

February 24, 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:

I am pleased to submit comments on the proposed rule to implement the 2002 Farm Bill Conservation Security Program. First, I 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.

I have several concerns relative to the proposed rule. I 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, I 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.

I appreciate the opportunity to provide my comments on the CSP proposed rule.

Sincerely yours,

Jeff Baker

Conservation Security Program Comments
ATTN: David McKay
NRCS Conservation Operations Division
P.O. Box 2890
Washington, DC 20013

I am writing to suggest important changes to the USDA's proposed rules for the operation of the Conservation Security Program (CSP). I support the CSP as a nationwide conservation program focused on working farmlands and which would "reward the best, and motivate the rest." As intended by Congress, the CSP should be open to all farmers in the U.S. practicing effective conservation.

First, USDA should issue a supplement to the rule, which would be open for public comment for a minimum of 30 days. This should be done immediately to fix major problems with the proposed rules issued on January 2, 2004, which are not consistent with the law authorizing the CSP nor with the funding allocated by Congress making CSP an uncapped national entitlement program.

Four comments on the proposed rule:

1. USDA's "preferred approach" in the proposed rule would severely and unnecessarily prevent most farmers from gaining access to the CSP. USDA must adhere to the law, and to the recently appropriated full funding of CSP by Congress, and make CSP available to all farmers practicing effective conservation. The USDA needs to get rid of the idea of restricting sign-up for CSP to a few "selected watersheds" and undefined "categories."
2. The USDA's proposed rules fail to make anywhere close to adequate payments for environmental benefits being produced by farmers practicing effective conservation. The best way to secure the vital conservation of our soil and other resources is to recognize and reward it when and where it is being done. Paying the best practitioners for results is sound economics and smart policy, providing both reward and motivation. CSP base payments should be set at the rates established in the CSP law without the 90% reduction proposed by USDA. Enhanced payments should reward the most environmentally-beneficial systems and to the maximum extent possible pay for results. The enhanced payments should not be treated as cost-share but rather as real bonuses to reward exceptional performance.
3. CSP needs to recognize and reward resource-conserving crop rotations and managed rotational grazing as proven conservation farming systems that deliver environmental benefits to society. Both are specifically mentioned for enhanced payments in the CSP statute.
4. USDA should not penalize farmers for shifting former cropland to pasture as part of a managed grazing system, as the USDA's proposed rule does. Former or potential cropland that is pastured and put into a managed rotational grazing system must receive equal payment rates to other cropland, and not the lower rate of pastureland. The rules should establish base payments based on NRCS land capability classes, not current land use.
5. CSP should allow farmers with USDA-approved organic certification plans under the National Organic Program to simultaneously certify under both the National Organic Program and CSP, if they meet the standards of both. No need to tie farmers up in red tape.

Sincerely,

Annie J. Bestul

2-14-04

Rural Route 3 Box 20
Pawnee City, Nebraska
February 17, 2004

David McKay
USDA NTIS PO Box 2590
Washington DC

Dear David:

I'm writing to you about my support for revising the Conservation Security Program rule. A strong conservation program in this country is important for keeping a good food supply into the future. I urge you to put the CSP back the way it was written in the 2002 farm bill. If the Conservation Security Program has to be cut the entire 2002 farm bill must also be cut. I'm a small farmer and I would like to know when I will be put on the endangered species list? Even though I don't feed three to four hundred people, I'm concerned about soil erosion and having a good safe food supply for the next generation. Your supporting the 2002 Conservation Security Program would be greatly appreciated.

Yours truly,
LaWayne Mack

Conservation Security Program Comment Sheet

Publication of the proposed rule for the Conservation Security Program (CSP) on January 2, 2004, marks the start of the 60-day public comment period. Public comment will be an important part of creating the Conservation Security Program. You may access it via the Internet through the NRCS home page at <http://www.nrcs.usda.gov>. Select "Farm Bill." People can submit comments to david.mckay@usda.gov or mail their comments to Conservation Security Program Comments, ATTN: David McKay, Conservation Operations Division, NRCS, P.O. Box 2890, Washington, D.C. 20013.

Comments are sought on all facets of the program. The intent of this document is to summate those areas. You are encouraged to refer to the proposed rule publication for detailed information.

1. Preferred Approach (page 197): Under the constraints of a capped entitlement, the Secretary has proposed ways to still deliver an effective CSP program. NRCS is proposing an approach based on five elements. Comments are requested on this overall approach:

- Limit sign-ups: Conduct periodic CSP sign-ups
- Eligibility: Criteria should be sufficiently rigorous to insure that participants are committed to conservation stewardship. Additionally, eligibility criteria should ensure that the most pressing resource concerns are addressed.
- Contracts: Requirements should be sufficiently rigorous to ensure that participants undertake and maintain high levels of stewardship.
- Enrollment categories: Prioritize funding to insure that those producers with the highest commitment to conservation are funded first.
- Payments: Structure payments to ensure that environmental benefits will be achieved.

(A more detailed description of this approach can be found on page 197 under the heading *NRCS Preferred Approach*.)

Comments: I find that in general under "2 eligibility, if you are committed to conservation stewardship, you are not going to get help through the NRCS because you are not the worst offender. You are not one of the individuals that will be prioritized because your land is not some of the poorest compliance in the county.

2. Funding Enrollment Categories (page 198, 3rd column). Under "4. Prioritize Funding To Ensure That Those Producers With the Highest Commitment to Conservation Are Funded First," NRCS is inviting comment on how to handle situations where there may be insufficient funds for all enrollment categories.

and other less capitalized producers to become eligible for CSP, given the stewardship standards to participate, are also welcome.

Comments: This is one that can get you in a lot of trouble, making farmers perceive you are discriminating against harder working, successful individuals. Payments should be same for all. Limited resource individuals should have a means of piggy-backing payments from other programs rather than getting a higher payment from this program.

6. **Leveraging CSP** (page 201, column 3). NRCS is seeking comment on the opportunity to use CSP in a collaborative mode with other programs to effectively leverage the Federal contribution to resource improvement and enhancement.

Comments: Hopefully this is what will be available to make practices more attractive to producers. There should be more working together between all types of programs.

7. **Leveraging CSP** (page 202, column 1). NRCS is seeking comment on how to implement a program that uses collaboration and leveraging of funds to achieve resource improvements on working agricultural lands through intensive management activities and innovative technologies.

Comments: _____

8. **Environmental Performance, Evaluation and Accountability** (page 202, column 3). NRCS welcomes comments and suggestions for designing and implementing evaluation approaches, and suggestions as to what data and information would be most useful to ensure a high level of accountability for CSP.

Comments: _____

9. **Significant Resource Concerns** (page 203). NRCS is proposing to designate water quality and soil quality as nationally significant resource concerns. NRCS requests additional public comment on the use of nationally significant resource concerns.

14. Contract Limits (page 206, column 3). NRCS seeking additional comments on the idea of a one-producer, one-contract approach brought up by the respondents to the Advanced Notice of Proposed Rule.

Comments: _____

15. Administration (page 208, column 2). One important aspect of CSP administration is the procedures NRCS will follow if NRCS receives more eligible applications than it can fund. NRCS is specifically seeking comment on how to select the contracts of the pool of eligible producers to best serve the purpose of the program.

Comments: *I have no good advice for this other than I think there should be a method of getting the funded contracts scattered rather than concentrated in one area so they are visible to more people locally.*

16. Changes in Landuse (page 209, column 3). In some instances a management decision may be made that causes a major shift in land use, such as changes from a less intensive use or from a more intensive landuse. This change in land use may change the base payment eligibility. NRCS is asking comment on how this situation can be addressed in the rule.

Comments: _____

17. Eligibility Requirements (page 210, column 1). Concerns were expressed through the Advanced Notice of Proposed Rule process that producers not accept stewardship payments while at the same time operating land outside the CSP contract at a less-than-acceptable level of treatment. NRCS is seeking comments on this provision.

Comments: *This would preclude some who rent land but this could be a way of limiting applicants to money available. The producer still has a choice. He can choose not to rent the land from a landlord that is not conservation minded.*

22. **Enrollment Categories** (page 211, column 1). NRCS is seeking comments on whether it should partially fund applications, or whether only those categories and subcategories that could be fully funded would be offered a CSP contract.

Comments: Only those that can be Fully Funded should be offered a contract.

23. **Conservation Practices** (page 211, column 3). NRCS is proposing to utilize the new practice component of CSP to provide cost-share when practices are needed, although at a lower cost share than other USDA programs, to minimize redundancy between CSP and other existing USDA conservation programs. NRCS seeks comment on whether this approach will encourage participants to install practices through other programs in order to become eligible for CSP.

Comments: I think people should be encouraged to install practices through other programs in order to become eligible.

24. **Technical Assistance** (page 211 and 212). CSP technical assistance tasks identified include: 1) Conduct the sign-up and application process; 2) Conduct conservation planning; conservation practice survey, layout, design, installation, and certification; 3) Training, certification, and quality assurance of professional conservationists; and 4) Evaluation and assessment of the producer's operation and maintenance needs. NRCS is seeking comments on which tasks would be appropriate for approved or certified Technical Service Providers.

Comments: _____

25. **Additional Requirements for Tier I and Tier II** (page 212, column 2). NRCS is proposing that CSP participants must address the following by the end of their contract:

- Tier I contracts must address the national significant resource concerns and any additional requirements as required in the enrollment category or sign-up announcement; and

29. Assessment and Evaluation (page 214, column 1). NRCS is seeking comments on which assessment and evaluation projects would most benefit from the involvement of CSP participants and would be most useful for program evaluation.

Comments: _____

30. Enhancement Activity Payments (page 214, column 1). NRCS is seeking comments on how to determine the appropriate payment rates for those types of enhancement activities where the payment is intended to encourage producers to change their mode of operation, but not necessarily to offset additional or more expensive activities.

Comments: _____

32745 Road 769
Ogallala, NE 69153

February 16, 2004

David McKay
Conservation Operations
Natural Resources Conservation Service
P.O. Box 2890
Washington, DC 20013-2890

Dear Mr. McKay:

I am writing with comment on the Conservation Security Program.

I am a farmer in southwest Nebraska, a member of the Nebraska Wheat Growers Assn. and a member of the Nebraska Sustainable Agriculture Society. Our family was awarded the Master Conservationist Award for 2003 in September by the Omaha World Herald.

I would like to urge NRCS to issue revised rules to bring the CSP in line with the 2002 Farm Bill and consistent with the new restoration of uncapped entitlement status. I would also urge the issue of new rules to allow comment within a reasonable amount of time to allow for farmers to enroll this year.

The Rule needs to be modified to remove the limit to certain watersheds. The program should be nationwide, for all types of producers and with all types of conservation objectives.

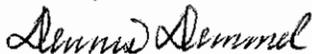
The Program should allow farmers and ranchers to achieve conservation goals while in the program. They should not have to have high standards of conservation before entry into the program.

The proposed rule needs to be improved to increase base payments and cost share to be consistent with the original CSP legislation, not a 90% reduction as in the current proposed Rule.

I believe, as Bruce Knight has indicated, that the Conservation Security Program has the potential to be the cornerstone of all conservation programs. In addition, I feel that the CSP has the potential to dramatically improve conservation on our farms and ranches and at the same time give the tax payer a better return on investment.

I appreciate your consideration of my comments. Thank you.

Sincerely,



Dennis Demmel