



ASSOCIATION of
FISH & WILDLIFE
AGENCIES

The voice of fish and wildlife agencies

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FAX

To:	Program Allocations & Mgmt Support		Jen Mack Schaefer
Fax:	202.690.2378	Pages:	3 (including this cover)
Phone:		Date:	3/16/09
Re:		cc:	

Urgent

For Review

Please Comment

Please Reply

Comments:

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Received Time Mar 16 10:42AM



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March 13, 2009

United States Department of Agriculture
Natural Resources Conservation Service
Attn: Program Allocations and Management Support Team
Regional Equity Comments
PO Box 2890, Room 5212-S
Washington, DC 20013

RE: Federal Register Document E9-492, Interim Rule affecting changes to Regional Equity

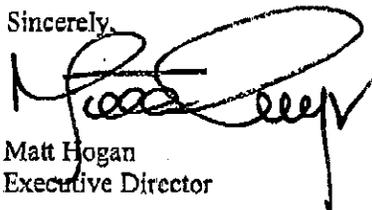
Dear Sir or Madam:

The Association of Fish and Wildlife Agencies (Association) appreciates the opportunity to comment on the interim rule affecting Regional Equity as provided by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill). The Association represents the collective perspectives of the state fish and wildlife agencies, and promotes sound management and conservation. All fifty states are members.

Thank you for the opportunity to comment on the interim final rule and provide our perspectives. Generally, we felt the rule was well written, but we do have a few suggestions that we think would improve the programs' functionality. Those recommendations are attached for your consideration and inclusion in the final rule.

Again, thank you for your consideration of our recommendations for the implementation of the Regional Equity provision of the 2008 Farm Bill. Please do not hesitate to contact Mrs. Jen Mock Schaeffer at jenmock@fishwildlife.org or at 202-624-7890 with any questions about our comments, or if we can further assist with this provision.

Sincerely,



Matt Hogan
Executive Director

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**Comments on the Regional Equity Interim Final Rule
Submitted by the Association of Fish and Wildlife Agencies**

Specific Recommendations:

662.4 Regional Equity implementation procedure.

(a) Determine initial allocations. "... funding levels for each State through a merit-based, natural resource focused allocation process, as determined by the Chief."

- The Association supports a merit-based, natural resource focused allocation process. However, we believe that **the initial allocation formula should include a component for monitoring and evaluation of state projects/programs regarding how they are meeting state and national program priorities, goals and objectives.** We hope this will encourage State NRCS offices to obligate funds on projects that will address directly address state and national priorities as well as further the information available for the Conservation Effects Assessment Program and improve the adaptive management ability of NRCS.

(c) Establish contribution program fund levels.

- (c)(2)(i) The Association supports consultation with the State Technical Committee in evaluating and determining respective program demands, and supports the inclusion in subsection (c) of "State priority natural resource concerns." We support this section and recommend its inclusion in the final rule as written.

(e) Access the drawing account. "... once that State has obligated at least 90 percent of its initial allocation for that same program."

- While there seem to be processes in place for the State NRCS to access, obligate and request an additional program allocation, there isn't clear guidance on the timely actions of NRCS Headquarters with respect to a State's request. To give State NRCS offices time to obligate program funds and manage workloads, we recommend including in the final rule a statement like the following that will give States more definitive timelines for expected responses from NRCS Headquarters on re-allocations of program funds.
 - **The NRCS action and response, when practicable, to such State reallocation requests will be made within 60 days after April 1.**
- We believe this will facilitate a timely response by staff on both ends of the request and will assist the State in planning and implementing the program, obligating funds within timelines and help manage workloads in the field.

(f) Re-allocation of funds. "... allocation of funds may be made at the discretion of the Chief"

- This provision is important to maintain, and the Association supports inclusion of this provision in the final rule as written. It allows the vital and important flexibility for the Chief to act based on considerations and differences between northern and southern states in planting dates and growing seasons as well as weather considerations and events