

FRPP - IFR - WEBER

Received 9/20/06  
RFB

September 11, 2006

Mr. Emil Weber  
991 Whitney Road  
Ontario, NY 14519

Robert Glennon, Farm and Ranch Lands Protection Program Manager  
Easement Program Division  
USDA Natural Resource Conservation Service (NRCS)  
1400 Independence Ave, SW Rm 6819-S  
Washington, DC 20250-1400

Dear Mr. Glennon:

I am writing in response to the Interim Final Rule published on July 27, 2006 for the Farm and Ranchland Protection Program (FRPP). FRPP has been an important partner to our local efforts to protect farmland and support our local farmers. I have participated in two projects in the Towns of Walworth and Macedon that used both the FRPP and the New York State Farmland Protection Program funds. I am considering applying again to each program for other land that I own and work.

However, I am very worried that FRPP policies proposed in the Interim Final Rule conflict with the standards of the New York State Farmland Protection Program. This year, New York State Department of Agriculture and Markets indicated that FRPP funds would not be permitted as a match for state-funded projects – largely due to new FRPP standards. If this conflict continues, I will not apply to either program, since it is not fair for one landowner to donate a significant amount of equity to help the towns achieve their land use goals.

Specifically I am concerned about the following issues outlined in the proposed rule:

- I believe that the 2% impervious surface restriction is not an appropriate method for protecting topsoil from “non-agricultural use.” Farmers need good soil and will adopt management techniques that preserve topsoil. Other NRCS programs help farmers develop plans for management practices in order to save topsoil. This is a more logical way to offer management flexibility without legislating impervious surface restrictions in an easement. This is an especially important issue to resolve because of the reaction by NYSDAM in their latest grant application.
- I have read about other federal programs that offer block grants for real estate and economic development projects. I support changing the FRPP to a block grant-type program especially if it will simplify the cumbersome closing process.

I believe farming is a good way of life and will continue to be. I do not manage my business the way that I did even twenty years ago. Any easement that the FRPP uses should allow future managers to have the ability to adopt new farming methods and production practices as they come along, as long as they do not destroy or remove the topsoil. I hope you will consider these

concerns and make appropriate changes to ensure that the program can continue to be an effective partner here in Wayne County.

Sincerely,

A handwritten signature in cursive script that reads "Emil J. Weber". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

CC: U.S. Senator Hillary Clinton  
U.S. Senator Charles Schumer  
U.S. Congressman James Walsh  
Ron Alvarado, NRCS-NY State Conservationist  
Marilyn Stephenson, NRCS-NY FRPP Program Manager  
Patrick Brennan, Commissioner NYSDAM  
David Haight, American Farmland Trust