



Decker, Denise - Washington, DC

From: on behalf of RA.dcwashing2.wrp
To: Jim and Diane Yri
Cc: Christensen, Thomas - Washington, DC; Rhodes, Maggie - Washington, DC; Deavers, Leslie - Washington, DC; Puga, Tony - Washington, DC; Johnson, Roland - Washington, DC; Decker, Denise - Washington, DC
Subject: RE: Emailing: WRP IFR comment letter

Dear Jim and Diane Yri:

Thank you for your e-mail of March 10, 2009, in regard to Docket Number 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

-----Original Message-----

From: Jim and Diane Yri [mailto:yrifarm@gondtc.com]
Sent: Tuesday, March 10, 2009 4:33 PM
To: RA.dcwashing2.wrp
Subject: Emailing: WRP IFR comment letter

The message is ready to be sent with the following file or link attachments:

WRP IFR comment letter

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Dear Director Heard,

Re: NRCS-IFR-08013

I am writing today to object to the way the Wetlands Reserve Program is set to be implemented. Under the current regulations, depth of water is restricted to 6.5 ft. or less. In the case of Devils Lake, ND, we have a closed basin lake whose nature is to fluctuate depending on in-flows and evaporation. In the past several years we have seen the lake rise a considerable amount until it is now up against a former lake-bank formation that has existed for over 100 years. In 2007 and 2008 during a period of low precipitation the lake level dropped about two feet. Then in a short time last fall we received over 15 inches of rainfall and now are in another heavy snow winter. The lake is predicted to rise about three feet this year, possibly more. Because of the 6.5 ft. depth limitation, we as landowners would only be allowed to enter an area about 50 to 100 ft. out along the shoreline. That would not make it very attractive to most of the landowners around here to enroll and most importantly from the standpoint of wildlife habitat acquisition, it does not allow for the very real possibility that in a relatively short period of time the water could drop to where there would be little to no wetlands involved in the easement. For these reasons we respectfully request that the depth limitation be removed. Also, because of the fluctuations previously mentioned, we suggest that a certain lake elevation be used as a baseline for each year so that there is not continual confusion during the sign-up period as to just where boundaries would be drawn. We feel that making these changes would generate more interest in the program among landowners to enroll their lands and this brings us to another point. Funding levels currently give North Dakota an allocation to enroll about 22,000 acres in this WRP. This allocation level was not based on a survey of Prairie Pothole Region states as required by statute, but rather by an "assessment" of county NRCS offices. Had a proper survey been done, much more land would be indicated as eligible to qualify. We request that the Secretary of Agriculture increase funding of this program to a level adequate to fund the enrollment of 50,000 acres in North Dakota. Thank you. Sincerely, Jim and Diane Yri, 6660 Hwy 19, Minnewaukan, ND 58351