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## ***Kansas FAX Transmittal***

**DATE:** February 26, 2004

**TRANSMITTAL SHEET + 30 PAGES**

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**COMMENTS:**

Attached are comments from a Conservation Security Program Listening Session held in Salina, Kansas, January 23, 2004. These were recorded by a court recorder and are pages 40 through 69.

1 up.

2 We'll start on the listening session and  
3 basically, the first individual I have here is Jim  
4 French, representing the Kansas Rural Centers, so Jim,  
5 we'd like to hear your comments.

6 MR. FRENCH: My name is Jim French,  
7 J-I-M, F-R-E-N-C-H. I am representing the Kansas Rural  
8 Center, and on behalf of Kansas Rural Center, I want to  
9 thank the Kansas National Resources and Conservation  
10 Service for this opportunity to provide comment on the  
11 proposed rules of the Conservation Security Program as  
12 authorized by the 2002 Farm Bill. Our organization  
13 firmly believes that this landmark legislation has the  
14 potential to provide great environmental benefits to  
15 the American public, reward and enhance good  
16 stewardship of the land, and provide a basis for farm  
17 supports that will not distort either trade or  
18 production.

19 As envisioned by those who drafted the  
20 legislation, CSP represents a new direction in farm  
21 supports. A direction where the American public  
22 invests in the well-being of the land and its best  
23 stewards. We want to acknowledge the good news that  
24 the omnibus spending bill in Congress now, and I guess  
25 I can change it from "may" to "has" restored CSP to

1 full funding and entitlement status. This  
2 appropriations bill could restore \$3 million in full  
3 entitlement to the program. KRC fully supports this  
4 measure and urges USDA to approach CSP as a nationwide  
5 settlement program when and if full funding occurs,  
6 either now or in the subsequent years.

7 We also applaud this first step of issuing  
8 proposed rules. We hope this process will be timely  
9 and that after revision, the program will be structured  
10 in full accord with the letter and spirit of the  
11 language authorized in the 2002 legislation.

12 However, with this said, Kansas Rural Center  
13 has several reservations about key portions of the  
14 proposed rules as issued by USDA in early January 1st,  
15 under Section 1470.5, enrollment. The proposed rule  
16 limits implementation to key watersheds. First, we  
17 want to emphasize that we oppose limiting  
18 implementation of the program in this manner, proposed  
19 limiting implementation of this program. The intent of  
20 the authorization was to have nationwide implementation  
21 and availability to all qualified farmers and ranchers.  
22 However, in 2004, implementation is to be on a priority  
23 watershed basis. The selection criteria should be  
24 clear, and the process for choosing, open for comment.

25 Next, we object to the stringent requirements

1 potential participants must meet in order to enroll.  
2 Under the tier eligibility rules, applicants must have  
3 already met stringent nonrenting resustainable levels  
4 before enrollment. The original intent of CSP was to  
5 not only reward those who have conservation practices  
6 in place but to provide incentives for others to move  
7 towards soil and water quality goals.

8 For example, Tier 3 in the proposed rules  
9 requires an already established resource management  
10 system before enrollment. The original language calls  
11 for the establishment of a whole farm plan. We believe  
12 that a reasonable period of implementation, possibly  
13 3 years, should be allowed. In a like manner, the  
14 lower tiers should be geared to allow producers to  
15 implement the targeted resources of concern during the  
16 initial period of the contract. In all cases, we feel  
17 like the bar is set so high, the majority of producers  
18 will be discouraged from applying. In the words of  
19 Secretary Veneman, we should try to reward the best and  
20 motivate the rest.

21 Our next area of concern focuses on payments.  
22 In the original legislation passed into law, CSP would  
23 provide participants with one base payment; two,  
24 conservation cost share up to 75 percent for  
25 establishment of new practices and maintenance of

1 established practices; and three, enhanced payments for  
2 such things as exceptional performance, entering local  
3 resource concerned; and monitoring and research.

4 Under the proposed rules, base payments are  
5 set at .5 to 1.5 percent of local rent rates. In an  
6 area where rental rates for crop grounds, for example,  
7 are \$50 per acre, this would translate to 25 to 75  
8 cents per acre. First this incentive would not cover a  
9 producer's time for management paperwork. Secondly,  
10 the size of incentive would be linked to scale of  
11 operation. The legal intent of CSP was to formulate a  
12 farm program neutral to size and geared toward  
13 implementation. The cost share formulas run equally  
14 counter to the authorized program. The rules proposed  
15 a paltry 5 percent cost share rate. This share  
16 represents only a tiny fraction of what is available in  
17 other federal programs. One wonders if the intent of  
18 the rule is primarily to discourage participation.  
19 Overall, the payment proposals do not even come close  
20 to a serious attempt to provide incentives for  
21 stewardships and exceptional environmental performance  
22 as envisioned by the congressional legislation.

23 Kansas Rural Center is also very concerned  
24 that there is no mention in the proposed rule on  
25 enhancement payments concerning resource conserving,

1 crop rotations, managed rotational grazing, and  
2 conservation buffers. Sustainable farming and ranching  
3 rely high on these practices and they're specified in  
4 the law and should be reinstated in the proposed rule.

5 The Conservation Security Program is set up  
6 to operate under 10 or 5-year contracts that can be  
7 renewed at the end of a contract period. We feel  
8 strongly that the rule on contract renewals must return  
9 to the language authorized by the law. A proposed rule  
10 to provide for contract renewals -- the proposed rule  
11 now fails to provide for contract renewals. This  
12 changes the letter and intent of the law and is not  
13 acceptable, and this would be under Sections 1470.2 (a)  
14 through (d) and 1470.2(a)(1).

15 In the spirit of practical realism, we  
16 understand that funding and the dictates of a learning  
17 curve may mean that the 2004 program is implemented in  
18 pilot fashion. However, that does not excuse writing  
19 the rules that discourage participation or change the  
20 letter and spirit of the law as passed by Congress. We  
21 strongly urge that whatever scope the 2004  
22 implementation has, the rules should fully reflect a  
23 formula that allows us to accomplish several broad  
24 goals.

25 First, the program should allow us to learn

1 and reward those farmers and ranchers that are doing a  
2 good job in stewarding our nation's soil, air, water  
3 and wildlife resources. Secondly, the program should  
4 be structured in a way that it will attract and provide  
5 incentives for all producers to enter the program.  
6 Finally, the rules and initial implementation should  
7 plan for success. This landmark legislation deserves  
8 nothing less. It represents an investment in farm  
9 supports that will provide widespread public good as  
10 well as the ensured productivity of our working  
11 landscapes for the long-term future.

12 Thank you for this opportunity to address you  
13 today.

14 MR. KLAEGE: Thank you, Jim, for your  
15 comments. It will be entered into the record. The  
16 next one on the list is Ernie Schlatter from Smith  
17 County Conservation.

18 Ernie, the mic's yours.

19 MR. SCHLATTER: I don't know if I can  
20 follow the last gentleman's tracks, but I'm Ernie  
21 Schlatter from Smith Center, Lebanon area, representing  
22 the Smith County Soil Conservation District. Also, I'm  
23 a wheat commissioner, and I'm also a co-chairman of the  
24 National Resource Committee with my co-partner, Ron  
25 Brown.

1 I want to talk a little bit about the CSP  
2 payments. Originally, they were set aside in the 2002  
3 Farm Bill and at that time it was a reward for the best  
4 conservation to those producers. In a way, it was to  
5 reimburse money incentives to be a signup to get away  
6 from the world trade order, and somehow, this program  
7 has never been implemented, and now with the disaster  
8 money coming out of it, I think, if I'm correct, about  
9 \$3 billion, there was to be no new money brought out at  
10 that time, so they tapped into this CSP money and now,  
11 rather than being fair and equitable to all of us, it  
12 was understood at first we would all be eligible, and  
13 now they're targeting to certain areas, like  
14 watersheds.

15 Now, I'm not objectionable to that, but if  
16 they take care of those, I would appreciate if they  
17 come back and take care of the rest of us. Just like  
18 my farm, I've got my own equipment, I probably would  
19 rank, I would suppose, in that Tier 3. I built miles  
20 and miles of parallel terraces with pipe in them, a  
21 sediment control structure. This winter, I've been  
22 addressing range land, I've cleaned out five ponds, and  
23 trying to improve the quality of water for the range  
24 land management. Also, taking care of a lot of brush  
25 control, hedge, locust, and so conservation is kind of

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1 a hobby for me, I enjoy it, and I've got my own  
2 equipment. And I know that not everybody can implement  
3 the structures I have, but I would hope that if I'm not  
4 one of these areas, that I would get rewarded for the  
5 work I've done. I've built wind breaks to enhance  
6 wildlife and it's not -- most every year, there's  
7 always somebody comes along and wants to take up part  
8 of my time to go see a field where I've put parallel  
9 terraces and pipe and pass on ideas to other producers,  
10 and I was the first one in my county to put tiled  
11 terraces in. And the first guy said it won't work, and  
12 now he's building them all.

13 And so I think I've carried on good  
14 conservation and I think with this program, I don't  
15 feel right that if you were in an area and you may not  
16 be doing the best job, you're going to get rewarded,  
17 and here's a guy outside the area that's not going to  
18 get compensated at all. I don't feel that that's fair  
19 and equitable to those who are not in these outlying  
20 areas, and I wanted to view my comments today.

21 And I know Harold made it around to every  
22 district a year ago and we discussed CSP and what he  
23 said a year ago, I'm not going to repeat because it's  
24 went by the wayside, so we've got new regulations in  
25 2004, and I don't know how you would choose what

1 watersheds will get the funding, whether it be by the  
2 state or the national. I happen to be in the Waconda  
3 drainage area, and if I'm in, fine, if not, I'll be out  
4 totally, but I'll keep on building.

5 I want to thank you for having the  
6 opportunity to speak here for public comments, and  
7 thank you.

8 MR. KLAEGE: Thank you, Ernie. I  
9 haven't made every county.

10 Rich Oberwall (sp), you called in early?

11 Next one then would be Greg Stephens, Kansas  
12 National Farmers Organization.

13 MR. STEPHENS: Thank you. I'm Greg  
14 Stephens, G-R-E-G, S-T-E-P-H-E-N-S. I live in Salina.  
15 I'm executive director for Kansas Senate Vote, which is  
16 a general farm organization that serves as a marketing  
17 agent for producers across the state. We've monitored,  
18 and been involved with the development of the  
19 Conservation Security Program provisions, and thank you  
20 for the opportunity to present testimony on behalf of  
21 CSP, and my remarks are brief, but there are four areas  
22 that we are concerned about.

23 We've been disappointed with the delays in  
24 changes that seem to have occurred with the  
25 legislation, but we understand the process that's

1 involved, and hope that these hearings will reinforce  
2 the support that exists for some of the initial  
3 provisions that have been -- we've been talking about  
4 for quite a while. The four areas that we have  
5 concerns about are that, and they've been mentioned  
6 previously by the previous two speakers, but we're  
7 concerned that the program will be limited and no  
8 longer a national program.

9 I think there, and I did hear some of the  
10 remarks earlier in regard to some of the justification  
11 for it, but our initial support for the Conservation  
12 Security Program was based on a program that encouraged  
13 and rewarded producer practices across a wide area, and  
14 it is possible, we think, that a nationwide program, as  
15 the law intended, can still remain in force and the  
16 selection can take place, not unlike we do grants and  
17 different things like that. So that's the first  
18 concern we have.

19 Second, we are not supportive of any rules  
20 that require participants to have extensive  
21 conservation levels and measures in place prior to  
22 enrolling in the program. We hope that this would be  
23 an incentive to encourage people to take those steps  
24 and not limit new opportunities for producers that  
25 would want to be motivated to become more involved in

1 conservation.

2 Third, the proposed payment base, we feel,  
3 should have more incentives in it. Especially, we  
4 liked the idea of giving incentives to beginning  
5 farmers at a higher rate. That's a really good time to  
6 plant the seed of conservation and to develop a  
7 life-long sustaining conservation practice, and also,  
8 to reward new farmers and encourage new farmers to get  
9 started.

10 NRCS has, with some of the economic  
11 development programs that you've been involved in, I  
12 think this fits into that nicely and hope that you  
13 would consider offering beginning farmers a greater  
14 incentive.

15 Third, we would like to see terms like  
16 diversified conservation cropping practices included,  
17 buffers and rotational grazing systems as acceptable  
18 practices, and finally, we would like to see the  
19 program allow for contract renewals. What we would  
20 hope would not happen would be that we start a program,  
21 and while we realize that there are, you know, the  
22 political reality exists out here, we hope that we  
23 won't start a program that falls so far short that  
24 we're always behind in trying to reach some of the  
25 goals that this program set forth, in a visionary way.

1 actually, for conservation, for producers. I think it  
2 really generated optimism and new hope for a lot of  
3 people, so I would like to see us stay, we would like  
4 to see us stay as close as we can to the original  
5 intent of the program and not develop rules that limit  
6 that so that we have to go back in and work with this  
7 on a continuing basis.

8 So those are my comments and thank you very  
9 much for your assistance in trying to make these things  
10 happen. We will probably have some other comments that  
11 we'll include in writing later, too. Thank you.

12 MR. KLAEGE: Thank you, Mr. Stephens.  
13 Thank you for your comments, and if you do have  
14 additional comments, you can send those in at a later  
15 date.

16 The next on the list is Jim Duggan, if you'd  
17 like to come up and make your comments, sir.

18 MR. DUGGAN: My name is Jim Duggan, I'm  
19 a farmer and rancher. I farm and ranch with my  
20 brother. We've been in no till for 10 years. Before  
21 that, farming 30 years before that.

22 What prompted me to make comments today is  
23 I've been following this Conservation Security Program  
24 from the beginning, and I think it's a landmark golden  
25 opportunity for us as farmers and ranchers to address

1 the problems of environment, environmental concerns in  
2 our nation, and I first want to say I appreciate you  
3 guys working with us, but I have some real concerns  
4 since this program was put into place in 2002, that was  
5 written into the 2002 Farm Bill. We have no  
6 implementation and no funding yet and now I hear today  
7 that \$41 million is the total for this year's funding.  
8 That just confirms why I'm up here today. There has  
9 been a concerted effort to de-fund this program from  
10 day one and I think the people who are doing it know  
11 who I'm talking about. There's been congressional  
12 meetings in December on that subject alone and to  
13 de-fund this program. I think this needs to be  
14 addressed because this program is too important to our  
15 country, to our nation, and to our farmers and  
16 ranchers, and the amount of good we can do is  
17 tremendous and I'd like to see the program implemented  
18 as it was written.

19 My understanding is it took soil  
20 conservationists in the state of Iowa 10 years to  
21 develop this program, so it hasn't been done lightly or  
22 conceived without looking at it. This I got from Tom  
23 Harkin, so what I'd like to see happen, after this  
24 program is over today, I will be talking to Tom Harkin  
25 because it was not related to me that this was going to

1 be a \$41 million program this year. I was under the  
2 assumption that the full funding would be available for  
3 people as we enrolled this year.

4 See, that just confirms what I'm saying and I  
5 think you as farmers and ranchers and soil conservation  
6 people, we all need to be talking to our Congressmen  
7 and our senators and say, hey, folks, we have the  
8 money, it's here in hand, now let's take the program  
9 and let's make it right, because I think you guys at  
10 the front of the room know how to do it and I think the  
11 one's at the back of the room know how to do it, and  
12 together with the right funding and with a great  
13 program, we can really make these happen. We can  
14 answer the concerns of the general public of this  
15 country as far as soil movement, chemical movement,  
16 soil erosion. Those things are all coming on the scene  
17 fast for us.

18 Within 5 years, farmers are going to have to  
19 address them individually, because they're going to  
20 track pollution right back to the source. If your  
21 farming practices through your soil erosion dumps  
22 chemicals and stuff into the rivers and streams and  
23 lakes, they're going to be talking to you. Soil --  
24 Conservation Security Program addresses that.

25 Now, folks, I'm, as one person, I'm going to

1 be talking to my Congressmen and Senators today,  
2 because I want to know what is going on. I know you  
3 guys have to operate within the constraints of the  
4 budget and do the things that you're told, so I'm going  
5 to help things be easier for you.

6 Thank you. My name is Jim Duggan,  
7 D-U-G-G-A-N. Thank you very much.

8 MR. KLAEGE: Thank you, Mr. Duggan. The  
9 next individual on the list is Herb Bartel.

10 MR. BARTEL: My name is Herb Bartel,  
11 B-A-R-T-E-L, and I'm representing myself. I have a  
12 small farm, 400 acres, 340 acres of which I own,  
13 60 acres of which is Corps of Engineering land at the  
14 Marion reservoir, administered by the Kansas Department  
15 of Wildlife and Parks. I operate on the rule of never  
16 waiting for the government.

17 I completed a clean water rivers inventory  
18 and was paid \$250 for that and one of my requests is  
19 that inventories such as that be considered in lieu of  
20 the benchmark inventory. I also submitted in 2001 a  
21 list of projects to the local conservation district for  
22 all three tiers for my farm and have been proceeding on  
23 the basis of implementing those as my funds allow.

24 Now, I have a specific concern about  
25 excluding public lands. I have already indicated my

1 conflict. I farm 60 acres of public land. Public  
2 land, if it's located by a public reservoir, is the  
3 first land to give up sediment and to give up  
4 contaminants into the water. This is the first year  
5 that I have planted a crop on this 60 acres and I will  
6 submit for the record a soil inventory report on this  
7 land and you farmers will know what these numbers mean,  
8 the organic matter is 1.6 percent and the pH is 5.4.  
9 This land needs restoration. It will require 3 tons of  
10 lime just to get it to a point where nutrients are  
11 available, so my point is to request that public land,  
12 which is cropland, be considered as eligible. You have  
13 a definition in the proposed rule for cropland which  
14 would meet the requirement of these areas of which I'm  
15 requesting consideration.  
16 My second major concern is with respect to  
17 appeals. Frankly, when I read the proposed rule, my  
18 trust in the USDA went into a free fall. I felt that  
19 it was not hardly even a draft that was being  
20 circulated. In the proposed rule, the appeals that are  
21 included are number one, appeals to fees, and I  
22 understand that, and don't take any exception to that  
23 because you couldn't possibly be granting different  
24 fees to different areas of the country based on fees.  
25 But my main area of concern is the fact that there is

1 no appeal to conservation practices that are eligible.

2 Now, those practices, as I understand the  
3 proposed rule, are determined by the chief and the  
4 state conservationist, which to me mean there's a list  
5 which we don't have that determines what projects are  
6 going to be eligible to implement under this program,  
7 and what I'm submitting is that at least on my farm,  
8 the practices need to be determined by the land, not a  
9 list that comes from Washington.

10 As an example, one of the things I do on my  
11 farm, I use the Osage orange hedges as incubators for  
12 microbial activity and earthworms so that I can  
13 transfer those to my cropland. I'm interested in  
14 nutrient management as it relates to soil health, and  
15 each person that I've talked to so far says that's not  
16 what nutrient management is, but that's what nutrient  
17 management is to me on my farm. Nutrient management is  
18 soil health.

19 I want now to make a representation for the  
20 Kansas Farmers Union. Kansas Farmers Union at their  
21 annual meeting adopts policy statements. Those  
22 statements are adopted on the basis of each county  
23 representing a delegate. A delegate attends the  
24 conference. The policies are discussed and then voted  
25 on by the delegates, so in the Kansas Farmer Union

1 policies that I'll be submitting for the record is a  
2 section on sustainability and the numbered first item  
3 is that conservation security should be an entitlement  
4 program as intended in the act. Thank you.

5 Harold, I want to compliment you on providing  
6 full services here for this meeting, including  
7 recording it, hearing impaired, I think this is an  
8 excellent opportunity for us in Kansas to get our  
9 positions expressed in Washington. Thank you.

10 MR. KLAEGE: Thank you, Herb, for your  
11 comments.

12 Daniel Hall.

13 MR. HALL: I'm going to send mine in in  
14 written form.

15 MR. KLAEGE: You're going to pass?

16 MR. HALL: Yes.

17 MR. KLAEGE: You can do both.

18 Next individual we had was Mr. Parks.

19 MR. PARKS: Darrell Parks,  
20 D-A-R-R-E-L-L, P-A-R-K-S. I'm here representing the  
21 Kansas Organic Producers. I'm a farmer and I also am  
22 on the Riley County Conservation District Board and  
23 supervisor. I appreciate the hard work that has gone  
24 into developing this rule and the opportunity to voice  
25 an opinion on a program that from its inception was to

1 take a systems approach to the conservation of soil,  
2 water, air, plant and animal life. I especially like  
3 that it rewarded farmers who had been good stewards but  
4 also had provisions for beginning farmers and ones who  
5 had done very little conservation work so far,  
6 fulfilling the motto: Reward the best and motivate the  
7 rest.

8 I am disappointed that in trying to implement  
9 the program, you have decided to begin with just a few  
10 select watersheds. I feel this program was designed  
11 for producers across the nation that want to buckle  
12 down and try to solve the resource problems that start  
13 on their farms and impact their neighbors and  
14 ultimately the whole country. As new as this program  
15 is and with the limitation of the CRP-type signups, I  
16 feel the program should be made available to all  
17 farmers and ranchers. The paperwork requirements, that  
18 participants must go through a self-assessment process  
19 and benchmark inventories to document their operations'  
20 resource condition, will limit participation enough,  
21 and tying eligibility to watersheds is too restrictive.

22 Another big problem with the rules as I see  
23 it is that the base payment rates and the annual base  
24 payment levels are way too low. Expecting farmers and  
25 ranchers to take the environment enhancements -- to

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1 are so low and the paper work so great that many farmers  
2 will opt not to sign up for what could have been an  
3 extremely valuable program for national conservation  
4 security.

5 I appreciate your allowing me to make these  
6 comments and I definitely would like to have it be on a  
7 first-come first-serve basis, rather than on a  
8 watershed priority basis. Thank you.

9 -- MR. KLABBE: Thank you, Mr. Parks. Next  
10 individual we have is Ron Brown, representing the  
11 Kansas Association of Conservation Districts.

12 MR. BROWN: Yeah, Ron Brown, B-R-O-W-N.  
13 I do represent the Conservation Issues Committee, the  
14 State Technical Committee, and as Ernie said, co-chair  
15 of the Natural Program Committee for the National  
16 Association of Conservation Districts. My comments are  
17 mostly some concerns that I've overheard and some  
18 discussion.

19 First of all when this was announced -- let  
20 me back up a second. The past programs for the most  
21 part, for us that's been doing good conservation work,  
22 has mostly penalized us for not being able to enroll a  
23 lot of our land because we were doing a good job on it.  
24 I refer back to programs such as CRP. When this was  
25 announced it looked like a heyday. Well, it looks like

1 under take these environmental enhancement projects and  
2 receive only 5 percent of the total cost is ludicrous.  
3 The poverty level incomes of many farmers is the reason  
4 a lot of good conservation practices have not been  
5 implemented already. They just now have the funds to do  
6 this with a higher cost share percentage.  
7 In addition to the law, specifically provide  
8 enhancements for resource conserving crop rotations,  
9 rotational grazing systems and conservation buffers.  
10 The rules tend to favor chemical dependent no till  
11 systems to the exclusion of these other very effective  
12 resource conserving systems. The ultimate result is  
13 again an unfair advantage to the large chemical  
14 dependent type operations who would qualify easily for  
15 CSP funds to the detriment of all trying to keep soil  
16 and water in place.  
17 In conclusion, I feel that the proposed  
18 implementation rules do not follow the Conservation  
19 Security Program law laid out in the Farm Security  
20 Rule Investment Act of 2002. Participant eligibility  
21 of yet to be named watersheds as well as the enrollment  
22 category process outlined in Section 1470.6 and 1470.20  
23 are too restrictive and too limiting. Also, the base  
24 payment rate and the annual base payment allowed for  
25 applicants desiring to enroll in Tier 1 of the program

1 it's not going to be that.

2 Some of the concerns I've been hearing is the  
3 difference between the proposed rules and the original  
4 intent that was originally meant to be a Green Payment  
5 Program, and there is very wide support for this  
6 program and USDA needs to go back and look at the  
7 statute and make it a Green Payment Program.

8 Another comment has become very, very  
9 difficult to understand and it is a really innovative  
10 farm policy in this country and we do need to make sure  
11 that they do get it right. This pretty much is a  
12 repeat of what's been said several times already, but  
13 the proposed rules require that all participants meet  
14 the very high criteria prior to enrolling in the  
15 program. The high bar entrance requirement will  
16 prevent any producers who have not yet solved the  
17 resource and environmental problems from becoming  
18 eligible for signup, and what I've probably been  
19 hearing louder and clearer than most anything in our  
20 local field offices, and I'm including both district  
21 conservationists and district managers, we've been  
22 through these programs before, many signups, a lot of  
23 them's been unfruitful. We already have many, many  
24 field offices overworked, and many fear that maybe this  
25 signup will require some additional work for nothing,

1 and they're hopeful that if a priority area do indeed  
2 succeed, that they confine themselves within that, and  
3 it's not let out by the national media that there will  
4 be a general signup to let the general public confused  
5 and the local districts are real concerned about  
6 that because like I said they're already overloaded for  
7 the most part, and we've been through many, many false  
8 starts before. Thank you very much.

9 MR. KLAR: Thank you, Ron. At this  
10 time I've exhausted myself of those who have signed  
11 up. Anybody that would like to add additional comment,  
12 you can come to the mic and follow the same rules. Be  
13 glad to take that. Anybody want to comment?

14 MR. BARTHEL: Herb Bartel, B-A-R-T-E-L.  
15 I found some of the definitions very restricting. The  
16 soil quality definition I really didn't see anything  
17 in it about microbial activity, and I think, although  
18 it mentions organic matter, microbial activity is a  
19 very separate part of the soil and a very integral part  
20 to restore the soil, so I think my general feeling is  
21 that we need some opportunity maybe in a discussion  
22 group or at the technical committee level, some  
23 procedure to do a lot more work on these rules, because  
24 as I've indicated, my first impression was that it  
25 wasn't much more than a draft.

1 MR. KLAEGE: Thank you. Anybody else  
2 for comment?

3 Seeing no one else that wants to come up and  
4 provide comment, that will end our listening session.  
5 Hopefully this thing will work.

6 I do want to thank everybody for the  
7 opportunity to attend. We have opportunity here, I  
8 guess, to have additional discussion after this.  
9 Again, if you need to get any of that information, back  
10 on the back table, Rosie, there's a packet back there  
11 on the 30 questions that's in the rule, a summary, some  
12 fact sheets, and information is available on our web  
13 site, and there were subject matter experts, not me,  
14 Steve Parkin, our assistant to the program is up here  
15 in the back, I have our State Resource Conservationist,  
16 Jim Krueger, and our Resource Conservationist, Harry  
17 Conway, that has been involved in some of this.

18 If you have some particular questions, but I  
19 will tell you that we don't have anymore information on  
20 how it's going to operate than really what's in the  
21 proposed rule. We've got some ideas of how some things  
22 may work, but it's still open for comment. It isn't a  
23 done deal. We're trying to get comment on how to do  
24 some of this stuff.

25 Again, if you've given your comments, you may

1 decide you have some more comments, you can please send  
2 those in, e-mail those in, fax those in, anytime up  
3 until March 2nd. In fact, I think it's post marked  
4 March 2nd. I would suggest if they're not real long,  
5 to fax those in or e-mail those in.

6 I know I used to work at Washington and they  
7 still cook the mail. The mail is still irradiated, and  
8 sometimes takes a while to get that in. But we will  
9 send all that information in today that we've received  
10 here today, along with the transcript. I'll open it up  
11 for any quick questions before we -- this is just off  
12 the cuff.

13 MR. SCHLATTER: Harold, do you have a  
14 form where each individual can assess his own  
15 conservation accomplishments and needs, inventory?  
16 Does the state have a FORM where each individual can  
17 assess his -- make his own assessment of his  
18 conservation?

19 MR. KLAEGE: No. We can go out right  
20 now, our district conservation can go out and address  
21 those concerns. It is being drafted or proposed that  
22 this process would work there would be a web site that  
23 an individual could go through their process and  
24 determine where they're at, or a handbook.

25 MR. SCHLATTER: I've got a question. Of

1 all the <sup>v</sup>work I've done this winter, cleaning out ponds,  
2 restoring pits, is it my local conservationist who  
3 needs to take the inventory of this and put it in my  
4 file?

5 MR. KLAEGE: We don't need to do that  
6 for this program yet. Let's wait. Really, this  
7 program is, as designed by NRCS, not based on any  
8 information that we have in our records, it's based on  
9 what you feel like you qualify for and what records  
10 that the particular producer has, and then you would  
11 bring in that information as to what you have on your  
12 farm.

13 There are a number of landowners who may not  
14 cross our threshold very few times that are good  
15 stewards and have a lot of information that they're  
16 doing, so that's why it's proposed that the producer  
17 would evaluate themselves, determine whether they're  
18 eligible, and then bring in the necessary records and  
19 say, okay, here I am, I'm eligible, sign me up, I want  
20 this money.

21 MR. SCHLATTER: Okay, thank you.

22 MR. DUGGAN: Don't you think it's  
23 important for us as individual producers to make sure  
24 that our individual farm plans are updated? We didn't  
25 used to do that, but we do that now, about every year

1 and a half, and we review everything with our soil  
2 conservationist at the county level and we update our  
3 farm plans to make them more current to do the things  
4 he's talking about, and the things that the rest of us  
5 to show that we are making an active effort to really  
6 be conservationists as well as farmers.

7 MR. KLAEBE: Right, and I think the  
8 interaction there is the landowner and the NRCS going  
9 over and evaluate your operation and determine what you  
10 would like to do more or better or improve. That's the  
11 action of that coordination, that cooperation between  
12 you.

13 MR. DUGGAN: That's our responsibility  
14 as individual producers to do that?

15 MR. KLAEBE: We're available to help  
16 producers, those individuals, but we don't want to go  
17 through and write just a bunch of conservation plans to  
18 get in the program. This program is to reward those  
19 producers that are doing a good job, you know, and the  
20 whole thing is that, you do a self-assessment, you're  
21 doing a great job, you bring in your records or bring  
22 in some documentation and then you'd be in the program.  
23 Those people who haven't done anything, you know, may  
24 have to look at some other things.

25 Actually, the process, that if you want to

1 think about a suite of conservation programs,  
2 Conservation Security Program is one that rewards those  
3 who are doing a good job. Maybe who aren't there can  
4 use EQIP, WHIP, state buffer programs. We still have  
5 to continue to working with producers to help you  
6 achieve your goals. Those are your goals, of what type  
7 of conservation you want on your land, and CSP  
8 supposedly would be regarding those best  
9 conservationists and maybe motivating the rest to get  
10 some type of payment if they've been doing  
11 conservation.

12 Yeah, we're willing to work with you in  
13 updating your plans. Don't want to go through a whole  
14 lot just to put plans on the shelves for some  
15 individuals that just think they need the records. The  
16 program's not designed for that. The program is really  
17 to let you do a self-assessment and you're doing a  
18 great job and we believe you and we agree with you and  
19 you ought to be in the program.

20 Any other comments, questions? Well, I  
21 appreciate you all coming here today. I do want to  
22 thank Rosie Collins, Steve's secretary, who helped  
23 record, Steve Parkin, Mary Shaffer, who's our Public  
24 Affairs Specialist, who put out the word and got the  
25 information here, and also all of you for attending and

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to at least listen and we've listened and we'll provide  
those comments on in.

Yeah, this is a very controversial subject  
and it's not done and it may be up for debate for  
several years down the road, and I thank you all for  
attending.

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C E R T I F I C A T E

STATE OF KANSAS  
SALINE COUNTY

ss:

I, Donna M. Lytle, a Certified Shorthand Reporter within and for the State of Kansas, certify that the foregoing is a full and correct transcript of all of the oral evidence and oral proceedings had in this matter at the aforementioned time and place.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Salina, Saline County, Kansas this 29<sup>th</sup> day of January, 2004.



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