



*Forging a partnership between farmers and consumers. * Working together for Ohio's farmers.*

March 19, 2003

Mr. Charles Whitmore
Director, Conservation Operations Division
Natural Resource Conservation Service
P.O. Box 2890
Washington, DC 20013-2890

Attention: Conservation Security Program Advanced Notice of Proposed Rulemaking

Dear Mr. Whitmore:

The Ohio Farm Bureau Federation appreciates the opportunity to comment on the Conservation Security Program Advanced Notice of Proposed Rulemaking (ANPR). During the farm bill debate Farm Bureau was a strong supporter of the establishment of a new type of conservation incentive program. We believe that agricultural producers must receive assistance to help defray the cost of ongoing environmental improvement and regulation. The Conservation Security Program (CSP) will assist farmers to achieve environmental goals and reward them for improved environmental performance. NRCS should work with every segment of agriculture to assure broad participation in the program. A complete suite of CSP practices including pilot programs, and innovative practices, in addition to more traditional practices should be available for all producers, including fruit and vegetable producers, wishing to participate.

It was the intent of the Congress that CSP be available to all producers nationwide. The program was developed to assist and reward producers for environmental improvement. Multiple questions (1, 2, 3, 12, 14) in the ANPR appear to focus on narrowing the scope of the program to target geographic priority areas or identifying areas for focus based on specific resource problems. This approach runs contrary to the intent of the program. The Environmental Quality Incentives Program (EQIP) is specifically targeted to assisting producers make infrastructure improvements required to address identified environmental regulations and issues. CSP should be more broadly available to assist with and reward overall environmental improvement including good stewardship. Should it be necessary to provide guidance on program goals, it is our belief that the state technical committees are best equipped to develop such guidance. This would include recommendations regarding both existing and innovative conservation practices, and pilot projects that are eligible for meeting CSP requirements.

For the purpose of defining "entire agricultural operation" (5) for Tier 2 and 3 purposes, entire agricultural operations shall be defined as contiguous acres that are part of an agricultural operation. An "entire agricultural operation" may include land rented or leased (11) during the CSP contract period. No producer should be excluded from program participation if they do not control the rented or leased land for the entire term of the contract. Should CSP contract land

change during the contract period, the CSP contracts should be amended to reflect the revised acreage and practice changes. Producers will not be subject to penalties or violations related to changes in landholdings. Noncropped areas and developed areas (6) (farmsteads, ranch sites, barnyards, feedlots, equipment storage, material-handling facilities, etc.) should be considered part of the agricultural operation.

Multiple contracts may be stacked (9) across separate agricultural operations as long as the acreage is not contiguous. Contracts can also, be stacked across Tier types, however no producer may receive a cumulative payment under CSP in excess of \$45,000 per year.

Payment (4, 7, 8) ratios for base, maintenance and enhanced payments are unnecessary. Base payments should be calculated according to the regional average rental rates for a specific land use (crop type). Under the EQIP incentive program there is an established method for calculating ongoing maintenance costs. The EQIP formulas should be applied to CSP for cost share payments. Various existing programs have awarded enhanced payments taking into consideration regional equity and other factors (example: CREP). NRCS should review existing programs and determine if an appropriate formula exists. Using the above formulas, payments should be applied to reflect CSP contract Tier, but not to exceed the appropriate cap level.

Farm Bureau recognizes that performance measurements (15) are necessary to demonstrate the effectiveness of conservation programs such as CSP. However, many environmental improvements cannot be measured directly or immediately. Improvement may take years to be realized. We recommend that NRCS establish a measurement system based on reference sites and environmental models. This information should be used to provide a measurement of program success and accountability.

The confidentiality of information provided to technical service providers must be protected. Farmers and ranchers are increasingly concerned about the utilization of information provided as part of program participation. Outside agencies have attempted to use program information for regulatory and other purposes. The 2002 Farm Security and Rural Development Act specifically exempted such information from distribution to other agencies of government and disclosure under the Freedom of Information Act. This protection must include all information made available by producers as a result of CSP participation.

We appreciate this opportunity to provide comments on the CSP ANPR and look forward to working with the NRCS on program delivery.

Sincerely,

John C. Fisher
Executive Vice President

JCF/lma