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FAX COVER SHEET

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FROM Williamson & Williams PLLC

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RE Comment to docket NRCS-IFR-08005

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4/17/09

Financial Assistance Programs Division
U.S. Department of Agriculture
1 202 720-4265

Public comment regarding Docket Number NRCS- IFR-08005

As a future organic farmer, I find that the EQIP Interim Final Rule issued by USDA needs major changes to make it work for sustainable and organic farmers and ranchers. I urge changes to that Interim Final rule in the following ways:

USDA needs to make sure that the organic conversion program is made available in **every** county in **every** state.

Restore the ban on the use of EQIP funding to construct massive manure pits for new and expanding Concentrated Animal Feeding Operations

Hold fast to the \$300,000 payment limitation on EQIP contracts and resist the pressure to provide an easy waiver or loophole.

Include specific language in the rule recognizing pollinator and pollinator habitat protection, organic systems, grazing management and energy conservation in the list of EQIP National Priorities

Make EQIP assistance available to all farmers and ranchers for comprehensive whole farm conservation planning.

Additionally, I make the following recommendations:

1. **Organic Conversion:** The 2008 Farm Bill included a new provision to help farmers make the transition to organic production. The program is to provide up to \$80,000 per farm over four years for financial and technical assistance. I therefore:

- Recommend that the final EQIP rule clarify that EQIP Organic Conversion Assistance is available in all counties in all fifty states every year.
- Recommend that the final EQIP rule requires NRCS State Conservationists to rank and process applications for organic conversion assistance in a separate funding pool.
- Recommend that the final EQIP rule makes clear that the limit of \$80,000 over a 4-year period applies only to organic conversion payments and not to all EQIP payments made to organic farmers and ranchers. Organic farmers and ranchers should stand on a equal footing with conventional producers in the funding amounts they can receive from EQIP for their agricultural operations.

2. **Restrictions on EQIP Funding for New or Expanding CAFOs:** The proliferation of large-scale concentrated animal feeding operations (CAFOs) has resulted in the concentration of huge amounts of animal waste with degradation of watersheds and air quality in locations around the nation. I therefore:

- Urge NRCS to amend the EQIP rule to prohibit the use of EQIP funding for animal waste storage, treatment or transportation for new or expanding CAFOs.
- Recommend that the EQIP rule not provide for waivers to increase assistance to CAFOs above the payment limit of \$300,000, in order to ensure that public funds are

not used to provide large subsidies to CAFOs whose cumulative impacts degrade the environment.

3 Comprehensive Conservation Planning: The 2008 Farm Bill provides for EQIP assistance for Comprehensive Nutrient Management Plans for CAFOs and other conservation planning activities. But the EQIP Interim Final Rule limits assistance for comprehensive conservation planning to Comprehensive Nutrient Management Planning. I therefore recommend that the EQIP rule be clarified, in accordance with the 2008 Farm Bill, to make EQIP assistance available to all farmers and ranchers for comprehensive whole farm conservation planning

4. EQIP National Priorities: USDA allocates funding to the states based on national priorities, provides additional incentives to states that implement EQIP national priorities, and gives special attention to national priorities in determining which EQIP applications will be funded. The 2008 Farm Bill directs USDA to encourage the development of habitat for native and managed pollinators and the use of conservation practices that benefit native and managed pollinators in all the conservation programs. In addition, the 2008 Farm Bill added energy conservation and organic systems as new purposes for EQIP and retained assistance for grazing management as an EQIP purpose. These purposes are of particular importance to sustainable farmers and ranchers but are not included in the National Priorities in the Interim Final Rule. I therefore recommend that the EQIP Interim Final Rule be amended to include pollinator habitat and pollinator protection, organic systems, grazing management and energy conservation in the list of EQIP National Priorities

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