



**NORTH
AMERICAN
LAKE
MANAGEMENT
SOCIETY**

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February 26, 2004

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Mr. David McKay, Conservation Planning Team Leader
Natural Resources Conservation Service
Conservation Operations Division
P.O. Box 2890
Washington, DC 20013-2890

RE: Proposed Conservation Security Program Rules, 7 CFR Part 1469

Dear Mr. McKay:

On behalf of the North American Lake Management Society (NALMS), I would like to thank you for the opportunity to comment on the proposed rules implementing the Conservation Security Program. Nonpoint source pollution remains a serious problem in the United States. According to the U.S. Environmental Protection Agency's 2000 National Water Quality Inventory, agricultural nonpoint sources of pollution contribute to 48% of the impaired river and stream miles and 41% of the impaired lake acres nationwide. Sediment, nutrients and pathogens are among the most common impairments reported. NALMS views the Conservation Security Program, created by Congress with the 2002 Farm Bill reauthorization, as an excellent tool for rewarding those farmers currently implementing conservation practices that protect the environment, and encouraging more widespread adoption of conservation practices in the agriculture community. Our comments on the proposed rule follow.

§ 1469.5 (e) (1) - Priority watersheds and enrollment categories should explicitly consider impaired waters listed under section 303(d) of the Clean Water Act, when the impairment and listing is related to agricultural pollution. This would serve to target limited federal funds toward waters known to be in violation of water quality standards. It would carry the additional benefit of leveraging other federal programs. The EPA's 319 grant program supplemental guidance for 2003 directs funding to impaired waters and "... facilitates smooth and effective integration of Section 319 program objectives with those set forth in the new Farm Bill..."

§ 1469.6 - Ideally, resource protection objectives of the Conservation Security Program would be best met by funding all eligible operations rather than through limited sign-ups in prioritized watersheds.

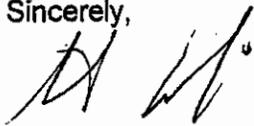
§ 1469.22, 1469.25 - NALMS supports the requirement for maintaining practices throughout the duration of the contract and the associated correction and penalty measures. Given the limited funding, it is extremely important to ensure that the

Mr. David McKay
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program's limited resources are directed towards good-faith efforts to implement appropriate conservation measures. What system is envisioned to monitor and inspect operations or conduct investigations to determine compliance?

Thank you for the opportunity to comment on these proposed rules. NALMS looks forward to the implementation of this program and to full funding in the future.

Sincerely,



Steven Colvin, Past President 2001
Government Affairs Committee

C: Steven Heiskary, President
NALMS Board of Directors



Southern Cotton Growers, Inc.

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Office of the President

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February 27, 2004

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

Dear Sir:

Southern Cotton Growers, Inc. wishes to submit the following comments for the record regarding the proposed rules for the implementation of the Conservation Security Program (CSP) as provided in the Food Security and Rural Investment Act of 2002. Southern Cotton Growers represent every producer in the six states that comprise the Southeast region (AL, FL, GA, SC, NC, VA).

The 2002 farm bill is arguably the best farm bill since its 1985 predecessor. One of the main reasons for this consensus is due to the amount of attention and initial funds afforded to the many conservation programs contained in the act. The one program that seemed to hold the most promises for addressing both environmental stewardship and enhancement of producer income was the CSP. Unfortunately, the delay in sign-up for the program coupled with less appropriations than first believed, the CSP will probably never live up to its billing.

Southern Cotton Growers recommends that the rules be simplified as it relates to the initial selection criteria for eligibility. The State Conservationist should be given latitude to enable their staff to develop a practical program to the extent that it meets the pressing conservation needs in their state. In order to obtain the biggest bang for the buck, the program must be applicable to commercial-size operations. We also support placing higher emphasis on those conservation practices and/or achievements that enhance not only soil and water quality but also air quality, water conservation, wildlife habitat and eradication efforts that greatly restrict impurities from adversely affecting air, soil and water.

We are concerned with the proposed definition for an agriculture operation. It is too broad in scope and subject to interpretation. Current FSA operational

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definitions have served the industry well and would result in less confusion and grief among producers and regions alike.

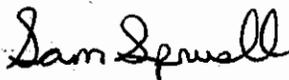
We are also concerned about the proposed eligibility requirement that would require the applicant to have control of the land for the life of the CSP contract. Most producers in the Southeast region lease all or a portion of the land they farm. Most of the contracts on these tracts of land are setup on an annual cash basis. The majority of these potential recipients could not ensure that they would have control of the land for a multi-year period at the time of sign-up. Precedence has already been established as a result of the 1995 FAIR Act, which allowed new tenants to qualify for benefits as long as the new tenant abides by the eligibility requirements applicable to the previous tenant.

As understood during the farm bill debate, we support all producers who meet basic eligibility requirements are afforded the opportunity to receive CSP benefits regardless of where their farm is located. We also recommend giving the State Conservationist more flexibility in the funding priorities for the enrollment categories when partial funding to several areas would achieve the same result as funding for one category or region fully. In other words, spread the wealth when practical.

Many producers have already implemented very effective, proven conservation practices on their farming operations. We believe it is unfair that these innovative growers will receive very little if any rewards for their past accomplishments. At the very least, we recommend that these achievements be taken into consideration when awarding and/or prioritizing contracts.

Thank you for your attention to these comments.

Sincerely,



Sam Spruell, President
Southern Cotton Growers, Inc.



PIKE COUNTY FARM BUREAU

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March 1, 2004

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NRCS
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Washington, DC 20013-2890.

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Attention: Conservation Security Program.

Dear Mr. McKay:

Please accept these comments from Pike County Farm Bureau regarding the proposed rules for the Conservation Security Program.

The Conservation Security Program (CSP) is the type of program that we support. We have supported development of programs such as the CSP that are voluntary, incentive-based and that help private landowners and producers implement best management practices to help conserve soil and improve water quality and address other natural resource issues. We have an opportunity to help implement this new voluntary, incentive-based conservation program.

We believe the incentives in the CSP will encourage farmers to reach new and improved conservation levels and support on-going conservation efforts. The CSP supports conservation practices on working agricultural lands and will help reward the implementation of best management practices on cropland and grassland. It will identify and reward farmers who try to achieve the very highest standard of conservation and environmental management on their operations.

The CSP has the ability to provide financial assistance that would allow farmers to advance their conservation and environmental goals and objectives and continue the positive environmental trends we have seen through the years.

Challenges and Concerns:

The CSP is not without challenges, however. The first year of the program contains limited funding. It will be important to design the CSP to help lay a sound base for the program this year so that when it is evaluated for future funding, we will have a positive initial program that will be able to garner funding in the future.

Control of Land:

We have concerns about the requirement that agricultural operations must show control of all agricultural land for 5 years for Tier 1 payments, 5 - 10 years for Tier 2 payments, and 10 years for Tier 3 payments. Many farmers in Pike County lease portions of their operation. Most of these lease agreements are on a year-to-year basis. The inability to get long-term leases will result in many potential cooperators being unable to participate because they would not be able to show that they would have control of the land for longer than one year.

The legislation allows a producer to apply to the secretary for a modification (if it is consistent with the purpose of the program) and not require that a producer "show control" of agricultural land for the life of the contract. In fact, Congress anticipated that farmers would have to contend with circumstances beyond their control and explicitly directed the secretary to permit modification of a conservation security contract for circumstances beyond the control of the producer. NRCS should revise the rules to allow for modification if it is consistent with the purpose of the program.

Contract Requirements and Contract Modifications:

Our next concern is connected to our previous comment. Another requirement specifies that program participants would need to refund all or a portion of any assistance earned under a CSP contract if the participant sells or loses control of the land under a CSP contract. Given the uncontrollable nature of agriculture in general and diverse makeup of our nation's farms, this type of requirement appears too restrictive.

Land can be sold to a new owner with no guarantee that the operator would be able to farm the same land under a new owner. In this scenario, the operator would lose his entire program benefit for not only the lost parcel but on the remaining part of his operation.

Here again, the legislation clearly directs the secretary to allow cooperators to modify their contracts if the agricultural operation changes for type, size, management, or other aspects if the modification does not interfere with achieving the purpose of the program. We feel the rules should be changed to allow modifications in contracts if a producer loses control of a specific parcel they farm.

Definition of Agricultural Operation:

We are concerned that the definition of agricultural operation may be too restrictive and result in an undue limitation on CSP participation. Congress directed the establishment of a broad and inclusive program to assist producers of agricultural operations to implement conservation practices that improves soil, water, air, energy, plant and animal life, and any other conservation purpose as determined by the secretary.

Eligibility:

The CSP rules outline a much more limited program that would be available only to a relatively small number of producers in highly targeted watersheds. The proposal should encourage and set as a goal Tier III participation on all farming operations. We encourage NRCS to revise this proposal to allow all producers to apply for participation.

Needed Clarification:

We feel there needs to be more clarity within the program participation process. We encourage NRCS to clarify the screening process, the ranking process for watersheds and the ranking process for program participation.

Payment:

Though the CSP outlines financial incentives for producers, the proposed rule places significantly lower limits on cost-share rates and base payments than were allowed in the statute. It will be important that the program be one that provides sufficient economic incentives for farmers to enroll in the program.

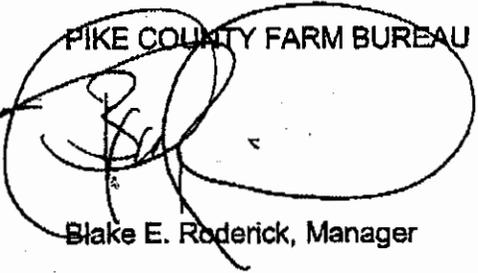
Summary:

Through the CSP, Congress has given agriculture the opportunity to improve net farm income, enhance economic opportunities, and continue protecting our natural resources. We encourage NRCS to change the proposed rules based on comments from producers, thereby giving the program the opportunity to be as successful as possible.

Thank you for the opportunity to comment on the CSP.

Sincerely,

PIKE COUNTY FARM BUREAU



Blake E. Roderick, Manager