



MARIN COUNTY FARM BUREAU

P.O. Box 219, Pt. Reyes, CA 94956

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March 15, 2009

Financial Assistance Programs Division
U.S. Department of Agriculture, Natural Resources
Conservation Service
1400 Independence Avenue, SW., Room 5237S
Washington, DC 20250-2890
Sent via fax (202) 720-4265
Subject: Docket Number NRCS-IFR-08005

Dear USDA-NRCS Financial Assistance Programs Division;

The Marin County Farm Bureau has reviewed the Farm Bill EQIP Interim Final Rule (NRCS-IFR-08005), to incorporate programmatic changes and disagrees with Section 1466.8, "Program requirements," which set forth land and applicant eligibility. Within paragraph (c) NRCS states that "publicly owned land is eligible if it is an actively managed component of the agricultural and forestry operation and the conservation practice contributes to an improvement in an identified resource concern that is located on private land."

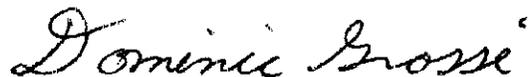
As stated, the eligibility requirement does not allow EQIP conservation improvements to be made on agriculturally leased lands on public lands unless there is an environmental benefit on adjacent or nearby private land. There are situations where agricultural producers operate private operations entirely or almost entirely on leased public land. This language will prevent agricultural operators on public lands from having the ability to engage in conservation practices which enhance and protect water quality and other natural resources.

Also these private operations may be responsible for actively managing agricultural production and the conservation practices that contribute to improving natural resource concerns on the land they lease. These Producers may operate under long term permits which hold them solely responsible for improvements or alterations at their sole cost and expense. Many of the operations exist within federally impaired watersheds which have federally established Total Maximum Daily Load (TMDL) requirements. They may be subject to TMDLs that mandate all agricultural operators to implement conservation practices to demonstrate attainment of applicable water quality load allocations. It is imperative we support agricultural producers in meeting this goal.

We strongly urge NRCS/Commodity Credit Corporation to change the EQIP eligibility requirement by allowing conservation practices to occur on publicly owned land when there is a private agricultural business operating on public land, and when the agricultural business operates under a lease/permit which holds the permit tee solely responsible for improvements on the operation, regardless of the resource contributions made to private lands. If this change is not made many improvements will not be made and environmental quality will suffer.

Thank you for the opportunity to comment. Should you have any questions regarding this matter please contact me at (415) 897-8461

Respectfully,



Dominic Grossi
President
Marin County Farm Bureau