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Docket Number NRCS-IFR-08005

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U.S. Department of Agriculture
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Dear NRCS:

Thank you for the opportunity to comment on the Interim Final Rule (IFR) for the Environmental Quality Incentives Program (EQIP), Docket Number NRCS-IFR-08005. I would like to submit the following comments in my capacity as a researcher in organic and sustainable crop production, a consultant for small scale diversified farms, and a regular participant in meetings of the Virginia State Technical Committee. I am also writing on behalf of the Virginia Association for Biological Farming, a membership organization that serves organic and sustainable farmers in the state of Virginia, and co-sponsors with Virginia Cooperative Extension the annual Virginia Biological Farming Conference.

In the 2008 Farm Bill, Congress directed the NRCS to modify the EQIP to include organic agriculture as a new nationwide program priority, to recognize the conservation benefits of organic systems, and to establish a program within EQIP to provide technical and financial assistance to farmers and ranchers in converting to organic production. Based on this mandate, I would like to make the following recommendations regarding the EQIP Interim Final Rule.

First, the Final Rule must provide clear guidance for State Technical Committees regarding the use of EQIP funding for Organic Conversion Assistance, as mandated in the 2008 Farm Bill. It has come to my attention that State Conservationists in Virginia and elsewhere have thus far received inadequate information and guidance under the IFR to proceed with utilizing EQIP funds to assist farmers and ranchers in their states who want to convert to organic. In addition to cost share for implementing specific organic practices and related essential infrastructure, these producers especially need top quality technical assistance in order to make a successful transition to organic methods. Specifically, I recommend that the Final Rule:

- clarify that EQIP Organic Conversion Assistance is available in all counties in all 50 States each year of the current Farm Bill;
- require State Conservationists to evaluate and process applications for Organic Conversion Assistance from a separate pool of funds;
- ensure that sufficient Organic Conversion Assistance funds are made available to meet the technical assistance needs of transitioning farmers and ranchers; and
- clarify that the \$20,000 per year and \$80,000 total limits apply only to EQIP contracts specifically for *Organic Conversion Assistance*, and is not to be imposed on other organic producers who are applying for regular EQIP funding.

Second, the 2008 Farm Bill establishes several new national priorities for the EQIP program that do not appear in the IFR. In order to comply with the legislation, and to further the stated conservation goals of President Barack Obama and Agriculture Secretary Tom Vilsack, I recommend that the Final Rule restore the following to the list of national priorities for EQIP:

- Organic Farming and Ranching Systems;
- Energy Conservation;
- Conservation Practices and Habitat for Native and Managed Pollinators; and
- Sustainable Grazing Management Systems.

Third, other sections of Final Rule should be modified to fully reflect the 2008 Farm Bill mandate that Organic Agriculture has been established as a national priority for the EQIP. Specifically (recommended changes in italics):

- Under Section 1466.3 Definitions, "Conservation plans" should include "*organic system plans*" and "*transition to organic management plans*" in the list of conservation improvements and activities listed explicitly as part of the definition.

- Under Section 1466.3 Definitions, "Technical Assistance" should also specifically include organic planning as follows:

"(1) Technical services provided directly to farmers, ranchers, and other eligible entities, such as conservation planning, *organic planning*, technical consultation, and assistance with design and implementation of conservation practices"

- Under Section 1466.8 Program Requirements, modify subsection (e) to read:

"(e) NRCS will establish a national target to set aside five percent of EQIP funds for socially disadvantaged farmers or ranchers, an additional five percent of EQIP funds for beginning farmers or ranchers *and an additional five percent of EQIP funds for organic conversion support.*

- Under section 1466.11 Technical services provided by qualified personnel not affiliated with USDA, modify Section (c) to read:

"(c) Technical services provided by qualified personnel not affiliated with USDA may include, but are not limited to: conservation planning; *organic planning*; conservation practice survey, layout, design, installation, and certification; and information, education; and training for producers.

- Under section 1466.21 Contract Requirements, subsection (b), add:

"(vi) Implement an Organic System Plan or a Transition to Organic Plan when the EQIP plan of operations addresses organic production or transition to organic production"

- Under section 1466.23, subsection (c)(iv) "When determining payments for income foregone, the State Conservationist may give higher priority to the following conservation practices:" add to the list: *(H) Transition to organic production.*

Fourth, EQIP should prioritize funding for farms seeking to implement sustainable production systems that offer multiple conservation and environmental quality benefits, and should de-emphasize support for Concentrated Animal Feeding Operations (CAFOs). Because CAFOs are often a major source of environmental degradation, EQIP must not encourage the establishment of new CAFOs or the expansion of existing CAFOs. I recommend that the Final Rule:

- clarify that EQIP funds are available to all producers for comprehensive whole-farm conservation planning, including but *not limited to* comprehensive nutrient management plans;

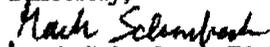
- prohibit the use of EQIP funds for waste management for *new* or *expanding* CAFOs;
- ensure that organic farms, pasture-based livestock operations, and innovative farms implementing other sustainable systems, as well as conventional farms, have full and equal access to EQIP funding, with the \$300,000 funding cap applicable to all applicants; and
- prohibit waivers of the \$300,000 cap for CAFOs.

Finally, the NRCS should direct State Conservationists to consider newer alternative tools to evaluate producers' soil conservation practices and set payment levels under the EQIP. The Soil Conditioning Index (SCI) currently in use heavily credits continuous no-till systems, which rely on herbicides and therefore are not feasible for organic farmers. Furthermore, SCI does not take into account the conservation and soil quality benefits of long, diversified crop rotations that include resource-conserving components such as grass + legume cover crops, and sod crops. Recent research by USDA scientists and others has shown that good organic practices with a diversified crop rotation and judicious tillage can enhance soil quality and carbon sequestration as well or better than continuous conventional no-till (Teasdale et al., 2007; *Agronomy Journal* 99: 1297-1305; Poirier et al, 2009, *Soil Science Society of America Journal* 73: 255-261). The NRCS should use soil conservation assessment tools that do not discriminate against organic systems, especially when the research now verifies that these systems can produce as good or better conservation results than conventional no-till with herbicides. Specifically, I recommend that the Final Rule direct State Conservationists to:

- consider resource-conserving crop rotations, as well as intensity/frequency of tillage, plant cover and biomass when evaluating a farm's soil conservation practices; and
- consider the use of alternatives to the SCI such as the Soil and Water Eligibility Tool (SWET) currently used in the Conservation Stewardship Program, or a Soil Management Assessment Framework (SWMF) as proposed by the National Sustainable Agriculture Coalition.

Thank you for taking these comments and recommendations under consideration in developing the Final Rule for the Environmental Quality Incentives Program.

Sincerely,


Mark Schonbeck, Ph.D.

Virginia Association for Biological Farming