



FAX TRANSMITTAL

DATE: 01/26/09
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SUBJECT:

INTERIM FINAL RULE FOR STATE TECHNICAL COMMITTEES
DOCKET NUMBER NRCS - IFR - 08010

COMMENTS:

ATTACHED FOR YOUR CONSIDERATION ARE COMMENTS
SUBMITTED BY THE FISH AND WILDLIFE SERVICE
ON THE STC INTERIM FINAL RULE. PLEASE DO NOT
HESITATE TO CONTACT ME AT 703-358-2310 IF YOU
HAVE ANY QUESTIONS CONCERNING THE SUBMISSION,

Fish and Wildlife Service Comments on the Interim Final Rule for State Technical Committees

January 26, 2009

General Comments

Although the Food, Conservation and Energy Act (2008 Farm Bill) does not list the Fish and Wildlife Service (Service) as a statutory member of the State Technical Committee (STC), the Service believes it is a "relevant federal agency" as described in section 610.22(b) of the interim final rule. The Service looks forward to continued participation in each STC as a relevant federal agency with specialized knowledge about environmental impacts of conservation techniques and programs. The Service has a long-standing conservation partnership with the Natural Resources Conservation Service and other USDA agencies implementing private land conservation programs that includes providing fish and wildlife technical expertise and information that can maximize program benefits for fish and wildlife resources, while helping to mitigate any adverse environmental impacts.

Specific Comments

Section 610.24 (a) – Responsibilities of State Technical Committees

The three examples of STC recommendations provided at the end of the paragraph relate to setting program priorities and application criteria. The Service recommends adding a fourth example of the type of recommendations the STC can provide to USDA that relates directly to on-the-ground program implementation:

“(4) The state-specific conservation practice standards, policies and guidelines used to implement the conservation activities and programs identified in this paragraph.”

Section 610.25(a) – Subcommittees and Local Working Groups

The Service recommends that the STC subcommittee members assembled by the State Conservationist, as described in the second sentence of the paragraph, include representatives from federal, state or local government agencies with statutory responsibility for the resource(s) being analyzed by the subcommittee.

Section 610.24 (b)(3) – Responsibilities of State Technical Committees

In addition to following standard operating procedures and public notice requirements, the Local Working Groups should provide the STC with information on their recommendations, including the process used to develop the recommendations. This will assist the STC in satisfying the statutory requirement to review whether Local Working Groups are addressing STC priorities.