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Decker, Denise - Washington, DC

From: Decker, Denise - Washington, DC
Sent: Friday, February 27, 2009 3:53 PM
To: Rich Nichols
Cc: Christensen, Thomas - Washington, DC; Deavers, Leslie - Washington, DC; Bulzomi, Geno - Washington, DC; Rhodes, Maggie - Washington, DC; Johnson, Roland - Washington, DC
Subject: RE: Comments RE: Regional Equity

Dear Richard Nichols:

Thank you for your e-mail of February 23, 2009, in regard to Docket Number NRCS-2009-0008 Regional Equity (RE), 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 rule changes published in the *Federal Register* during the official public comment period indicated with each published rule change.

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

From: Richard.Nichols [mailto:rich.nichols@aiswcd.org]
Sent: Monday, February 23, 2009 5:25 PM
To: Deavers, Leslie - Washington, DC
Subject: Comments RE: Regional Equity

I have reviewed the interim final rule for Regional Equity and believe this is a rule guaranteed to create mediocrity. I understand that this is part of the Farm Bill and may not be able to be substantially changed, but why would NRCS have a rule requiring the payment of a minimal amount of money to states that don't have the ability to spend the money when states with high work loads go wanting? It just makes no sense to me and I feel the law should be changed. Illinois has an excellent record of spending the money allocated to us and to the extent possible; all of the reallocated money that has come from those states who can't spend it. I don't question other states getting their share of funds if the workload will support the level of funding they are receiving but it appears to me after several years of observation that this particular provision is counter productive. States that receive excess funding spend an inordinate amount of time digging up contracts that may or may not be good use of funds and those same states hold on to the money they have received because the State Conservationist doesn't want to look bad for not spending what was authorized. By the time the low workload states release the funds they can't use, there is usually little time left in the fiscal year. This means that those states who receive

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the unspent funds have to scramble to get the reallocated funds spent, which is inefficient and may lead to poor projects because of the inability to plan for good ones. Landowners typically don't sign up for cost share if they don't think there will be any funding. The way this program works, no state knows if they are going to get reallocated funds or in what amount until late in the game. That means the field staff has to scramble to find landowners who have expressed an interest but have made no commitment because they didn't think there would be funding.

The whole process is nonsensical and hugely inefficient. Please do what you can to see that program funds are allocated to the states based on documented workload not just because some meaningless threshold must be met.

I apologize if this seems somewhat rambling. I am out of time and wanted to be sure I let someone know how ridiculous I think the concept of Regional Equity is.

Thank you for your kind conservation of my remarks

Richard W. Nichols
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