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**Decker, Denise - Washington, DC**

**From:** on behalf of RA dcwashing2 wrp  
**To:** jwbarthels@aol.com  
**Cc:** Christensen, Thomas - Washington, DC; Rhodes, Maggie - Washington, DC; Deavers, Leslie - Washington, DC; Johnson, Roland - Washington, DC; Decker, Denise - Washington, DC; Puga, Tony - Washington, DC  
**Subject:** RE: WRP Comments

Dear Jack and Arlene Barthels:

Thank you for your e-mail of March 4, 2009, in regard to Docket No. NRCS-IFR-08013, the Wetlands Reserve Program (WRP) Interim Final Rule, as published in the *Federal Register*. The conservation provisions of the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) and the Administrative Procedures Act offer the public the opportunity to submit official comments on Agency regulations and other documents published in the *Federal Register* during the official public comment period indicated with each published regulatory document.

Regulatory changes generally are being published as interim final rules, enabling full implementation of the programs while public comment is assessed. NRCS acknowledges your recommendation. Your comments will be analyzed and given full consideration in the process of moving to final program rules. The preamble for final rules will include our analysis of public comments and their disposition with regard to the final rules.

Again, thank you for your official comment. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

/S/

THOMAS W. CHRISTENSEN  
Deputy Chief for Programs  
USDA/NRCS

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**From:** jwbarthels@aol.com [mailto:jwbarthels@aol.com]  
**Sent:** Wednesday, March 04, 2009 9:42 PM  
**To:** undisclosed-recipients  
**Subject:** WRP Comments

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3/6/2009

Comments for the WRP Interim Rules (identified by Docket Number NRCS-IFR-08013)

I understand that 8 million dollars in the NRCS budget this year is waiting to be distributed to new applications. However these new changes if adopted will no longer allow most landowners in Northeast Ohio to qualify. The proposed rule will have a drastic impact on the eligibility of landowners in Northeast Ohio. Since the programs inception riparian corridors between previously protected wetlands were considered eligible lands on there own right.

The specific change I am bringing to your attention is to reinsert the riparian eligibility component back to page 2331 of the Rules in the Federal Register to allow "riparian areas along streams or other waterways" to qualify as a primary eligibility criteria for WRP. It has been removed from that section and moved to page 2332 where riparian areas are now only eligible as a subcomponent of other eligibility criteria. This change will prevent most streamside landowners from qualifying for the program.

I do not agree with congress in the 7 year ownership rule. It is not a factor that affects the wetlands and the associated eligible lands. This is a voluntary land protection program. If lands are eligible ,rank high enough and appraisals are done properly, then there should be no problem. This rule does provide for the state conservationist to consider requests for waivers of the 7 year ownership criteria if adequate assurances are given that the land was not just acquired to be flipped into a WRP easement to make a quick buck. The rules should not be used to discriminate against farmers and other conservation minded folks such as tree farmers who may have recently acquired eligible land to expand their operations. Language should be added encouraging the state conservationist to exercise his waiver authority to the greatest extent possible.

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US Congressman Tim Ryan's District

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