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Nebraska Game and Parks Commission

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OCT 08 2004

October 4, 2004

Mr. David McKay
ATTN: CSP
Conservation Operations
NRCS
P. O. Box 2890
Washington, DC 20013-2890

RE: Conservation Security Program; Interim Final Rule and Notice, published June 21, 2004, 7 CFR Part 1469.

Dear Mr. McKay:

The Nebraska Game and Parks Commission appreciates the opportunity to comment on the Conservation Security Program Interim Final Rule (7 CFR Part 1469). The Nebraska Game and Parks Commission is the state agency that is statutorily responsible for the conservation of Nebraska's fish and wildlife resources and management of the state's parks and trails system. The agency is committed to the conservation, wise use and professional management of these resources which are managed in trust for more than 500,000 Nebraska Sportsmen and Outdoor Recreation Enthusiasts.

Nebraska is a state that is primarily in private ownership (97%) and, therefore the programs offered under the Conservation Title of the Farm Bill play a dominant role in the management of the state's natural resources.

Our review of the Interim Final Rule for the Conservation Security Program indicates:

- 1) That the program alters the scope of the program from that intended by Congress by limiting participation to producers in selected watersheds instead of nationwide.

However, since Congress also failed to authorize sufficient funding to offer the program to all producers, the watershed approach is probably one of the better options for implementation.

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- 2) The program is very complex and difficult for producers to understand. A little simplification would make the program more understandable and should increase producer interest in the program.
- 3) The program fails to treat wildlife as a co-equal resource with soil and water as mandated by statute.
- 4) The base payment rates (Tier 1) are extremely low and need to be increased.
- 5) Cost share payments should be increased.
- 6) The program should recognize certain high-value practices such as resource conserving crop rotations and managed rotational grazing.
- 7) Payment rates should be based on stewardship provided and not on the acreage rental rate.

In addition to the above concerns , the Commission is concerned with the proposal that would authorize the State Technical Committee a to determine which plant and animal species need direct intervention to halt population declines (at-risk species). The US Fish and Wildlife Service and the State Fish and Game Agencies, such as the Nebraska Game and Parks Commission, share statutory responsibilities for the management and protection of the nation's fish and wildlife resources, including the designation of at risk species. Even though these national and state resource agencies serve on the State Technical Committees, there is no guarantee that the STC will seek or even consider their advice. Regulations cannot trump or supercede statute. The determination of at-risk species requires concurrence of the USFWS and the appropriate state fish and wildlife agency.

The Conservation Security Program is unique within the Conservation Title of the Farm Bill in that rewards existing good stewardship on the land where so many other programs have rewarded producers with degraded resources. CSP has the potential to significantly enhance the conservation of the nation's soil, water and wildlife resources , and to reward farmers and ranchers who are doing a good to excellent job of resource stewardship.

Sincerely ,

Rex Amack
Director

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MR. DAVID MCKAY

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