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SEP 28 2004 CLEAN UP THE RIVER NOOD

September 20, 2004

Bruce I. Knight, Chief
Financial Assistance Program Division
Natural Resources Conservation Services
PO Box 2890
Washington, DC 20013-2890



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Dear Chief Bruce I. Knight:

Clean Up the River Environment (CURE) is submitting the following comments for your consideration in finalizing the Interim Rule for the Conservation Security Program.

CURE has been actively working for over 5 years to help implement a working-land farm conservation program that would reduce agricultural associated water pollution in the Upper Minnesota River Watershed. We held Minnesota River Watershed farmer input meetings during 1999 and 2000 to gather their recommendations about what practices they could implement to keep more soil, fertilizers/farm chemicals, and fecal coliform bacteria on their working lands and out of our rivers, lakes and wetlands and to assess incentive payments it would take to get them and 50 percent of their neighbors to implement those practices.

CURE compiled the farmer's recommendations from these meetings and submitted them to Congressman David Minge for consideration in creating/supporting legislation for rewarding farmers who protect their soils and help clean up our polluted rivers and lakes. Congressman Minge met three times with CURE, other interested groups, and the public and formulated a coordinated plan, which culminated in his introducing the Conservation Security Act (CSA) in the House during October, 2000. Senator Harkin did the same in the Senate.

As you know, that original CSA survived verbatim to become the CSP part of the 2002 Farm Bill. CURE and many other like-minded groups worked long and hard to ensure passage of the CSP, and we expect the Natural Resources Conservation Service (NRCS) to promulgate a Final Rule that fully meets the intent and letter of that law.

The Proposed and Interim Rule should have been written specifically to address the CSP as a fully funded entitlement program as stated in the law. These are the rules that Congress and the public want to see, evaluate, and comment on to the NRCS. Subsequent modifications resulting from further Congressional action, such as capping funding for the first year, then just become an addendum or addition to the comprehensive Final Rule.

NRCS should write a comprehensive Final Rule based on a fully funded CSP available to all farmers and ranchers who want to voluntarily participate in the program. Within the newly written comprehensive Final Rule, NRCS should address the fact that the law states the Secretary is to ASSIST producers in promoting conservation. Nowhere in the law can we find reference that only producers who are already meeting NRCS technical guide quality criteria for soil and water are eligible to apply for and participate in CSP.

CURE fully supports programs that first reward the producers, who are already meeting the minimum quality criteria for soil and water as stated in NRCS's Technical Guide. NRCS, however, cannot close the CSP door on the majority of producers who want and need financial

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assistance to convert over to more sustainable and conservation based agriculture. There would have been little if any participation in EQIP, WHIP, WRP, CRP, etc. if the producers would have had to expend all their own money to first implement the associated practices before NRCS offered them the opportunity to seek reimbursement if the programs ever became available in their counties. The Current Interim Rule language is a disincentive to most producers who want to participate in the CSP.

Farmers and ranchers who are not currently achieving minimum quality criteria for soil and water must be allowed to participate in CSP after all those, who are currently meeting soil and water goals and wish to sign up, have had a chance to do so. The rule should be stringent but sufficiently helpful to ensure that the second group can achieve the soil and water minimum quality criteria in a timely manner. As currently written, the Interim Rule is too restrictive and only a very small percentage of farmers and ranchers will apply and qualify. This was not the intent of Congress or the Law.

The recurring comments heard over and over at CURE's farmer input meetings were that any CSP type program for working lands must be "FARMER FRIENDLY" and available to all farmers, if it is to be successful. The farmers recognize that NRCS must write enforceable rules and regulations in order to make the program an environmental success, but even this requirement can be stated in a manner that does not scare away potential participants.

NRCS has the opportunity to make the CSP the most environmentally and farmer beneficial of any and all farm conservation programs of the past if the Final Rule is based on the letter-of-the-law. As the Interim Rule is currently written, however, CSP will not achieve this Congressional goal. CURE urges NRCS to write the Final Rule to fit the letter and spirit of the CSP legislation.

Sincerely,



Marta Coursey
Executive Director



Dick Kroger
Conservation Ag Advisor