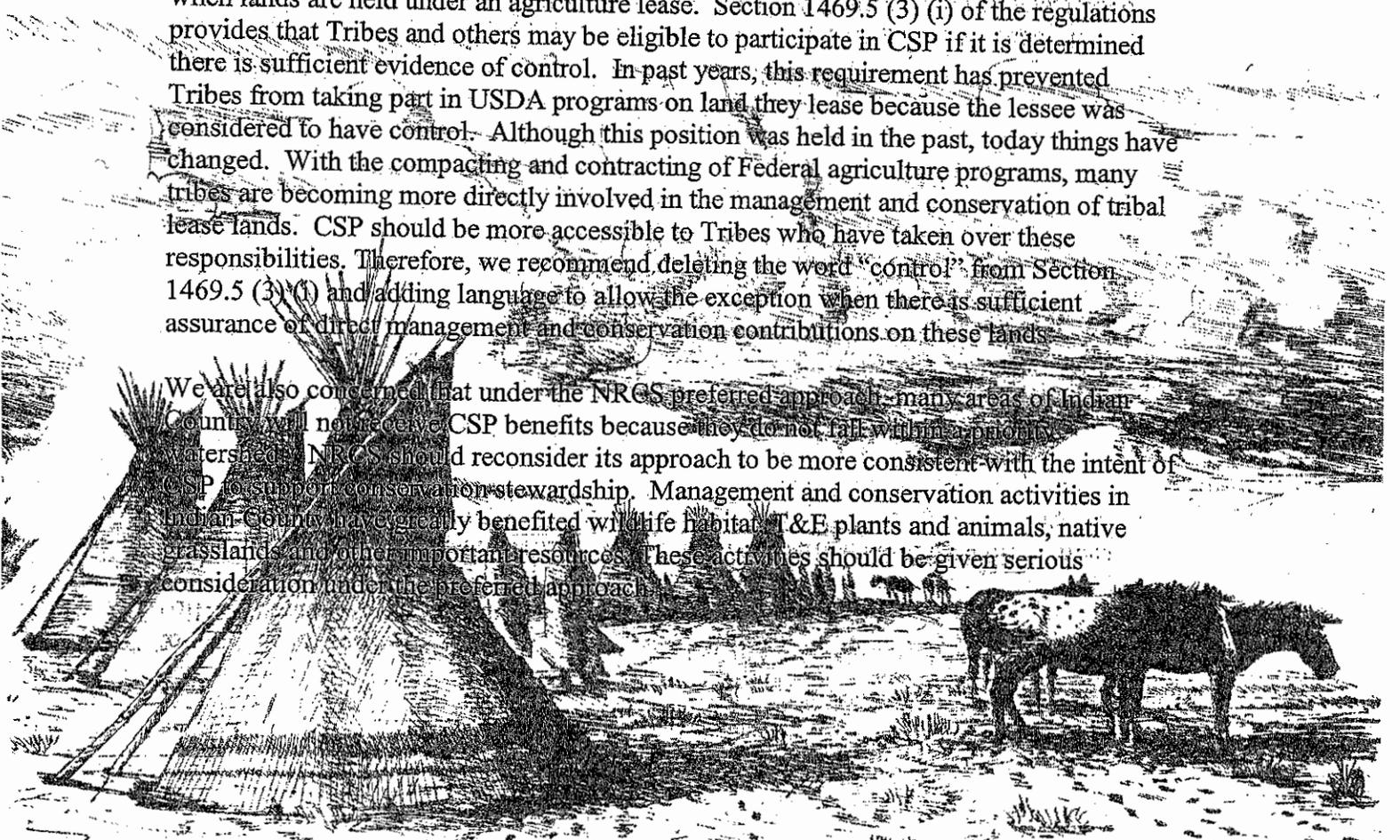
Conservation Operations Division,
Natural Resources Conservation Service
P.O. Box 2890
Washington, D.C. 20013-2890

To whom it may concern:

The Confederated Salish and Kootenai Tribes (CSKT) have reviewed the Natural Resources Conservation Service's (NRCS) proposed rule for implementing the Conservation Securities Program (CSP). We are grateful to see a program that rewards and provides incentive for management enhancing natural resources. We believe changes to the rule are needed in order for CSP to be a key program for conserving and protecting soil, water and other important resources throughout Indian Country.

CSKT is concerned the regulations may preclude CSP participation by Indian Tribes when lands are held under an agriculture lease. Section 1469.5 (3) (i) of the regulations provides that Tribes and others may be eligible to participate in CSP if it is determined there is sufficient evidence of control. In past years, this requirement has prevented Tribes from taking part in USDA programs on land they lease because the lessee was considered to have control. Although this position was held in the past, today things have changed. With the compacting and contracting of Federal agriculture programs, many tribes are becoming more directly involved in the management and conservation of tribal lease lands. CSP should be more accessible to Tribes who have taken over these responsibilities. Therefore, we recommend deleting the word "control" from Section 1469.5 (3) (i) and adding language to allow the exception when there is sufficient assurance of direct management and conservation contributions on these lands.

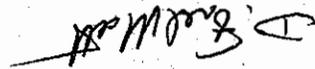
We are also concerned that under the NRCS preferred approach many areas of Indian Country will not receive CSP benefits because they do not fall within a priority watershed. NRCS should reconsider its approach to be more consistent with the intent of CSP to support conservation stewardship. Management and conservation activities in Indian Country have cyclically benefited wildlife habitat, T&E plants and animals, native grasslands and other important resources. These activities should be given serious consideration under the preferred approach.



Thank you for this opportunity to comment and your consideration of our recommendations. We feel look forward to CSP becoming a valuable and worthwhile program for Indian Country.

Sincerely,

D. Fred Matt, Chairman
Tribal Council





Jasper County Soil & Water Conservation District

1403 Clayton Ave • Newton, IL 62448 • PH: 618-783-2319 ext. 3 • FX: 618-783-2374

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February 26, 2004

Mr. David McKay
Attention: Conservation Security Program
Conservation Planning Team Leader
Conservation Operations Division
USDA NRCS
P.O. Box 2890
Washington, DC 20013-2890

Dear Mr. McKay:

We are pleased to submit comments on the proposed rule to implement the 2002 Farm Bill Conservation Security Program. First, we applaud NRCS for developing a proposed rule in the face of the number of legislative changes that were made to the program following its enactment.

We have several concerns relative to the proposed rule. We understand that during the development of the proposed rule changes were made to the statute that altered it from an uncapped entitlement program to a "capped entitlement" to be funded at approximately \$3.8 billion over 10 years. Given that change, NRCS proposed a much more limited program that would be available only to a relatively small number of producers in highly targeted watersheds. The proposed rule also placed significantly lower limits on cost-share rates and base payments than were allowed in the statute; restricted the number and types of practices that would be eligible for payment; and required producers to address resource concerns prior to enrolling in the program.

The enactment of the 2004 Consolidated Appropriations Bill, however, restored the CSP to an uncapped entitlement as it was originally written. Given that fact, we strongly urge NRCS to prepare a rule to implement the program as originally intended and without the severe restrictions in the currently proposed rule. The principal issues that need to be addressed in the supplement to properly implement the CSP as an uncapped entitlement include:

- allowing open enrollment to all eligible producers nationwide with no preference for producers in targeted watersheds;
- providing the full cost-share, maintenance and base payments as provided for in the statute;
- removing the limitation on the types of practices eligible for payment; and
- making the CSP a true rewards program by allowing producers to use CSP to address resource concerns after enrollment.
- Make payments to producer or producers with risk in crop or livestock in operation
- Set rental rates on a district by district basis through a local working group with final OK by state committee

Sincerely,

Dale Nadler
Chairman
Jasper Co SWCD

Wells County Soil Conservation
PO Box 7
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(701) 547-3622, ext. 5
(701) 547-3204 (fax)

Wells County Soil
Conservation
District
Board of
Supervisors

Mr. David McKay
Conservation Planning Team Leader
Conservation Operations Division
USDA NRCS
P.O. Box 2890
Washington, DC 20013-2890

February 27, 2004

Byron Nelson,
Chairman
Hamberg

Attention: Conservation Security Program

Loren Patrie
Bowdon

Dear Mr. McKay:

David Lutt
Harvey

The Wells County Soil Conservation District is pleased to submit comments on the proposed rule to implement the 2002 Farm Bill Conservation Security Program. First, we applaud NRCS for developing a proposed rule in the face of the number of legislative changes that were made to the program following its enactment.

Chris Sellie
Cathay

We have several concerns relative to the proposed rule. We understand that during the development of the proposed rule changes were made to the statute that altered it from an uncapped entitlement program to a "capped entitlement" to be funded at approximately \$3.8 billion over 10 years. Given that change, NRCS proposed a much more limited program that would be available only to a relatively small number of producers in highly targeted watersheds. The proposed rule also placed significantly lower limits on cost-share rates and base payments than were allowed in the statute; restricted the number and types of practices that would be eligible for payment; and required producers to address resource concerns prior to enrolling in the program.

Mitch Lloyd
Fessenden

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- allowing open enrollment to all eligible producers nationwide with no preference for producers in targeted watersheds;
- providing the full cost-share, maintenance and base payments as provided for in the statute;
- removing the limitation on the types of practices eligible for payment; and
- making the CSP a true rewards program by allowing producers to use CSP to address resource concerns after enrollment.
- allowing that any land for which the producer cannot demonstrate control for five or more years will not be eligible for payments, and need not be maintained at the same conservation standard as the rest of the operation.
- accepting applications in a continuous sign-up, allowing much greater producer access than periodic sign-ups.

We appreciate the opportunity to provide our comments on the CSP proposed rule.

Sincerely,

Anne Ehni, Manager/Field Technician
Wells County Soil Conservation District
anne.ehni@nd.usda.gov