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April 1, 2009

Financial Assistance Program Division
U.S. Department of Agriculture
Natural Resources Conservation Service
1400 Independence Ave., SW, Room 5237S
Washington, D.C. 20250-2090

RE: Comments on EQIP eligibility on federal and state lands

To whom it may concern:

We represent the West Pinal Natural Resource Conservation District located in Pinal County, Arizona, and are supporters of the EQIP program and the intent of the program in addressing resource concerns in our area. After reviewing the new 2008 EQIP rule that took effect on January 15, 2009, we have concerns relative to EQIP eligibility on federal and state lands.

Many of our agriculture producers have operations on public and state owned lands. We understand eligible land in the new rule to include:

- (1) Privately owned land;
- (2) Publicly owned land where:
 - (i) The land is a working component of the participant's agricultural and forestry operation, and
 - (ii) The participant has control of the land for the term of the contract, and
 - (iii) The conservation practices to be implemented on the public land are necessary and will contribute to an improvement in the identified resource concern that is on *private land*.

Under the rule as it currently reads, many of our agriculture producers would not have land eligible for the program, therefore, resource concerns that exist on these lands will increase and will not be addressed. The rule also prevents states with lesser amounts of privately owned land from having an equitable opportunity to participate in EQIP and to realize the benefits that the program has to offer.

Therefore, as representatives of the West Pinal Natural Resource Conservation District, we ask that eligible land be interpreted or changed to include *state owned land as well as private land*.

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Thank you for your consideration of our concerns.

Sincerely,

WEST PINAL NRCD

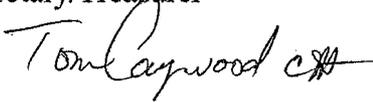
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