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FAX Transmittal
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March 10, 2009

Financial Assistance Programs Division
 U.S. Department of Agriculture
 Natural Resources Conservation Service
 1400 Independence Avenue, SW
 Room 5237S
 Washington, DC 20250-2890
 Submitted via Fax, at (202) 720-4265

RECEIVED 10 10 2009

**RE: Comments on Environmental Quality Incentives Program Interim Rule, Booklet
 Number NRCS-IFR-08005, (Jan. 15, 2009) (RIN 0578-AA45)**

Dear Sir or Madam:

I am submitting these comments on behalf of Michael Fields Agricultural Institute (MFAI), on USDA's Interim Rule for Environmental Quality Incentives Program, published in the Federal Register on January 15, 2009. MFAI is devoted to developing an agriculture that can sustain the land and its resources. As an organization, it strives to revitalize farming through research, education, technical assistance and public policy.

Our comments focus on (a) Organic Conversion, (b) Restrictions on EQIP Funding for New or Expanding CAPs, (c) Comprehensive Conservation Planning, and (d) EQIP National Priorities.

A. Organic Conversion: The 2008 Farm Bill included a new provision for conservation financial and technical assistance to farmers and ranchers who are making the transition to organic production systems. Farmers and ranchers may receive up to \$80,000 over a 4-year period in organic conversion payments.

MFAI recommends that the final EQIP rule requires NRCS State Conservationists to rank and process applications for organic conversion assistance in a separate funding pool. We often hear complaints from organic farmers that otherwise they are asked to compete against farmers of a very different size and nature, putting their applications at a disadvantage, even though organic practices can optimize EQIP's statutory purposes.

We further recommend that the final EQIP rule clarify that EQIP Organic Conversion Assistance is available in all counties in all fifty states every year.

Finally, we urge 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.

B. 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.

MFAI urges 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. Specifically, we oppose waivers in the EQIP rule that would allow funding to CAFOs above the payment limit of \$300,000; such waivers often constitute unfair subsidies to CAFOs, whose cumulative impacts degrade the environment.

C. 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.

MFAI recommends 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.

D. 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.

MFAI recommends 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.

Thank you for your consideration of our views.

Sincerely,



Margaret Krome
Policy Program Director