



Mr. Richard L. Kroger
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February 27, 2004
507-768-3608

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

Dear Mr. Knight:

I am submitting the following comments for you to consider during finalization of the Rule for implementation of the Conservation Security Program (CSP). Your utilization of these comments will ensure your meeting both the letter and spirit of the originating legislation. Before preparing these comments, I studied the enabling legislation to gain an appreciation for the law as passed by Congress and signed by the President. My general observation is that NRCS not only ignored the spirit of the law but also the letter of the law during preparation of the Proposed Rule.

The Final Rule must be written to specifically address at least the "letter" of the law. The CSP language is as straight forward and clear as a law can possibly be. There is no need for major interpretation of the language or what Congress wanted. This makes writing the rule very easy for NRCS. Just write the Rule to fit the law.

Writing the Proposed Rule to only fit fiscal year 2004's funding cap was a major blunder on the part of NRCS. It wasted not only your valuable time but that of everyone like me who now

If NRCS had written the rule to fit the law, all you would have had to do to address the 2004 funding cap would be to add a short supplement at the end of the document about how the money would be fairly distributed to all the states.

The Final Rule must make the CSP available to all farmers and ranchers in all states. How prioritization is handled within each state should be left up to ~~the~~ your state Conservationists. The "priority watershed" method just effectively makes the CSP unavailable to over 95 percent of the farmers. If this is your intent, job well done.

The Final Rule must make CSP available to farmers who do not currently meet national standards for soil and water quality. Reward those who already meet standards first. After this group is signed up, then sign those farmers up who will begin meeting standards by participating in CSP. This is within the letter of the law and is certainly the entire basis for the spirit of the law.

The Final Rule must be written to address CSP for what Congress intended it to be, a conservation entitlement program. If Congress chooses in the future to put annual funding caps on CSP, NRCS can adjust just like it now does for all other national farm conservation programs. The basic Final Rule must always be written to fit the law. When this is done, modifications to fit annual variations are easily addressed.

The Final Rule must address a fair and equitable system which provides money to each state each year. This could be based on the total number of ^{and ranchers} farmers in each state, the total acreage of agricultural land in each state, a combination of both parameters, or some other system. Regardless what system is used, each state must receive some money each year so the CSP becomes available, at least for observation and evaluation, as a potentially valuable process for encouraging farmers/ranchers to achieve national quality criteria for soil and water.

The Final Rule must be made as "farmer friendly" as possible and yet allow meeting of soil and water standards. Punitive language about requiring refund of post payments with interest should be restricted to blatant violators of the program, not those, through no fault of their own, lose some rental land. For those who rent land, near 100 percent of active farmers in my area, a simple handwritten lease agreement should be adequate for CSP payments on these lands.

The Final Rule must replace the Base Payment formula of the Proposed Rule with that of the law. Your current rationale may sound good on paper but will be a total failure when evaluated in terms of societal benefits achieved as a result of CSP implementation. Also, pasture land which was converted from cropland during the last 20 years or so should be paid for at the same rate as if it were still cropland. NRCS cannot allow itself to continue penalizing the "best."

~~Best~~, The Final Rule must be written in such a manner that the slightly larger than averaged sized operations ^(in each state and/or region) can be expected to reach the maximum Tier II and III payment levels. This will not only reward the "Best" but it will serve as an achievable goal for others to ~~achieve~~ pursue and supply society with the benefits associated with meeting national quality criteria for soil and water.

In summary, NRCS has the "opportunity" to provide the American People, the taxpayers, with the best ever farm/ranch land conservation program which will not only provide unlimited societal benefits but will result in perpetual improvement in future farm/ranch conservation practices on working lands. The proposed rule was a dismal failure in even addressing this "opportunity." Hopefully, NRCS can rise up out of its partisan political quagmire and write the Final Rule to achieve this first ever "opportunity" and to allow CSP to become the future cornerstone of subsequent Farm Bills. NRCS has the choice of enhancing something good, the CS Plan, or destroying it.

Sincerely,
Richard L. Kroger

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Conservation Security Program Comments

ATTN: David McKay

NRCS Conservation Operations Division

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Matthew Vrch
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To whom it may concern:

I am writing about the Conservation Security Program (CSP). I am a part-time farmer and would like to see the CSP implemented as a nationwide program. All farmers who are willing should be able to participate in conservation programs, not just those in designated areas.

I also believe that the current payment schedule is not adequate to motivate enough producers to participate in the program. Additionally, pastureland should receive equal payments to cropland.

As a small producer who does not raise commodity crops, I am tired of seeing the land degradation caused by my neighbors who are not practicing good land stewardship and are being propped up by government payments to raise corn and soybeans in an area where different crop rotations are needed to decrease soil erosion.

Full implementation of the original CSP as passed by congress would benefit small, responsible farmers like myself instead of funneling more commodity programs.