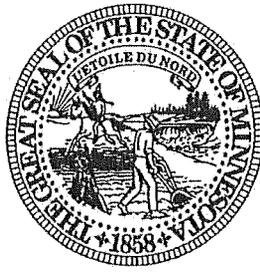


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Minnesota Department  
of Agriculture



Minnesota Pollution  
Control Agency

Minnesota Department  
of Natural Resources

Minnesota Board of  
Water and Soil Resources

March 16, 2009

*Submitted via <http://regulations.gov>*

Financial Assistance Programs Division  
USDA Natural Resources Conservation Service  
Washington, D.C.

Re: **Docket Number NRCS-IFR-08011**

**Technical Service Provider Assistance (TSP) Interim Final Rule**

The comments below on the January 16, 2009 Technical Service Provider Assistance (TSP) interim final rule reflect the perspectives of four Minnesota state agencies—the Board of Water and Soil Resources, Department of Agriculture, Pollution Control Agency and Department of Natural Resources.

**§ 652.1 Applicability and 652.2 Definitions.**

- **Technical services.** (1) We welcome the inclusion of conservation planning as a type of technical service eligible for payments to third party providers. (2) We recommend identifying “*education and outreach*” as another type of technical service eligible for payments to third party providers, as authorized in the 2008 farm bill.

**§ 652.3 Administration.**

- **NRCS training of TSPs.** In our experience as a state that is piloting a conservation technical training pilot program (led by the University of Minnesota Extension Service with one-time funding from Minnesota’s Clean Water Legacy Act), NRCS-led training modules for TSPs on program-specific regulations, policies and procedures are essential. We understand that the provision restricting NRCS’s future role in TSP training to these specified

categories (NRCS regulations, policies and procedures) is intended to help NRCS know and act on what it can reasonably provide. However, whereas NRCS regulations, policies and procedures (including conservation practice standards) comprise much of the information TSPs need to know and, whereas few people outside of NRCS are qualified to train others about these regulations, policies and procedures, we recommend that NRCS consider establishing a train-the-trainer program to transfer this knowledge to non-NRCS trainers. This would reduce the burden on NRCS to provide significant ongoing training that is essential for a long-term, successful TSP program.

§ 652.5 Eligible participant acquisition of technical services.

- **TSP payment rates.** Technical assistance continues to be a critical limiting factor for implementing conservation practices to restore and protect natural resources. State and local government funding to provide technical assistance for conservation practices is also limited, particularly in this time of economic recession. *Replacement of the not-to-exceed rates established by the National Office with payment rates determined by State Conservationists (with National Office approval) is a welcome update of the TSP program.* This includes the proposed basing of these payment rates on local cost data, procurement data and market data, with the stated emphasis on local market rates. We believe it will help increase TSP program participation by private sector providers as well as state and local governments.

§ 652.6 Department delivery of technical services.

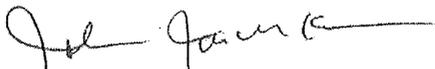
- **Contribution agreements.** Contribution agreements are an important TSP program component for state and local participation in providing technical assistance for timely implementation of Farm Bill conservation practices. Under the current economic conditions, use of farm bill conservation program funding to the full extent reasonable for technical assistance is needed to accelerate conservation practice implementation. To further increase contribution agreement partnerships for technical assistance without creating unfair competition with private sector TSPs, we recommend giving State Conservationists the authority to provide contribution agreement funding up to 75% of the applicable TSP payment rates.
- **Related technical services.** (1) Expanding the scope of third party technical services to include “related technical assistance services that accelerate conservation program delivery” is a positive step. (2) We recommend specifying that forms of related technical assistance “*may include, but are not necessarily limited to conservation planning, conservation education and*

*outreach, and technical training.*" Regarding technical training, contribution agreements with other agencies to train TSPs to assist NRCS in implementing farm bill conservation practices could help ensure a successful, long-term TSP program—especially in light of the proposed limitation on NRCS's role in training TSPs.

Thank you for the opportunity to comment on the TSP interim final rule. If you have questions about our comments, please feel free to contact any of the following agency staff:

- Julie Klocker, Assistant Director, MN Board of Water and Soil Resources, 651-297-5617
- Barbara Weisman, Conservation Policy Specialist, MN Dept of Agriculture, 651-201-6631
- Wayne Anderson, Agriculture Liaison, MN Pollution Control Agency, 651-757-2195
- Wayne Edgerton, Ag Policy Coordinator, MN Dept of Natural Resources, 651-259-5223

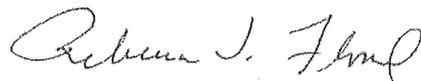
Sincerely,



John Jaschke, Executive Director  
Minnesota Board of Water and Soil Resources



Gene Hugoson, Commissioner  
Minnesota Department of Agriculture



*for* Paul Eger, Commissioner  
Minnesota Pollution Control Agency



*for*

Mark Holsten, Commissioner  
Minnesota Department of Natural Resources

BW: MDA ADFA

cc: Minnesota Governor Tim Pawlenty  
NRCS State Conservationist Bill Hunt  
U.S. Senator Amy Klobuchar  
U.S. Representatives Michele Bachmann, Keith Ellison, John Kline, Betty McCollum,  
James Oberstar, Erik Paulsen, Collin Peterson and Timothy Walz