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February 19, 2004

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

Dear Mr. McKay:

I have been growing citrus in Florida for some 50 years and I've been an active participant in the Florida citrus industry for almost 60 years. Comments on the Conservation Security Program are attached hereto, but I want to emphasize in my letter to you that the use of priority water sheds in peninsular Florida offers a unique opportunity for NRCS to provide some special conditions for Florida's peninsular area. It is dominated by citrus and cattle operations.

The water resource of the peninsular is totally dependent upon annual renewal from rainfall. In the early 1970s Florida developed a unique system of water management in which the state is divided into drainage basins, or water sheds, which should be used by NRCS to the extent possible because individual Water Management Districts have handled their management criteria in slightly different ways.

An overriding factor is recognition that we all live off of rainfall. The "water crop", the difference between the water needed for evapotranspiration and the actual rainfall, represents the only source of water for use by any, and all other, users. The owner of the land provides a service to other water users by how he manages the rainfall which falls upon his land and to what extent he makes the "water crop" available to others, either through recharge to the Floridan aquifer or through run-off to surface water bodies. The Floridan aquifer underlies most of the peninsula and its healthy maintenance is of prime importance to everyone in the state. All of this ties together in a common necessity to preserve agricultural land in agriculture. The program that your agency is devising offers an exceptional opportunity to be helpful to that end by maintaining our water resource.

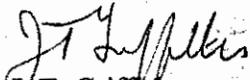
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We had a bad experience with over-drafts from the Floridan aquifer during the middle of this century. Those situations have been corrected and should not be allowed to happen again, but this Conservation Security Program offers an opportunity where we, as an industry can work with you and your agency in the development of specific programs.

It is not surprising (see page 203) that the majority of comments were received from mid-western states. Program Crop farmers have had a much closer relationship with such practices over the years. The comments urge that recognition be given to the unique nature of the Florida peninsula and that flexibility permit some different treatment here where soil erosion is a minimal problem, but the farmers land is of prime importance in providing water for use by others.

Thank you for your consideration.

Sincerely yours,



J. T. Griffiths

JTG/pw

Comments

Proposed Conservation Security Program (CSP)

7 CFR Part 1469, January 2, 2004

These comments are filed by Citrus Grower Associates, Inc., a trade association of citrus growers representing approximately 100,000 acres of citrus throughout the citrus growing area of Florida. The writer has been intimately associated with water management practices in the state since the 1950s and more specifically since the advent of Water Management Districts in the 1970s.

These comments are in response to the proposed Natural Resources Conservation Service rules concerning a Conservation Security Program which appeared in the Federal Register on January 2, 2004.

Since the Agency on page 199 suggests restricting eligibility to high "priority watersheds" and "focusing activities in watersheds with recognized resource concerns and environmental quality vulnerability", the Agency must understand the inherent vulnerability of peninsular Florida water resources and the management thereof.

In the 1970's the State Legislature adopted a Water Management Law which is unique in the United States. Five separate Water Management Districts were created within the state and each represents a slightly different kind of area. These five districts are subdivided into Basins which specifically represent individual water sheds. The central part of the state is characterized by a relatively high sand ridge which, in central Florida, is the heartland of the Florida citrus industry. This Ridge generally represents a high recharge area for the Floridan aquifer which underlies most all of peninsular Florida and which is the primary source of well water. Flat land areas, which extend north and south along the coastal strips and which become the Everglades in south Florida, represent areas of low recharge and are primarily concerned with run-off to the ocean.

The rapidly expanding population in Florida provides a more urgent requirement for

water quality and for the maintenance of adequate supply. Thus, since farm land is the major contributor to water recharge, and since a high percentage of run-off is discharged from farm land, the manner in which the farmer manages his own use of water and the availability of the rainfall which falls upon his land for use by others makes the farmer of prime importance in maintaining both water quality and quantity.

Maintaining both quality and quantity is a never ending struggle. The sand hills of central Florida can accept almost unlimited quantities of rainfall without any significant soil erosion effect. Erosion has occurred historically only on some of the heavier soils along the west coast in Hernando and Pasco Counties, but generally in central Florida this has never been a problem. As rainfall occurs, it immediately penetrates the upper few feet of sand to become a part of the surficial aquifer, and depending upon local circumstances, moves laterally to become a part of a lake or stream, or moves vertically to recharge the Floridan aquifer.

Recent development of Best Management Practices for nitrogen applications have been based on the fact that, except under extreme circumstances of over fertilization, nitrogen contamination from citrus groves has not created any problem. In fact the nature of soil and recharge is such that over many years of active cultivation of citrus groves around lakes in central Florida, those lakes have never shown adverse affects from fertilization activities.

However, as Best Management practices are developed for fertilization and pesticide applications areas, history suggests that the central Florida citrus grower can supply high quality water to those people who use the rainfall surplus which has fallen on agricultural land.

The freezes of the 1980's resulted in expanded citrus plantings on flatwood soils which are typical of the Hardee and the DeSoto County areas, southwest Florida, and the Florida east coast.

Water Management which allows retention of rainfall on a farmers land for later use in irrigation has offered increased opportunities to maintain adequate supplies and to reduce quality concerns. The Everglades Restoration Project is a good example of farmers and environmentalists working together to attain a common goal.

The restriction of Conservation Security Programs to high priority watersheds is very satisfactory for Florida, providing only that NRCA recognize those water sheds which have been created as Management Areas by state law. If this is accepted, the citrus grower has excellent opportunities to cooperate in and benefit from Conservation Security Programs.

These comments do not directly address the specifics of exactly how a farmer will qualify

and receive payments. The thrust of these comments are to insist that NRCS designation of high-priority watersheds coincide with, and recognize, the Florida system of water management. This should make the application and utilization of specific rules quite satisfactory.

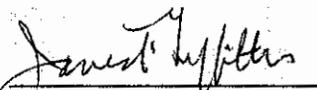
Since Florida will of necessity have to restrain its rate of growth, at least, partly to assure proper availability of water, Florida growth management processes must include the preservation of agricultural land in agriculture and this coincides with Conservation Security Program goals.

Historically there have been numerous opportunities to study the quality of water being pumped from ditches onto flat land citrus and studying the quality of that same water being discharged. The passage through the citrus property actually has had a cleansing effect on the water itself. Its better quality leaving the grove than coming in.

The potentiometric high in the Floridan aquifer lies on the central sand Ridge about 25 miles southwest of Orlando. It is the maintenance of this high pressure which provides well water throughout much of the state. This requires management into the future and cooperation from farmers which can be enhanced by a Conservation Security Program.

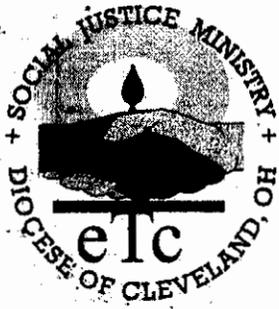
On sand hill groves it should be possible to place test wells at 25 to 50 feet below the surface of the soil in citrus groves which can clearly demonstrate over time that individual growers are not introducing additional nitrogen and/or other materials into the recharge water under his land; or in the case of flatwoods that measurements at the discharge point can show the lack of nutrients being supplied to the run-off water. Thus, there's a real opportunity to measure the effectiveness of the grower's program.

We have already accepted stewardship and should qualify for continued enhancements from our practices.


James T. Griffiths
Managing Director
Citrus Grower Associates, Inc.

February 19, 2004

JTG/pw



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February 24, 2004

TO: 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. who practice effective conservation.

First, USDA should issue a supplement to the rule, which would be open for public comment for 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. In addition,

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 nationwide to all farmers who practice effective conservation. Sign-up for CSP should not be restricted to a few "selected watersheds" and undefined "categories."
2. The USDA's proposed rules fail to make adequate payments for environmental benefits being produced by farmers currently 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. CSP base payments should be set at the local rental rates based on land capability 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.
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. 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.

6. NRCS should utilize the one-producer, one-contract approach to CSP contracts, as a way to provide the fairest treatment of all producers and to guard against program fraud and abuse. All CSP payments should be attributed to real persons (not various corporate or business entities). Payment limits set in the law (\$20,000 per year for Tier 1; \$35,000 per year for Tier 2; and \$45,000 per year for Tier 3) must be maintained.

7. CSP contracts should be renewable, as part of an ongoing program, and not limited to one-time contracts. NRCS' proposal that CSP contracts in general not be renewable, except in special circumstances, conflicts with the law, which leaves it up to the farmer to decide if he or she wants to renew the contract, which USDA would renew unless the farmer was not fulfilling the contract. NRCS' proposed restriction to one-time contracts is contrary to the entire purpose of the CSP to secure ongoing conservation of our nation's national resources.

Sincerely,



Sr. Jacquelyn Daepler, osf
Coordinator, Education & Training Center