

Appendix A
SCOPING FOR THE CRP PEIS

Council on Environmental Quality regulations at 40 CFR 1501.7 state that: *There shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. This process shall be termed scoping.* As part of the scoping process the lead agency is required to invite the participation of affected Federal, State, and local agencies, any affected American Indian tribal governments, the proponent of the action, and other interested persons, including those who might not be in accord with the action on environmental grounds. The lead agency is to determine the scope and the significant issues to be analyzed in depth in the environmental impact statement. As part of the scoping process the lead agency may hold an early scoping meeting or meetings which may be integrated with any other early planning meeting the agency has.

This appendix documents the scoping process conducted for the Conservation Reserve Program (CRP) Programmatic Environmental Impact Statement (PEIS). It describes the major issues identified in discussions with FSA staff and other agencies, concerns voiced in public scoping meetings, and submitted by other means. The first section describes the issues that were identified in the draft Notice of Intent (NOI) for the CRP PEIS, through internal scoping, and through a review of economic and environmental policy literature. The second section describes the comments submitted by the public, other agencies, and other organizations at six formal scoping meetings, and submitted via electronic mail, telephone, fax, or traditional mail.

A.1 AGENCY SCOPING FOR THE CRP PEIS

This section tabulates and summarizes the issues identified by FSA personnel and by personnel from other agencies during FSA scoping on the CRP PEIS. The issues discussed in this section were the original focus of the agency and helped determine the types of methods, procedures, analytical tools, and data sets that were used during the writing of the draft PEIS.

A.1.1 Acreage Allocation and Distribution

ISSUE: An increased cap for continuous and/or CREP enrollment could result from an increase in the acreage cap for the entire CRP program, or an increase in the allotment of land to CREP within the existing 36.4 million acre cap.

RESOLUTION: *The **Environmental Targeting Alternative** focuses CRP enrollment on CREP programs and on conservation practices in National and State Environmental Target areas.*

ISSUE: A change in the acreage allocated to general and continuous signups and CREP would change the distribution of land enrolled by region and cover practice. This could change the distribution of environmental benefits.

RESOLUTION: *The **Environmental Targeting Alternative** focuses CRP enrollment on CREP programs and on conservation practices in National and State Environmental Target areas.*

ISSUE: If the primary objective of the program is to maintain soil productivity and reduce erosion, some regions are underrepresented. If the objectives change, however, as they might with an increase in enrollment under CRP/CREP, the regional distribution may as well.

RESOLUTION: *The Proposed Action to promulgate the provisions of the 2002 Farm Bill calls for an even balance among the conservation objectives of soil erosion control, water quality protection, and wildlife habitat enhancement.*

ISSUE: The CRP objective has been to preserve water quality, not water quantity. The effect has been that there is an inequitable regional distribution of CRP, since most of the irrigated land is located in the western and southwestern United States.

RESOLUTION: *Not Addressed-the 2002 Farm Bill makes no provision for changes in payments for irrigated lands. They would continue to be enrolled at the dry-land rental rates.*

ISSUE: No more than 25% of the cropland in a county can be enrolled in the CRP and WRP land. No more than 10% of the land can be under an easement (ERS, 1996). Continuous sign-up land is exempt from the 25% limit. Land in the Farmable Wetlands Program is not.

RESOLUTION: *No Action-* true statement and no new issue has been raised.

A.1.2 Eligibility

ISSUE: The issue of restricting cropping on highly erodible land (HEL) without a cropping history is not currently addressed in the CRP provisions of past Farm Bills. In order to be eligible for CRP land must have been cropped in two of the past five years (7 CFR 1410.20(5)). HEL land that is cropped prior to enrollment must comply with conservation compliance if it is put back into production after the contract expires. Land that has not been cropped is not eligible, except in limited cases when it is marginal pastureland.

RESOLUTION: *Proposed Action-the 2002 Farm Bill has changed the cropping history for HEL to 4 of the 6 years prior to Farm Bill enactment and marginal pastureland must be devoted to vegetation, including trees, in or near riparian areas or for similar water quality purposes, including marginal pastureland converted to wetlands or established as wildlife habitat.*

ISSUE: Under the 1996 Act, eligible land must have been planted to an agricultural commodity in two out of the past five years and be a definable field; or be marginal pastureland in its last year of enrollment in the Water Bank, proposed for use as a riparian buffer (CP22).

RESOLUTION: *Proposed Action-the 2002 Farm Bill has changed the cropping history for HEL to 4 out of 6 years and marginal pastureland must be devoted to vegetation, including trees, in or near riparian areas or for similar water quality purposes, including marginal pastureland converted to wetlands or established as wildlife habitat.*

ISSUE: The need for a ranking system for CREP enrollment should become more politically acceptable as states approach their acreage allocations, unless waivers become common. The state ranking would be based first on land eligibility, i.e. located within a targeted geographic area, and second, on meeting environmental performance criteria.

RESOLUTION: *Environmental Targeting-the overall CRP program acreage has been increased and under this alternative FSA would alter the mix of program goals to best address National environmental concerns, CREPs, or State Environmental Target Areas.*

ISSUE: Greater flexibility in the types of cover practices eligible would make the continuous program more reflective of the three equally important goals of the 1996 Farm Bill: water quality, erosion and wildlife habitat.

RESOLUTION: *No Action*-this issue is related to the technical responsibility (NRCS) for the cover practices and the decisions of the STCs as to what types of cover are eligible under the various cover practices

ISSUE: Unless the CRP objective to retire cropland is expanded (which it is under S. 1731), then the discussion of extending the criteria to lands that contribute to ground and surface water conservation collapses into a discussion of paying irrigated rental rates.

RESOLUTION: *Not Addressed*-the 2002 Farm Bill makes no provision for changes in payments for irrigated lands. They would continue to be enrolled at the dry-land rental rates.

ISSUE: Marginal pastureland, with the exception of land in the last year of the Water Bank Program, can only enroll in CRP through the continuous sign-up and must be used as a riparian buffer for planting trees. Marginal pastureland that is already planted to trees is eligible only if additional trees must be planted to make it function as a riparian buffer (FSA, 2001a).

RESOLUTION: *Proposed Action*-the 2002 Farm Bill states that marginal pastureland must be devoted to vegetation, including trees, in or near riparian areas or for similar water quality purposes, including marginal pastureland converted to wetlands or established as wildlife habitat.

A.1.3 Enrollment

ISSUE: In the general sign-up CRP, only whole field enrollments are permitted.

RESOLUTION: *No Action*-partial field enrollment is permitted under CCRP and allows for greater environmental targeting.

ISSUE: When enrolled land is returned to production, some of the benefits from retiring the land are lost. Even if the land is subject to conservation compliance, there will still be more erosion than if it were not being farmed. If the land was re-enrolled, average yearly benefits could increase over time while average yearly costs would decline since the cover practice establishment costs were sunk in the first few years. The benefit/cost ratio would rise over the term of the contract.

RESOLUTION: *Proposed Action* - The potential impact of land returned to agricultural production or other uses is considered as part of the assessment of CRP program impact under the proposed action.

ISSUE: More flexibility for partial field enrollment could also mean increasing the allocation of acres to continuous signup.

RESOLUTION: *Proposed Action*-partial field enrollment is currently authorized under CCRP and the 2002 Farm Bill expands the overall CRP program acreage.

ISSUE: It would be more cost effective for the federal government to obtain a permanent easement on a property than to pay for benefits that may or may not last permanently. An easement program, the Environmental Easement Program (16 USC 3839), was part of the 1990

Farm Bill and was authorized through 1995. CRP contracts would run simultaneously with 15-30 year easements. At the end of the CRP contract, the easement would kick in.

RESOLUTION: *No Action-CRP was not intended to permanently remove land from production but CREPs do have this option.*

ISSUE: Under CREP, State authorities sign contracts with local landowners to target specific state and national conservation and environmental objectives.

RESOLUTION: *CREP would continue under the No Action, Proposed Action, and Environmental Targeting Alternatives.*

ISSUE: Without cumulative effects of past CPs evaluated, contract renewal or extensions cannot allow incentives for CRP lands that have produced wildlife benefits and will continue to produce them. Those types of CRP land parcels are the ones that need to be environmentally targeted for contract extensions or renewal in the hopes of producing, not only the best possible environmental conservation, but also the longest lasting benefits under the program.

RESOLUTION: *Proposed Action-under the new 2002 Farm Bill land under expiring contracts is automatically eligible to be considered for reenrollment.*

A.1.4 Managed Haying and Grazing

ISSUE: Haying and grazing is permitted only during droughts or other emergencies.

RESOLUTION: *Proposed Action-the 2002 Farm Bill permits managed haying and grazing along with a continuation in emergency haying and grazing for drought or other emergency purposes.*

ISSUE: Incidental grazing is permitted on CP8A, CP13C, CP15B and CP21 to glean crop residues after the crops on surrounding land has been harvested, and does not occur during the primary nesting season. It is also allowed on farmable wetlands acreage if it does not occur between May 1 and August 1. Limited grazing may be permitted for controlling kudzu on CP3 and CP3A practices.

RESOLUTION: *No Action-all currently allowed.*

ISSUE: There is a reduction in the annual rental payment when this (haying and grazing) occurs and the participant must re-establish, at his own expense, any cover damaged or destroyed as a result. The reduction in rental rates is supposed to be adjusted downward by the economic value of the haying and grazing. This is not done, however, and a national rate of 25% reduction is used.

RESOLUTION: *No Action-although a potential for economic impact to landowners may exist, this is an administrative issue that would normally be associated with regulatory compliance and not amenable to consideration in this PEIS.*

ISSUE: One of the arguments against more flexibility in haying and grazing is that the government is effectively subsidizing overproduction and poor planning.

RESOLUTION: *Proposed Action-the potential effects of government subsidy on agriculture and crop production are considered as part of both the No Action and Proposed Action alternatives.*

ISSUE: One argument for more flexibility in hay and mowing is that it should be allowed at a reduced rental rate in the Northeast. Farms tend to be smaller in this region and farmers are more reluctant to retire productive land. Livestock operators are also more likely to re-enroll in CRP if some haying and grazing is allowed.

RESOLUTION: *Proposed Action-the 2002 Farm Bill permits managed haying and grazing along with a continuation in haying and grazing for drought or other emergency purposes.*

A.1.5 Irrigated Land and Water Conservation

ISSUE: The underlying assumption of the CRP is that agricultural production creates runoff that leads to sedimentation and nonpoint source pollution, and loss of soil productivity through erosion. To focus on water quantity and water quality, land that is irrigated should be retired since irrigated land tends to be in areas with limited water resources and heavy agricultural water use (primarily states in the west and southwest).

RESOLUTION: *Proposed Action-the 2002 Farm Bill calls for new criteria for conservation of ground or surface water that would provide a net savings in ground or surface water resources on the producer's agricultural operation; however, as to whether this will be incorporated into CRP is unclear.*

ISSUE: Conservation of water would serve the purpose of not only preserving the water supply, but also maintaining in-stream flows that benefit aquatic life.

RESOLUTION: *Proposed Action-the 2002 Farm Bill calls for new criteria for conservation of ground or surface water that would provide a net savings in ground or surface water resources on the producer's agricultural operation; however, as to whether this will be incorporated into CRP is unclear.*

ISSUE: The only 'irrigated land equivalent rents' paid are through the CREP programs in Oregon, Arkansas and California (an agreement is pending in Washington). Since the federal government cannot interfere with state water right law, the state must purchase the rights if they are to be retired and used in-stream.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: Establish a water conservation program that would provide for temporary transfer of water or water rights and authorize CCC funding to protect endangered, threatened or sensitive species

RESOLUTION: *Proposed Action-the 2002 Farm Bill calls for new criteria for conservation of ground or surface water that would provide a net savings in ground or surface water resources on the producer's agricultural operation; however, as to whether this will be incorporated into CRP is unclear.*

ISSUE: A primary objective of CRP is to preserve and enhance water quality through various conservation practices. Although CRP was not established as a water conservation program, CREP programs can involve water conservation, like those proposed in the Pacific Northwest.

RESOLUTION: *No Action-even though the new Farm Bill does address the conservation of ground and surface water, CREP programs are State based and therefore able to address*

localized issues like State water rights better than at a programmatic level; however, as to whether this will be incorporated into CRP is unclear.

ISSUE: CRP has demonstrated its ability to improve water quality but has not yet established its capacity as a water conservation program. The scope and timeframe for CRP contracts do not allow for water conservation, but do figure into the issue of protection of aquatic T & E species habitat through the modification of water flows. Further, permanent options should be considered for water conservation and not CRP. Watersheds should be the primary focus for water conservation programs instead of individual local water bodies.

RESOLUTION: *No Action-even though the new Farm Bill does address the conservation of ground and surface water, CRP is not a water conservation program; however, as to whether this will be incorporated into CRP is unclear.*

A.1.6 Payment Limitations

ISSUE: A person may not receive more than \$50,000 in rental payments per fiscal year (16 USC 3834(f)(1)). Federal limitations on payments do not include payments received from states and other entities under CREP (16 USC 3834(f)(4)). A person is generally defined as an individual, a corporation, and other type of partnership (7 CFR 1400.3).

RESOLUTION: *No Action-no change from current program.*

A.1.7 Signing & Practice Incentives Payments

ISSUE: The purpose behind signing and practice incentives is to encourage the establishment of particularly beneficial practices. Conservation buffers “are strips or small areas of land in permanent vegetation that help control pollutants and provide other environmental benefits. They help protect the land and demonstrate commitment to conservation.

RESOLUTION: *No Action-no change from current program.*

ISSUE: Currently, there are signing incentive payments (SIPs) of 10-20% of the annual rental rate for all continuous signup practices. All of the CREP practices that are also permitted under continuous signup also receive SIPs.

RESOLUTION: *No Action- no change from current program.*

ISSUE: Under continuous signup, a Practice Incentive Payment (PIP) of 40% of the practice establishment cost may be given. Combined with a possible 50% cost share, this means that the enrollee effectively pays only 10% of the establishment cost (FSA, 2001a).

RESOLUTION: *No Action- no change from current program.*

ISSUE: The effect of extending SIPs and PIPs to all CREP practices would be to raise the rental rate above the dryland cash rental rate paid under general CRP signups. There would be at least two possible effects if the FSA were to make SIPs and PIPs for more practices. First, it would effectively make less attractive the general signups. Second, it would reward landowners in states that had the money to put up to create a CREP plan in the first place. Poorer states, and

those with tight budgets may not be willing to establish a CREP plan, thus penalizing their landowner's vis-à-vis other landowners nationwide.

RESOLUTION: *Proposed Action-the potential effect of increased CRP payments on land values is considered as part of the economic analysis.*

A.1.8 Farmable Wetland Pilot Program

ISSUE: The Farmable Wetlands Program has a relaxed cropping history requirement. The land must have been cropped in three of the past ten years, versus two of the last five years in CRP

RESOLUTION: *No Action-no new issue raised.*

ISSUE: The objective of the Farmable Wetlands Pilot is to restore prior converted and farmed wetlands. Farmers are able to enroll small wetlands (less than 5 acres) and enough buffer area to protect the wetland and square up the area to make it easy to farm around.

RESOLUTION: *Proposed Action-the new 2002 Farm Bill expands the FWP maximum wetland size eligible for enrollment to 10 acres.*

ISSUE: There is a 40-acre per tract maximum enrollment limit (FBN, 2002a; FWP Final Rule, 2001). The cropping history requirement is more relaxed than for other lands in the CRP: the land must have been cropped in three of the past ten years, versus two of the last five years in CRP.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: The Farmable Wetlands Pilot Program could help improve the hydrology and vegetative cover of eligible land in Nebraska, Minnesota, Montana, North Dakota, South Dakota, and Iowa.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: This program (FWP) is part of CRP, which began sign-up in June of 2001 and is still fairly new. The goals of the program are to restore wetlands in hopes of reducing downstream flood damage, improving surface and groundwater quality, and recharging regional groundwater supplies.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: Through January 2002, approximately 27,500 acres were enrolled. Almost one-half of the enrolled acreage is in Iowa and an additional 30% in Minnesota (FSA, 2002). If the program were to be expanded, the number of eligible acres in each state would have to be determined in order to set the appropriate acreage limits.

RESOLUTION: *Proposed Action-the new 2002 Farm Bill expands the FWP to all states with a State acreage limit at 100,000 acres and a million acres total.*

A.1.9 Tree Contract Extensions

ISSUE: There has been interest in extending the CRP contract length for up to 50 years if the cover practice is tree planting.

RESOLUTION: *No Action-CRP has a limit of 10 to 15 year contracts; other programs may be a more viable option for long-term land retirement.*

ISSUE: A regional assessment on the potential impacts of hardwood tree contract extensions on wildlife, air quality, water quality, and soil resource recovery should provide adequate information for this decision and prove to be an economical and environmental success.

RESOLUTION: *Environmental Targeting-this alternative will provide a means in which to focus on specific resource areas to address priority conservation goals at a National scale, watershed level, ecoregion, or State Environmental Target Area.*

ISSUE: Forest composition and quality in the Southeast have changed over the last several decades, negatively impacting many wildlife populations (Wildlife Management Institute, 2001). The extension of hardwood tree contracts (such as CP11) for another 15 years has not yet been conclusively demonstrated to produce added environmental benefits. However, different regions of the country could respond positively to these contract extensions.

RESOLUTION: *Environmental Targeting-this alternative will provide a means in which to focus on specific resource areas to address priority conservation goals via at a National scale, watershed level, ecoregion, or State Environmental Target Area. allowing a more focused effort on conservation practices implemented and their cumulative effects.*

ISSUE: Based on the experience of other tree planting programs (Soil Bank, Agricultural Conservation Program and Forestry Incentive Program), forests on the urban fringe were not as likely to remain in forests at the end of the contract period (Kurtz et al, 1996).

RESOLUTION: *No Action-at the end of the contract period enrollees are not obligated to re-enroll; no new issue.*

ISSUE: Increasing the contract length at a reduced rate could provide an incentive to keep the asset growing.

RESOLUTION: **Proposed Action**-reenrollment is now more viable and a better option than long contract lengths, this way after the contract has expired, if the land is still in need of conservation then it can reapply otherwise other environmentally sensitive land can enroll.

A.1.10 Conservation Priority Areas

ISSUE: A Conservation Priority Area (CPA) is an area “so designated by the Deputy Administrator with actual and adverse water quality or habitat impacts related to agricultural production activities or to assist agricultural producers to comply with Federal and State environmental laws and to meet other conservation needs, such as for air quality, as determined by the Deputy Administrator” (CFR 7 1410.2)

RESOLUTION: *No Action-no new issue.*

ISSUE: Watersheds may be designated as CPAs if the primary cause of adverse water quality impacts is agricultural production. Elimination of CPAs would limit the use of CRP by the states to target impaired waters.

RESOLUTION: *Proposed Action-CPA’s are still authorized but the points received under the EBI can be altered or shifted to emphasize or de-emphasize them.*

A.1.11 Environmental Benefits Index (EBI)

ISSUE: The EBI targets general signup CRP enrollment to land with the highest benefits relative to cost, given the constraints on acreage per county and land eligibility (ERS, 2001).

RESOLUTION: *No Action-no new issue.*

ISSUE: Suggestions to improve the consideration give to the primary objectives of the CRP (soil erosion, water quality and wildlife habitat) within the EBI framework include:

- *Allocating points among the factors based on their importance to the general public*
- *Targeting parcels based on cost effectiveness, not the soil rental rate*
- *Having a spatially differentiated EBI*
- *Spatial differentiated benefits not only between regions but within them*
- *Consider cumulative impacts*

RESOLUTION: *Proposed Action-the EBI is being modified and adjusted to be more efficient, allow for 'ease of administration', and to better target environmentally sensitive land.*

ISSUE: The current EBI does consider previous CRP rental agreements when the landowner/rancher/farmer applies for a new agreement, and the current system does not weigh the previous CPs implemented and the specific environmental results achieved.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: The broadening of objectives in the CRP beginning in 1990 is reflected in the factors compromising the Environmental Benefits Index (EBI). The EBI is used to rank applicants under general signup but not under continuous sign-up and CREP. An increase in the enrollment of acreage in continuous signup and CREP would mean less accountability and benefit quantification, assuming the continued exemption from the EBI. As an alternative, there could be an increased emphasis on monitoring the results of CREP programs, to make sure that the states are meeting the objectives set out in their CREP proposals.

RESOLUTION: *No Action-enrollment and signup practices are an administrative issue that would normally be associated with regulatory compliance and not amenable to consideration in this PEIS. Increased emphasis on monitoring the results of the program is a potential mitigation strategy that may be considered under all alternatives.*

ISSUE: The EBI expresses the value of landscape variation as changes in factor and sub factor scores (USDA, 1999), but does not incorporate a direct means of measuring surrounding land use and land use practices. Even though a wider range of environmental effects have been incorporated into the current EBI, the cumulative effects of surrounding land parcels on eligible CRP land have not.

RESOLUTION: *Proposed Action-the effects of CRP on existing land uses are considered as part of the cumulative effect of the proposed action.*

A.1.12 Quotas and Allotment Reductions

ISSUE: A participant is required to reduce the total allotments and quotas on the land containing the CRP acreage for the term of the contract (7 CFR 1410.20). The allotments and quotas are supposed to be restored when the CRP contract ends.

RESOLUTION: *Proposed Action-comment is a statement of regulatory requirement that does address a potential effect. Allotments and Quotas are addressed as part of the Proposed Action.*

ISSUE: The 1996 Farm Bill eliminated allotments and quotas, substituting Agricultural Market Transition Act (AMTA) payments. The purpose of AMTA is to sever the link between price supports and allotments and quotas that have existed since the 1930s.

RESOLUTION: *Proposed Action-comment is a statement of regulatory requirement that does address a potential effect. Allotments and Quotas are addressed as part of the Proposed Action.*

A.1.13 Conservation Compliance

ISSUE: Slippage occurs when a landowner that enrolls land into CRP increases production on other cropped land. Strategic sod-busting occurs when a landowner that enrolls land into CRP brings marginal land into crop production

RESOLUTION: *Proposed Action-the potential effects of slippage and sod-busting are addressed as a part of the economic analysis for the proposed action.*

ISSUE: If a CRP program planner were to assume that slippage and strategic sod-busting are naturally occurring behaviors and that a certain amount will occur, than land eligibility and enrollment criteria can be crafted so as to meet an environmental quality target. Essentially, this means targeting more acreage for retirement than would be necessary to achieve the environmental objective in an ideal world with no strategic behavior

RESOLUTION: *Not considered-this is a hypothetical situation that is not part of any of the alternatives considered as a part of the PEIS.*

ISSUE: The incentive to plow up HEL land previously not in production is provided in the sod-buster provision. Both the conservation compliance and sod-buster provisions indicate that the violations will cause the farmer to become ineligible for essentially all USDA programs, including CRP.

RESOLUTION: *Proposed Action-the potential effects of slippage and sod-busting are addressed as a part of the economic analysis for the proposed action.*

A.1.14 Rental Rates

ISSUE: Rental rates are supposed to be a proxy for opportunity cost i.e. what level of income or return reflects the profit maximizing use of your land? Rental rates reflect the opportunity costs geographically and by the type of farming operation.

RESOLUTION: *Proposed Action-addressed as a part of the economic analysis of the effects of the proposed alternative.*

ISSUE: One way to cost effectively target benefits under CREP is to tie rental payments to the cost of achieving the program goal rather than to a fixed rental rate.

RESOLUTION: *Not Considered-the suggested approach is not a component part of any of the alternatives considered as a part of the PEIS.*

ISSUE: The same goal can be reached by paying a fixed rental payment per acre as it can be paying the per ton abatement cost. The latter is more cost effective, requiring a lower amount of public funds.

RESOLUTION: *Proposed Action-addressed as a part of the economic analysis of the effects of the proposed alternative.*

ISSUE: Higher rents can also be justified through linkage with the benefits of CRP enrollment. Areas with higher population density and more intense, multiple use of natural resources by industry, municipalities, recreational users and wildlife have higher benefit levels than more rural areas.

RESOLUTION: *Proposed Action- rental rates are addressed as a part of the economic analysis for the proposed action. The basis for justification of these rates is however, not considered as apart of this PEIS.*

A.1.15 Land Access

ISSUE: A landowner may permit a fisherman or hunter to access CRP land, but cannot charge to use the land.

RESOLUTION: *Proposed Action-the new regulations and 2-CRP Handbook will establish the provisions in which hunting, fishing, and land access may be under taken.*

ISSUE: In order for a hunter or fisherman to enjoy all the recreational benefits of improved wildlife habitat, he or she must have access to the land/water body where the wildlife is nesting or residing.

RESOLUTION: *Proposed Action-the new regulations and 2-CRP Handbook will establish the provisions in which hunting, fishing, and land access may be under taken.*

ISSUE: There is no public access (hunting) and public funds, it can be argued, are being used to create a mostly private benefit.

RESOLUTION: *Proposed Action-the new regulations and 2-CRP Handbook will establish the provisions in which hunting, fishing, and land access may be under taken by private land owners with regards to the public.*

A.1.16 Maintenance

ISSUE: The impact of maintenance practices on wildlife habitat should be given stronger consideration. Even if a cover practice is planted or retained, the wildlife benefits can vary regionally depending on the maintenance practice (e.g. disking, mowing, grazing).

RESOLUTION: *No Action-NRCS provides technical oversight for CRP based on the FOTG and as part of the conservation plan developed before ever CRP-1 maintenance practices are developed based on the conservation effort.*

ISSUE: Currently, the CPs require only that they be maintained for the length of the contract and give no specifics for maintenance. As a result, many CRP grass stands have grown too thick for most wildlife to use (USDA, No Date).

RESOLUTION: *No Action-NRCS provides technical oversight for CRP based on the FOTG and as part of the conservation plan developed before ever CRP-1 maintenance practices are developed based on the conservation effort.*

ISSUE: Seasonal time periods and uniform maintenance practices need to be established for all CPs. Regionally accepted maintenance schedules of implemented conservation practices should be developed based on regional conservation objectives (i.e., water conservation in the Pacific Northwest or improving air quality in the Southern seaboard region) and local environmental concerns.

RESOLUTION: *Environmental Targeting-under this alternative FSA would implement CRP based on large-scale National conservation objectives, CREPs, and State Environmental Target Areas thus allowing them to authorize maintenance practices best suited for the large-scale conservation objectives.*

ISSUE: Mowing is allowed for maintenance purposes but the mowed land cannot be grazed.

RESOLUTION: *No Action-this is a true statement and no new issue.*

A.1.17 Adjacent Land Use

ISSUE: Land use practices on surrounding parcels are not evaluated or addressed in the establishment of eligibility criteria. Although scoring criteria for CRP eligibility for enrollment does award points for proximity to wetlands, protected areas, endangered and threatened species areas, and Conservation Priority Areas (CPA), it does not always *environmentally target* the most appropriate land for CRP enrollment.

RESOLUTION: *Proposed Action-based on the new Farm Bill, FSA will develop and implement new regulations and enrollment criteria to better target the most appropriate environmentally sensitive cropland.*

ISSUE: Land-use practices and covers on non-CRP land, and their location proximate to the CRP eligible/enrolled land, can influence wildlife habitat enhancements.

RESOLUTION: *No Action-since CRP is voluntary, non-participants can not be expected to comply or conform to CRP goals, regulations, or procedures.*

ISSUE: Modification to the land or water of one *ecosystem* will ultimately affect the wildlife within that ecosystem and surrounding ecosystems. An ecosystem reaches beyond its geographical boundaries, and each component of that ecosystem has a defining role. As an ecosystem changes, ecological succession (i.e., changes in the structure and function of the

ecosystem) will occur at various stages with all components of the ecosystem affected in some manner.

RESOLUTION: *No Action-no new issue has been raised.*

A.1.18 Environmental Targeting

ISSUE: Wildlife benefits are very hard to quantify, but if well-defined goals/objectives are established, this assessment becomes easier.

RESOLUTION: *Proposed Action-based on the new Farm Bill, FSA will develop and implement new regulations and enrollment criteria to better target the most appropriate environmentally sensitive cropland.*

ISSUE: Specific goals pertaining to the wildlife benefits of CRP should be defined at the local, regional, and national level (Allen, 1993), with each land-use conservation practice producing a defined wildlife management goal under CRP.

RESOLUTION: *Proposed Action-based on the new Farm Bill, FSA will develop and implement new regulations and enrollment criteria to better target the most appropriate environmentally sensitive cropland.*

ISSUE: The main objectives of hardwood tree planting for wildlife are for the development of shelterbelts and windbreaks and the creation/maintenance of wildlife corridors.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: Water quality integrity is essential to local aquatic and terrestrial ecosystems, especially if threatened and endangered species are present.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: The success of aquatic ecosystems does not solely depend on the quality or quantity of ground and surface water, but is symbiotic with land use practices and need to be examined accordingly.

RESOLUTION: *No Action-CRP conservation practices are implemented based on the environmental objective targeted (soil erosion, water quality, wildlife habitat) and have been proven to enhance ground and surface water systems.*

ISSUE: Continuous CRP has also made important contributions to local water quality condition contributions by enrolling small acreages of land into high benefit environmental practices, which primarily target water quality improvements (USDA, 2001).

RESOLUTION: *No Action-true statement and no new issue have been raised.*

A.2 PUBLIC SCOPING FOR CRP PEIS

This section tabulates and summarizes the comments on the CRP Program received by FSA at the six public scoping meetings and through mail, telephone, and e-mail during the public scoping period for the CRP PEIS.

A total of 738 individual comments were identified from 193 commenters grouped into three categories. Federal, State or local agencies were classified as Agency (A), Non-profit organizations and businesses were classified as Organization (O), and comments from the general public or from unidentified sources were classified Public (P). Figure A.2-1 illustrates the origin of all comments received. Table A.3-1 lists the affiliation of the Agency commenters and Table A.2-2 lists the Organization affiliation.

Figure A.2-1 Origin of Comments Received

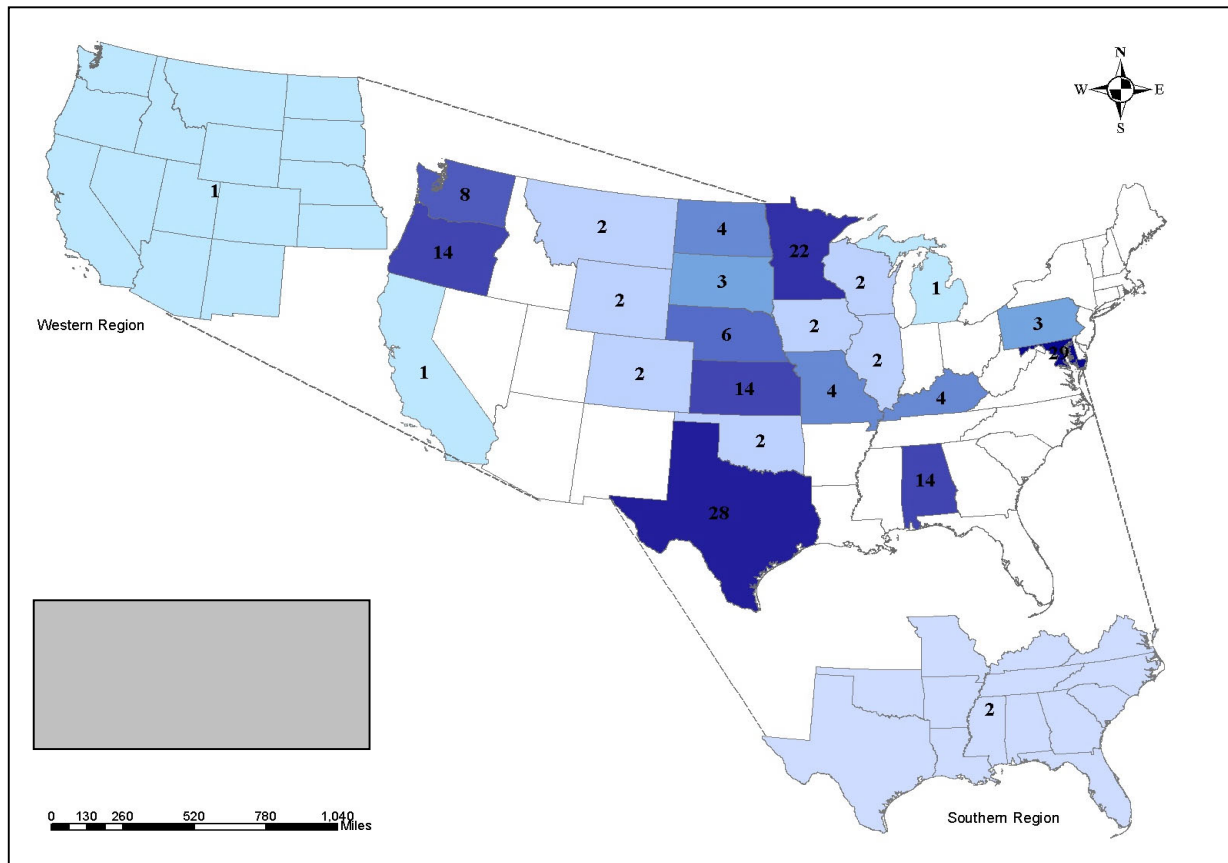


Table A.2-1 Affiliation of Agency Commenters

<u>Agency</u>	<u>Location</u>
Walsh County Three Rivers - Soil Conservation District	ND
Department of Natural Resources - Division of Wildlife Resources	IL
Department of Natural Resources - Division of Wildlife Resources	MN
Department of Natural Resources - Division of Wildlife Resources	CO
Missouri Department of Conservation	MO
Department of Natural Resources	MN
Department of Fish & Wildlife Resources	KY
The Okanogan County Noxious Weed Control Board	WA
Department of Natural Resources - Division of Forestry	MN
USDA - Forest Service	USA
Missouri Department Of Conservation	MO
Department of Natural Resources	IA
Department of Wildlife and Parks	KS
The Maryland Legislative Sportsmen's Caucus	MD
The U.S. Fish and Wildlife Service	USA
The Senate of Maryland	MD
Fish and Wildlife Service - Chesapeake Bay Field Office	MD
Game and Parks Commission - Wildlife Division	NE
Farm Service Agency	KS
Department of Natural Resources	KS
Dorchester Soil Conversation District	MD
State Technical Committee	MD
Farm Service Agency	MD
Department of Fish and Wildlife	OR
Farm Service Agency	OR
Department of Forestry	OR
Farm Service Agency	TX
Forestry Commission	AL
Farm Service Agency	MO
USDA	MN
Farm Service Agency	OK
Department of Natural Resources	MD
Washington Association Of Wheat Growers	WA

Table A.2-2 Affiliation of Organization Commenters

<u>Organization</u>	
Minnesota Association of Wheat Growers	
National Grain and Feed Association	
National Audubon Society	
International Association of Fish and Wildlife Agency	
The Wildlife Society	
Sustainable Agriculture Coalition	
North Dakota Natural Resources Trust	
Kansas Farm Bureau	
Northern Great Plains Working Group	
North American Millers' Association	
Southern Group of State Foresters	
Ducks Unlimited	
Wildlife Management Institute	
National Grain Trade Council	
BASF	
Montana Salinity Control Association	
Montana Association of Conservation Districts	
Iowa Prairie Network	
Environmental Defense	
Chesapeake Bay Foundation	
North Dakota Grain Growers Association	
Enderlin Farmers Elevators (ND)	
Minnesota Grain & Feed Association	
Ducks Unlimited – Northern Great Plains	
North Dakota Irrigation Caucus	
North Dakota Grain Dealers Association	
Columbia Grain (OR, WA, ID, MT)	
Area Preserve (NE)	
McCormick Seeds, Inc.	
Oregon Wheat Growers League	
Peninsula Bank (MD)	
US Wheat Associates	
Grassland Conservation Initiative (WI)	
Quail Unlimited (MD)	
National Association of Conservation Districts	
American Farm Bureau	
National Association of State Foresters	
Ecosystem Recovery Institute	
University of Maryland	
Council of Western State Foresters	

Table A.2-3 found at the end of this section lists the comments received through the public scoping process by subject. From those subjects 19 topics were identified as major issues due to the volume of specific comments received. The section below synthesizes and summarizes these issues.

A.2.1 Buffer & Filter Strips

Those who commented on the use of buffer strips in the CRP and CREP Programs all favored their use and their contributions to the programs. Buffer strips and filter strips are effective ways to reduce erosion, improve water quality and enhance wildlife habitat. One main point of discussion was the size requirements of buffer systems.

ISSUE: Recent changes to the CREP program in Maryland have gone too far and are too sweeping. The move to allow landowners to enroll up to 300 feet in grass strips is putting cropland producers out of business. Much of the land farmers need to make a living and produce the needed products their customer's need is being taken away from them with no compensation.

RESOLUTION: *No Action*-each state has the ability to expand buffer widths above the 180 foot maximum recommended width if NRCS can document the need for the buffer to be expanded past 180 feet for the protection and enhancement of water quality(2-CRP Rev.2 Amend. 19 Page 152.4).

ISSUE: CCRP buffers are common sense, cost-effective conservation. They retire only small but critical parts of a field, allowing the majority to remain in environmentally responsible crop production. This provides targeted working lands conservation that is voluntary and incentive based.

RESOLUTION: *No Action*-no new issue raised.

ISSUE: CRP can even more significantly contribute to the nation's water quality and reduce soil erosion by expanding use of riparian buffers and contour buffer strips, and restoring wetlands specifically designed to filter agricultural drainage water.

RESOLUTION: *No Action*-CCRP and CREP promote the use of buffers and buffer systems through increased cost share for approved buffer practices.

A.2.2 Commodity Prices

The majority of comments on this subject were from agribusinesses or organizations that represent the commodity industries. They feel that any reduction in production acreage would result in the increase of foreign production and undermine the U.S. commodity market.

ISSUE: The negative impacts of CRP have had a negative impact on the competitiveness of the U.S. wheat sector, and national economic activity.

RESOLUTION: *No Action*-the potential for impact to the future viability of agriculture is addressed as part of the No Action and Proposed action alternatives.

ISSUE: And again, I am not saying the C.R.P. is a bad thing, but it's having a major impact on the U.S. wheat industry. C.R.P. has, as I mentioned, played a significant role in the decline of U.S. exports, and at the same time has served to increase imports from Canada. But taking entire farms out of production certainly has a devastating economic effect, and whatever is done with this current review, I would certainly urge U.S.D.A. to be extremely careful to review and be critical of what goes in, and at the same time do whatever it can to influence the removal of acreage that is suitable for farming.

RESOLUTION: *No Action-the potential for impact to the future viability of agriculture is addressed as part of the No Action and Proposed action alternatives.*

Some comments from the general public indicate that the decline of the U.S. market is the result of many factors and CRP is in fact a solution to keep producers on the farm until the market becomes more level.

ISSUE: I want to express my wish that the CRP program continue and be extended for at least 10 more years. This Program helps farm prices by holding back land that would be used for grain production.

RESOLUTION: *No Action-the beneficial effects of CRP to agriculture are addressed as part of the No Action alternative. This comment is subsumed under the general set of comments that express program support.*

A.2.3 Programmatic Satisfaction

While not a specific issue, this type of remark was the overwhelming sentiment among those commenting on the general benefits of the program.

ISSUE: The Conservation Reserve Program (CRP) has provided more private land conservation benefits on a broad scale than all other Federal or State programs combined.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: In the last 10 years we have enrolled approximately 100 acres in several CRP programs. Most of the acres are in filter strips and riparian buffers. The results of these grassed areas are as intended, reduced soil erosion, reduced herbicide runoff, scenic beautification and increased wildlife numbers and quality.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: CREP has its benefits, but it has a disadvantages too.

RESOLUTION: *No Action-no new issue raised.*

A.2.4 Environmental Benefits Index (EBI)

The environmental benefits Index (EBI) is the ranking mechanism used in the assessment, ranking, and selection of CRP contracts. Most commenters stated that the EBI was a valuable tool, but that it needs some refinement. The most common comment dealt with the EBI's inability to address regional variation among submitted applications.

ISSUE: In the EBI, we've got one size fits all. If you want 50 points, you plant the native mix. Well, the native mix that is available is five species of warm season grass. We're planting grass that belongs in our 32-inch rainfall belt out in our 16-inch rainfall belt in order to get the points.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet.*

ISSUE: Probably the greatest need is to reduce the weight given to the cost factor in the EBI or somehow factor in the geographic region when evaluating the offers. Bids from high soil rental rate areas are at a considerable disadvantage under the current system. In high rainfall areas, an acre retired means a large reduction in fertilizer and pesticides applied to the landscape.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet.*

ISSUE: It is also expected that the EBI will be revised to make wildlife have an equal concern with water quality and soil erosion. A landowner tries to maximize the Environmental Benefit Index (EBI) priority points in order to have their CRP bid accepted, and the EBI point system is not adaptable to local conditions or management concerns. The EBI priority points are set at the national level; States cannot change these points even when they don't apply to their situations.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet.*

There was also concern about the weight given to cover choices that benefit and encourage wildlife. It was often stated that due to the fact NRCS Conservation Cover Standards and Specifications do not specifically target wildlife, CRP must take-up that disjunction by assigning more weight to wildlife habitat enhancement practices.

ISSUE: The Environmental Benefits Index has proven a good tool to balance the soil, water and wildlife purposes of CRP. Cover type establishment and management determine how well wildlife purposes are achieved. The EBI offers cover points that reward participants for selecting cover beneficial to wildlife. This is important as wildlife conservation is not mandatory in NRCS standards and specifications as is the case for soil/water conservation (soil erosion must be addressed and water quality must be addressed). Continuation of an EBI that rewards producers for the quality of wildlife habitat they are willing to establish, is very important. It is important to maintain the point spread between best-choice natives and lesser-benefit exotics.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet that takes into account the wildlife benefits of establishing native grass and forb species.*

ISSUE: The EBI has worked well to balance soil, water and wildlife purposes of CRP to ensure that only the most environmentally sensitive lands are enrolled in CRP. Regarding wildlife, cover type and how that cover is managed determines the extent to which a CRP tract achieves

wildlife purposes. Importantly for wildlife, EBI points reward participants for selecting cover choices beneficial to wildlife. This is extremely important because, although wildlife is a co-equal purpose of CRP with soil and water, wildlife does not have co-equal status with soil and water.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet that takes into account the wildlife benefits of establishing native grass and forb species.*

ISSUE: Retain the Environmental Benefits Index (EBI), which provides the ranking mechanism for selection of individual CRP projects. The EBI balances the soil, water, and wildlife goals of CRP within the evaluation matrix and was developed to ensure that the most environmentally sensitive lands are selected for enrollment into the program. This ranking is working well, however it can be improved. For example, USDA should evaluate and describe the benefits that would be generated if additional ranking points were included in the EBI for restoring wetlands within fields enrolled in the CRP. Currently, a maximum of 50 points is given for restoring cover beneficial to wildlife on CRP fields. This field may include a wetland but the wetland restoration is not factored into the 50 points. The wildlife benefits of the restored upland habitat are greatly enhanced when wetlands within the fields are also restored.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet that awards more points for wetlands and wetland related habitat practices.*

ISSUE: Destroying viable stands of existing grass to comply with CRP rules is against common sense and exposes the ground to erosion until new cover can be established. Where the erodibility index is greater than 14, NACD urges USDA not to require producers to destroy existing stands of grass in order to maximize EBI points.

RESOLUTION: *Proposed Action-the 2002 Farm Bill allows landowners to continue with existing ground cover where practicable and consistent with wildlife benefits of CRP.*

ISSUE: If the existing stand of CRP exhibits a plant species composition and vigor similar to seeding mixtures offered by the EBI at the time of re-enrollment, then the stand should be allowed the same EBI score as if it were reseeded.

RESOLUTION: *Proposed Action-the 2002 Farm Bill allows landowners to continue with existing ground cover where practicable and consistent with wildlife benefits of CRP.*

A few commenters were dissatisfied with the complexity, finality, and possible misuse of EBI scoring.

ISSUE: However, the biggest problem, with the function of the EBI, happens when an inexperienced or stubborn agent calculates EBI. Sometimes new employees with little knowledge of the CRP acreage under review are given the EBI as their first assignment. Other times EBI point totals are manipulated to keep the total low enough to block participant's entrance in the CRP program. In this manner EBI can be used as a punishment of sorts. There is no appeal for EBI scoring. Once given, the EBI point total remains throughout the sign-up

process. Besides the need for refinement, the bottom line of the EBI is its ease of abuse. Ideally perhaps the EBI looks good on paper, but its too cumbersome and not quite fair to all participants who use its point total to compete for the CRP signup.

RESOLUTION: *No Action-this issue deals with county level employee's training and job qualifications, out of scope of this national programmatic assessment.*

ISSUE: Another point of interest for DU is the Environmental Benefits Index (EBI) and its future use. While it has been useful in focusing limited funds and acres, it is important to reexamine aspects of the EBI that have made the program more difficult for enrollees, or had specific negative conservation impacts such as limiting grass types.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet that takes into account the benefits of certain cover types.*

ISSUE: Eliminate 10-point incentive for waiving cost-share: Incentives for refusing cost-share are biased towards higher income participants. It also becomes an incentive for the NRCS personnel to certify cover that is not adequate rather than give the participant the bad news that they have to reseed cover with no cost-share.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet that takes into account cover practice selection and associated cost-sharing.*

Water quality and wetland issues were also mentioned with regards to the EBI and several commented on that fact that points for wetland restoration should be increased.

ISSUE: "One problem with the current EBI is the points awarded for water quality. The current point system does not differentiate well between potential contracts with respect to their ability to impact water quality problems. As the formula now stands, considerable weight is given to the presence of wetlands in the area, even though the CRP was not intended primarily as a wetlands protection program. Targeting CRP dollars towards areas where there are streams impaired by runoff from fields (sediment, pesticides, and nutrients), where the dollars would have the most local impact, and where the contracts would best protect major drinking water sources, would help focus conservation dollars where they can do the most good.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet that takes into account state impaired waters, wildlife priority areas, and degraded air quality zones.*

ISSUE: Consider awarding additional points in the EBI for restoring wetlands on fields enrolled in the CRP. Currently, a maximum of 50 points is awarded for restoring wildlife-beneficial cover on CRP fields, which might include restoring wetlands. However, there is little incentive to restore wetlands when the full 50 points is awarded for restoring only the upland cover. The benefits to wildlife of restoring upland cover are significantly enhanced when associated wetlands also are restored.

RESOLUTION: *Proposed Action-FSA will implement changes in the general sign-up procedure based on the new Farm Bill legislation through the creation of a new proposed rule, and any necessary changes to the CRP Handbook, including a new EBI scoring worksheet that awards more points for wetlands throughout the scoring process.*

A.2.5 Eligibility and Enrollment

Many comments dealt with the program eligibility criteria and the acreage allocation among the different programs. The majority of public commenters favored increasing the acreage available to be enrolled in CRP and allowing small and odd-sized parcels to be enrolled. Producers located in areas that are at the county acreage cap limit felt that there was an overwhelming need for enrollment to be expanded in their counties.

ISSUE: I live in Beaver County, Oklahoma. And I would like to ask that the CRP cap per county be re-opened. Our county presently is maxed out. And as we saw in April and March, even though we did not have blowing throughout the county, there still were very large areas of wind erosion. And, so, there still is a need for land currently being cultivated to be taken out of cultivation. And I think the CRP program is ideal, but, as I say, we currently are at our maximum for the county.

RESOLUTION: *Proposed Action-the 2002 Farm Bill changes will promulgate new regulations from FSA in which the county acreage cap is defined; however, this county acreage limit may or may not change in the new regulations.*

ISSUE: On behalf of the Minnesota Association of Wheat Growers I would like to offer a few comments that could help improve the CRP program for the unique Eco-region of Northwest Minnesota. We do not believe the 25 percent county cap should be increased for any general CRP sign-up.

RESOLUTION: *Proposed Action-the 2002 Farm Bill changes will promulgate new regulations from FSA in which the county acreage cap is defined; however, this county acreage limit may or may not change in the new regulations.*

ISSUE: I am asking to return to the original CRP where entire farms were admitted. I am sure this goes against the State and National Wheat Organizations' positions. They want every acre in wheat so they can continue to collect their precious grower tax on every bushel produced regardless of the profitability of the farm operations.

RESOLUTION: *No Action-farms are eligible for enrollment based on the condition of the land being offered in an effort to target the most environmentally sensitive land across the U.S.*

ISSUE: The Farm Bureau supported a limited increase of CRP acreage in the recent farm bill, but believes acreage enrollment should not exceed the 25 percent limitation per county, including Conservation Reserve Enhancement Program (CREP) and all experimental pilot projects.

RESOLUTION: *Proposed Action-the 2002 Farm Bill changes will promulgate new regulations from FSA in which the county acreage cap is defined; however, this county acreage limit may or may not change in the new regulations.*

ISSUE: A Conservation Reserve Program, which protects fragile resources and yet provides production opportunities can lead to a pro-growth agricultural economy, which revitalizes rural areas and meets the demand for U.S. commodities. We hope that USDA/FSA will be even more critical in the future in reviewing CRP applications for environmental benefits and the cost of retiring land to the taxpayers.

RESOLUTION: *Environmental Targeting.* Concern for the evaluation of environmental is part of all alternatives considered for this PEIS, however, the Environmental Targeting alternative structures decision making on the basis of environmental priorities.

ISSUE: NAMA believes decisions regarding CRP enrollment should be made on environmental as well as economic grounds. Environmentally sensitive land should be protected in a conservation program. However, there are many acres currently in the CRP that can be farmed in environmentally responsible ways.

RESOLUTION: *No Action-farming on CRP land is not an option and therefore out of scope of this project.*

A.2.5.1 Conservation Compliance

ISSUE: We oppose producers being eligible to participate in the CRP who break up fragile land (sod busting) after the CRP contract has been accepted by USDA.

RESOLUTION: *No Action: The effects of sod-busting are considered as a part of the economic analysis of impacts for both the No Action and Proposed action alternative.*

A.2.6 Conservation Objective Equality

Comments submitted about the equal status of these three resources were generally favorable and focused on the role of maintaining this equality among wildlife, water, and soils. Most of the comments concerned the need for field management practices to ensure that the wildlife benefits are fully realized throughout the life of the contract.

There were a few commenters that maintain that while wildlife should be a consideration, the primary focus of CRP must be soil and water conservation. They contend that by keeping CRP targeted soil and water conservation program, there will be less productive land retired.

ISSUE: The American Farm Bureau supports the original concept of a Conservation Reserve Program to improve soil and water resources and secondarily, to provide wildlife habitat.

RESOLUTION: *No Action-no new issue raised; wildlife is a co-equal objective.*

A.2.7 Field Maintenance

Most of the comments concerning field maintenance were in regard to the \$5/acre maintenance incentive. The consensus among commenters was that since there was no follow-up after payment, this money was not used wisely.

ISSUE: The \$5.00/acre maintenance is being abused: Weed problems in CRP are not being addressed adequately, therefore this payment should either be limited to the years where timely weed control was actually performed, or revoked on contracts that are not compliant.

RESOLUTION: *Proposed Action-the new Farm Bill will promulgate new regulations and CRP handbook in which the maintenance payment and parameters will be defined.*

ISSUE: Current provisions pay producers a \$5.00 per acre per year maintenance fee to control noxious weeds and apply maintenance to ensure stand establishment. Maintenance applied using this provision could be improved significantly by providing clear direction regarding the application and practice implementation. Guidelines should be clearly articulated regarding necessity, practice application, timing and frequency necessary to achieve program goals.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract.*

All commenters agree that maintenance practices should be standardized on either a regional or local scale and that these regional differences be part of the EBI.

ISSUE: Soil, water and wildlife are equal purposes of CRP. Therefore, soil, water and wildlife benefits should accrue throughout the life of the contract. However, in parts of the U.S., wildlife benefits diminish precipitously after 2-4 years due to litter build-up and the sod-forming aspects of dominant grasses that reduce plant diversity and limit wildlife access at ground level. Periodic application (every 3-4 years) of management practices like prescribed burning and/or light disking can keep CRP in a condition productive to wildlife. Soil and water benefits must be delivered throughout the life of the CRP contract and so should wildlife benefits, given that Congress has awarded co-equal status among these resources.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract.*

A.2.8 Grazing/Haying/Mowing/Prescribed Fire

Comments pertaining to the benefits of grazing, haying, mowing or burning CRP land are in general agreement that the ground needs to be periodically revitalized. Several people commented that once the decision was made to allow emergency grazing, it was too little, too late. Another commenter advised that the criteria that would lead to emergency haying be more rigorous and that CRP hay should not be brought into the market.

The majority presented the view that under the correct circumstances, haying and grazing are necessary for healthy land.

ISSUE: Grassy pastures that aren't grazed, burned or disturbed in any way become stagnant and are breeding grounds for insects and disease. Haying or grazing, at best every 3 years, or at least every 3 years, will also produce income, or reduce the cost to the USDA, especially during drought years.

RESOLUTION: *Proposed Action*-the 2002 Farm Bill authorized the implementation of managed haying and grazing if consistent with conservation objectives.

ISSUE: One of the things that need to be done periodically to maintain the vigor of the stand is to have some disturbance out there. Systems in this part of the world didn't evolve under any disturbances. Before we were here, there were always critters out there that caused disturbance, and there were fires, and there were all sorts of natural events that took place that created disturbances that removed monoculture stands of grasses. It's just not a natural situation. We don't have a lot of those options out there right now, so we need to build in a system that will allow producers to do things like burn periodically under a plan that you develop when you sign up for CRP.

RESOLUTION: *No Action*-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract.

There was concern about the extent and timing of the actions as well as the management and implementation of such critical activities.

ISSUE: Under the new Farm Bill, the Secretary of Agriculture may permit managed grazing and haying (including the harvest of biomass) on CRP lands only to the extent that the activity is '...consistent with the conservation of soil, water quality and wildlife habitat (including habitat during nesting seasons for birds in the area).' Therefore, managed haying, grazing and recovery of biomass for energy production should only be authorized outside the primary nesting season for the region. Close coordination and consultation with the State fish and wildlife agency will be required to ensure wildlife resource purposes are incorporated into approved haying or grazing plans.

RESOLUTION: *Proposed Action*--the 2002 Farm Bill authorized the implementation of managed haying and grazing if consistent with conservation objectives and the proposed regulation and/or handbook will establish parameters that must be met before managed haying and grazing activities are to commence.

ISSUE: Implementation of this provision will require an adaptive management approach that is both flexible and goal-oriented; no single grazing or haying prescription will be appropriate for all situations. Timing and intensity of grazing are both critical but depend on the goals, grassland type, herbivore species, grazing system (e.g. season-long, rotational, rapid rotation, cell grazing) and geographic region. Landowners who wish to graze CRP lands should work closely with local technical advisors to develop approved grazing plans that take into account the herbivore species, timing, intensity, grazing system, monitoring, and provisions for adaptive management as the plan is implemented.

RESOLUTION: *Proposed Action*- the 2002 Farm Bill authorized the implementation of managed haying and grazing if consistent with conservation objectives and the proposed regulation and/or handbook will establish parameters that must be met before managed haying and grazing activities are to commence.

There were a few who argued against the practice.

ISSUE: When air quality is affected, health problems can result. The soil is disturbed by tilling and left open by burning. When severe wind hits these bare, dry areas, the soil becomes airborne. The burning creates high concentrations of smoke and combustion byproducts in the air. This dirt as well as the smoke from burning has been linked to higher cases of allergies and asthma. Surrounding communities could pay the price from tilling and burning in the form of increased respiratory illnesses. Weed distribution is a major problem with burning. The flames are not hot enough to kill the seeds of these unwanted plants. Seeds embedded in the ground bypass the flames altogether. The ground is left bare. Wind and water can collect volunteer specimens from neighboring areas, which are easily introduced into the defoliated soil. The remaining combustion remnants leave behind a concentration of soluble nutrients that quickly leave the soil. They remain long enough for sprouting weeds to obtain a good stand.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract.*

ISSUE: In authorizing haying and grazing under emergency haying and grazing provisions, USDA has at times released acres for haying and grazing based on rainfall measurements, in spite of having readily available hay in the local commercial market. This has resulted in needlessly destroying wildlife habitat during times of drought, when wildlife (like livestock) is most in need of forage and cover. It has also harmed local hay producers, and provided disincentives for landowners to stay in the hay business.

RESOLUTION: *Proposed Action- the 2002 Farm Bill authorized the implementation of managed haying and grazing if consistent with conservation objectives and the proposed regulation and/or handbook will establish parameters that must be met before managed haying and grazing activities are to commence.*

A.2.9 Regional Decentralization

The belief that CRP is run as a “one size fits all” program was prevalent. This issue touched on almost every aspect of the program, highlighting the complexity of administering the program. Many comments submitted complained about the program’s lack of flexibility and inability to reflect regional differences.

ISSUE: Allow more state flexibility. This is a technical program aimed at specific resource concerns. It is impossible to address the concerns in the diverse environments of the nation with one set of national rules.

RESOLUTION: *Environmental Targeting-under this alternative the program will be run with more emphasis on environmental resources and areas that contribute the most to environmental problems (i.e. Mississippi River Watershed and hypoxia in the Gulf of Mexico); the technical oversight would be a collaboration of all states involved.*

ISSUE: Quality Control of Technical Assistance between Counties within a State CRP signups in three contiguous counties administered by three separate FSA offices resulted in one county with a 1 % failure rate of stand establishment and one county with a 60% failure rate of stand establishment and one county with a 33% failure rate of stand establishment. Communication

and training seem to be lacking between operator and county office and/or county office and state office.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

A.2.10 Third Party Vendors

ISSUE: Species composition, size of planting, maintenance schedules, and the need for weed barrier fabric mulch should be determined at the field level, not in Washington or by State Technical Committees. Cost-share limitations imposed on these design components discourage flexibility in program implementation. Natural resource professionals are trained to design tree plantings so they accomplish program objectives within site limitations. Practices should be written to allow professionals flexibility in their designs, and cost-share should support that flexibility. Tree planting and maintenance constraints imposed by Washington or State Technical Committees can unnecessarily limit the ability of resource professionals to accomplish program objectives.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

ISSUE: Allow state wildlife agencies to serve as Third Party Vendors. Many state wildlife agencies have the capacity, knowledge, and desire to assist NRCS and FSA in administering Farm Bill programs. In Kentucky, we have a very strong private lands program (conduct site visits, provide technical and financial assistance, etc.) and a good working relationship with NRCS staff. Allowing state wildlife agencies to administer some of the Farm Bill programs would remove a huge time burden from already over-worked NRCS and State Conservationists.

RESOLUTION: *Proposed Action-FSA is revising their regulations and polices in accordance with the New Farm Bill changes and this issue can be addressed through new handbook amendments and revisions.*

ISSUE: The problem we have -- and, of course, as we go north here, we become part of the northern Great Plains instead of the southern Great Plains -- but one size fits all. And I realize from an administrative standpoint this is a lot easier. But one size does not fit all when we're out on the landscape. Even within our state one size does not fit all. We go from 32 inches of rainfall in the southeastern corner of the state to around 16 in the west. We go through several grass ecozones, if you will. We go -- we have tall grass prairie in the eastern 20 percent to the big central park is mixed grass prairie, then we get into the short grass prairie and sand sage prairies out in the western state. All of these have evolved under different rainfall conditions.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

ISSUE: Specific CREP program modifications and flexibility should be allowed to occur at the state or regional level to meet local objectives with concurrence from the national office. All CREP policies do not need to be national in perspective.

RESOLUTION: *No Action-CREPs are written by each individual state with input from multiple parties and technical agencies therefore flexibility can be written into the CREP proposal to meet local conditions.*

ISSUE: The important consideration is, if the species chosen can be easily grown on that particular farm and if it will meet the requirements of the program. Some of the plants that I am required to grow will not grow in my area, and I didn't find this out until after we started putting in the C.R.P., and I found this out from other farmers who are having problems with compliance.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

ISSUE: The problems that I find as a farmer with the current C.R.P. program is that the plan is not site specific. The plants required for a whole area will grow on some farms and not on others, causing farmers to be out of compliance and causing wind and water erosion, which is counter to the C.R.P. intent and goal. The other problem with the C.R.P. program in our area is a very strict and specific requirement of grasses and forbs and shrubs that can be planted. The vegetation required of farmers to grow should be native or highly adaptable to that farm. Arbitrary rules about the number of grasses, forbs, and shrubs can be unworkable.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

Related to the issue above, the specific comments about this problem warranted its own discussion. The majority of commenters indicated that the use of local seed genotype should be a priority.

ISSUE: USDA should forbid installation of vegetation that is inappropriate to the locale (e.g., planting trees in native prairie or sedge meadow). National guidance should be developed that addresses a range of examples in which credible experts have suggested that plantings are inappropriate. These examples include planting trees in native prairie areas (where they shelter predators that prey on ground-nesting grassland birds) or planting tall grass species in short grass prairie (eliminating habitat for the mountain plover, the burrowing owl and other vanishing species).

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

ISSUE: If the intent is to restore the land to its original condition, the use of native species is imperative. Installing native vegetation on CRP lands that is appropriate to the locale helps

restore native ecosystem function and nourishes native endemic wildlife. It also helps avoid unintended adverse environmental affects from installing non-native vegetation (such as spread of invasive species or habitat fragmentation).

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

ISSUE: The more we learn, the more we understand that a mix of local native genotypes are the best bet for establishing plant stands that are well-adapted to the local climate and soils, and of highest value to local wildlife. Programs -- that promote the use of local seed sources can also provide substantial local economic benefits, by creating a demand for locally grown seeds and a ready market for producers of those seeds. The USDA should reexamine its current requirements, and evaluate the establishment of national guidelines that would promote the use of locally grown, local genotype native grassland species. Those guidelines should require a diverse mix of plant species that include the kinds of native species that historically grew in an area.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

There is also a concern that distant-origin seeds used on CRP land disturb genetically-local seed and native prairies.

ISSUE: Many CRP plantings in the upper Midwest have used native prairie species, and this benefits prairie wildlife. But most of the prairie seed that has been used for CRP plantings in this region is commercial cultivated seed, which has genetic origins in distant states. The resulting plantings often do not look or behave like genetically-local versions of the same prairie species, and some cultivars are very aggressive. This can lessen their value as wildlife habitat. Planting this distant-origin seed near native prairies puts those prairies at risk of genetic pollution.

RESOLUTION: *Proposed Action-the new Farm Bill will promulgate new regulations along with a revised 2-CRP handbook in which certified seed for planting and exceptions are explained.*

ISSUE: In addition, the use of distant-origin prairie seed in CRP plantings can cause problems for commercial prairie seed growers. There is a growing demand for genetically-local prairie seed, and growers are working to meet that demand with genetically-local nurseries. But nearby distant-origin CRP plantings can invalidate certified local-ecotype nurseries, and potentially cause financial losses.

RESOLUTION: *Proposed Action-the new Farm Bill will promulgate new regulations along with a revised 2-CRP handbook in which certified seed for planting and exceptions are explained.*

ISSUE: The environmental benefits of using local ecotype seed would be tremendous. In addition, an additional incentive payment to participants that agree to purchase/plant commercially available local ecotype seed could also provide big environmental dividends to CRP and encourage commercial production of local ecotype seed. State Technical Committees should establish criteria for local ecotype seed.

RESOLUTION: *Proposed Action-the new Farm Bill will promulgate new regulations along with a revised 2-CRP handbook in which certified seed for planting and exceptions are explained.*

Two commenters stated that there are limits to the benefits of native species.

ISSUE: The limitation requiring the use of only native tree species creates problems in some areas of the Great Plains. There are few native species that can survive the climatic conditions on the Great Plains. Some native species, such as American elm, have been lost from the toolkit. Occasionally, introduced species offer the best opportunity for accomplishing long-term protection of a site when tree planting is desirable.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; tree species selection and planting are established by the Forest Service and not established under National guidelines.*

ISSUE: The focus on native species to renovate stands for re-enrollment has led to many failed plantings. It is expensive for both the government and producers for a limited benefit. Many plantings fail in semi-arid conditions and need to be re-seeded, creating an additional expense.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

ISSUE: People are agreeing to native species just to get the extra Environmental Benefit points. The extra 30-80 points can make the difference of whether land is accepted for a CRP contract or not. This reinforces the notion that the government just wants producers to go through the motions, which does not achieve the intent of the program. **SOLUTION:** Reduce the focus on native forage species because they are not inherently better for all wildlife. Native species alone will not sustain many wildlife species! Receive input from local conservationists in making the rules; this would eliminate many problems by basing recommendations on local conditions and previous experience.

RESOLUTION: *No Action-the authorized technical maintenance practices are established by the local NRCS offices in accordance with the FOTG and incorporated into the conservation plan prior to the start of the contract; stand species selection and seeding rates are a county/local variable not established under National guidelines.*

A.2.11 Program Administration

Of the numerous comments submitted on the management and administrative practices of the programs. The majority stated that the program should be streamlined in order to maximize effectiveness.

ISSUE: Looking at the administrative process, trying to streamline that to make it more user friendly for the people who are enrolling land. If regulatory agencies can have joint permit applications, then we certainly think through voluntary programs we should be able to have a streamline process as well.

RESOLUTION: *Proposed Action-the new regulations and 2-CRP Handbook are being created with the intent to simplify the whole process, not just for producers but agency employees as well.*

A few felt that the FSA staff is not properly trained to administer such a complex program.

ISSUE: The CRP was an excellent program for the farmers when it was begun. Now it is almost ridiculous. Too many special interest groups have taken over. Also some of the personnel administering the program lack knowledge to do a proper job.

RESOLUTION: *Not Considered-qualified personnel are hired and trained in accordance with FSA policy, procedures, and standards to provide the best possible service to the public.*

And from an agency perspective:

ISSUE: And I would certainly, as a manager in that office, and dealing with various programs, would like to see a system that is more responsive to our request when we get them. Particularly, when we have had collaborative ideas that are very sound and good from our soil conservations districts and farmers to implement new practices that may address drought emergency needs.

RESOLUTION: *Not Considered-outside scope of this project; interagency collaboration and idea sharing is not related to the National guidelines for this EIS.*

Many comments identified the problem as a staffing issue. Both the general public and agency staff felt that current FSA staffing levels are insufficient to handle the volume and complexity of the programs. Additional staff would also allow for training and result in more efficient program administration. Two comments identified a problem with NRCS staff in particular.

ISSUE: The NRCS is unaccountable for its actions, since there is no elected committee to appeal decisions or misdeeds. Participants have no recourse for unequal treatment and retaliation. Unprofessional conduct of one NRCS employee can cost a participant or producer dearly. Unlike the FSA, NRCS employees are not accountable to an elected body. Therefore there is no natural recourse on which to alter rule breaking. Without policing, NRCS agents can run amok and they have in many cases.

RESOLUTION: *Not Considered-outside scope of this project; there are checks and balances in place to assure agency employees are providing the accurate and correct information along with proper service to the public.*

A.2.12 Noxious Weeds and Invasive Species

The issue of controlling weeds on CRP acreage is a universal problem, receiving over 20 comments from different parts of the country and from agency, organization and general public. The overwhelming sentiment was that weed control must be a mandatory practice that is enforced on all CRP land. It is generally commented that there is no oversight to enforce weed control.

ISSUE: Another problem we have in North Dakota is the maintenance of noxious weed control. Landowners (frequently living elsewhere) assume the annual maintenance fee is part of the CRP rental payment and they are not particularly interested that their land is producing weeds where as neighbors to the land and the County Weed Board must contend with the weed production.

RESOLUTION: *No Action- the county weed board should be included in the conservation plan establishment and NRCS is responsible for maintenance agreements and maintenance practice authorization.*

ISSUE: At present there is little effective incentive or penalty for weed management or lack of it. The impact that noxious and invasive weeds have on our society is largely ignored or unknown. Withholding payment (apparently past weed control incentive) has not worked because the fields are seldom checked and if weed management activities are not performed it is often because the cost of control is prohibiting or the benefit is not perceived as equal to the cost. Technical assistance for weed management in the conservation program is key. Training of local NRCS personnel and more coordination with County and State Weed Coordinators or Weed Extension agents needs to be greatly increased. The addition of sufficient cost-share to cover realistic weed control costs and up-front consideration for management of existing or invading weed populations is needed to accomplish the goals of the conservation programs.

RESOLUTION: *No Action- the county weed board should be included in the conservation plan establishment and NRCS is responsible for maintenance agreements and maintenance practice authorization.*

Similar to weeds, invasive species can have devastating effect on the land. Several commenters stated that invasive and non-native aggressive species should be removed from approved lists.

ISSUE: Design a method to remove exotic, aggressive, or harmful plant species from national and State-approved plant lists. For example, to grow hybrid poplar (an approved cover plant in Minnesota) requires fertilizer application, insect control and bare ground around the base of the plants to minimize competition. These plantings have little or no wildlife habitat value. Because of the cultivation requirements, this plant functions as a crop and not a conservation plant. For these reasons, it should be removed from any list of acceptable conservation cover plants.

RESOLUTION: *No Action- the county weed board should be included in the conservation plan establishment and NRCS FOTG is responsible for the species selection and authorization of species to be planted under the CRP contract.*

A.2.13 Rental Rates

Commenters noted that rental rates are often higher than actual land value, forcing them to compete with the government for productive land to farm. As in other aspects of this program, regional differences need to be addressed. Producers in Maryland indicated that they felt that the rates established for Maryland are too high and are endangering their livelihood.

ISSUE: There's no way that a farmer can compete with this program in Talbot County. Your land rents are too high, and with that every time you enroll 1,000 acres or so, 600 acres, you put a farmer out of business. And we are kind of, we are diminishing; we are a diminishing base.

RESOLUTION: *No Action-the potential for the CARAP to affect the general viability of agricultural production is addressed in the socioeconomic analysis for both No Action and Proposed Action alternatives.*

The one comment received from California has a different perspective.

ISSUE: It is well recognized that federally-established rental rates for CRP lands do not come close to reflecting California land values. For CRP to work in California, especially for higher value lands in filter strips, grassed waterways, and riparian buffers, rental rates must be competitive.

RESOLUTION: *No Action-the effect of CRP rents on land values is addressed in the economic analysis of impacts for both No Action and The proposed Action alternatives.*

Other comments concerned the methods for establishing rental rates.

ISSUE: We would like to have you consider rental rates based on environmental or wildlife benefits so that we take environmentally sensitive lands out of production instead of the current method of using soil rental rates based on corn production that encourages retiring highly productive lands.

RESOLUTION: *Environmental Targeting-the environmental targeting alternative assumes that program resources will be concentrated to address priority conservation goals. The potential effect on rental rates is considered under this and other alternatives.*

ISSUE: Change the base rental rates to values based on environmental or wildlife benefits of lands adjacent to water bodies. We need to encourage enrollment of environmentally sensitive lands adjacent to water bodies.

RESOLUTION: *No Action-the impact of CARP rental rates is considered as a part of the economic analysis of impacts for this and the proposed alternative.*

ISSUE: CRP rental rates should mirror the rental rates of comparable land in the immediate area and be based on the agricultural production value of the land.

RESOLUTION: *No Action-the impact of CARP rental rates is considered as a part of the economic analysis of impacts for this and the proposed alternative.*

A.2.14 Rural Economy

The comments received on the impact of CRP on the rural economy were evenly distributed among those who indicated that CRP hurts the rural economy by taking good land out of production and is an economic liability to agriculture related businesses, those who believe that the economic benefits of recreation related to CRP land compensate for the deficits in agricultural related businesses, and those who want to reserve judgment until more studies are published. Representative comments from all these positions follow.

ISSUE: The negative economic impacts of extensive CRP acres at the local level are caused by lost production, lost economic activity causing less demand for labor and tenant farmers, less seed and inputs sold, less grain and other products to sell and store, fewer people in rural areas to patronize stores, and less federal dollars going into rural areas as many landowners with farms enrolled in CRP are no longer even living in the local community.

RESOLUTION: *No Action*-these effects are addressed in the economic analysis of impacts for both *No Action* and the *Proposed Action* alternatives.

ISSUE: Most small communities there, I don't know if anyone has driven through there recently, are struggling to survive. It's kind of like ghost towns. Jobs don't exist. Very little hope in these areas where we are paying government money to idle the primary industry.

RESOLUTION: *No Action*-the potential effect on agricultural communities are addressed as a part of the social impacts for the *No Action* and *Proposed Action* alternatives.

ISSUE: It was difficult for rural towns and communities prior to CRP, but with the large amount of acres involved with CRP and whole farms being taken out of production, rural towns are grasping at about anything for survival. I believe the original intent of CRP has been lost.

RESOLUTION: : *No Action*-the potential effect on agricultural communities are addressed as a part of the social impacts for the *No Action* and *Proposed Action* alternatives.

ISSUE: The problem with the CRP Program however is that by taking land out of production it creates a negative ripple effect throughout the rural economy. For the farmers who want to get out of farming or retire, the CRP Program is a windfall. Many are free to leave Rural America and move somewhere else and take their payments with them. At the same time their land is idled, offering no economic benefit to the local economy. Even the farmers who stay have come to realize the most significant effect of CRP has been a noticeable decline in the quality of life in Rural America. The consequences have been a shrinking population, a dwindling tax base, lower housing values, declining school systems, higher crime rates; in general a poorer social and business environment. Can all these trends be blamed on the CRP Program? No. Has the CRP Program contributed to these trends? Absolutely!

RESOLUTION: *No Action*-these effects are addressed in the economic analysis of impacts for both *No Action* and the *Proposed Action* alternatives.

ISSUE: The importance of agriculture cannot be overstated, however, the exodus of farm families and rural business has little to do with federal land programs.

RESOLUTION: *No Action*-the potential effect of CRP activity on the demographics of rural and other agricultural communities is addressed as part of the social impacts for the *No Action* and *Proposed Action* alternatives.

ISSUE: *And finally, for those people that are concerned that the CRP has damaged the economy of small local and rural communities, that happened fifteen years ago on the first sign-up. It won't hurt any more now than it already has.*

RESOLUTION: *No Action*-these effects are addressed in the economic analysis of impacts for both *No Action* and the *Proposed Action* alternatives.

ISSUE: Wildlife-related recreation continues to be popular in America, with 39 percent of all U.S. residents 16 years old and older participating in activities such as hunting, fishing, and bird watching, according to preliminary results from the 2001 National Survey of Fishing, Hunting, and Wildlife Associated Recreation, conducted by the Interior Department's U.S. Fish and Wildlife Service. In 2001, more than 82 million Americans engaged in wildlife-related recreation in the U.S., an increase of five million in comparison with the last survey conducted in 1996. These recreationists spent more than \$110 billion pursuing their activities. These expenditures accounted for 1.1% of the gross domestic product, a considerable contribution to the U.S. economy. The fish and wildlife resources that benefit from acres enrolled in CRP are an important part of this wildlife-related contribution to the economy, which is certainly within the scope of the PEIS.

RESOLUTION: *No Action*-the potential for both beneficial and adverse impacts to recreational users is addressed as part of the economic analysis of impacts for both *No Action* and the *Proposed Action* alternatives

ISSUE: Recognition that in addition to the financial assistance received by participating producers, there are significant economic benefits to state and local economies resulting from the fish and wildlife-related recreation associated with lands enrolled in the CRP.

RESOLUTION: *No Action*-these effects are addressed in the economic analysis of impacts for both *No Action* and the *Proposed Action* alternatives.

ISSUE: Americans spend significant amounts of money on recreational hunting and fishing. According to Southwick and Teisl (1998), if hunting were ranked as a "corporation" nationwide, revenue from hunting would place hunting in 35th place on the Fortune 500 list. Sport fishing would be 13th on that same list (Maharaj 1998). Much of this money is spent in rural communities, so the impacts from recreation have always been a crucial link in sustaining the rural economies in many regions. Farm Bill Programs provide farmers and ranchers with additional sources of income, promote soil and water conservation, and provide substantial benefits for wildlife and the economics of the nation. Feather et al. (1999) estimated the nonmarket benefits of CRP for three types of outdoor recreation, freshwater recreation (swimming, boating, fishing, etc), pheasant hunting, and wildlife viewing. The authors chose these three forms of recreation because all three are thought to be especially affected by retiring environmentally sensitive lands (Feather et al. 1999). They found that total nationwide annual contribution of CRP to all freshwater recreation was approximately \$35.4 million, \$80 million annually for pheasant hunting, and \$348 million for wildlife viewing (Feather et al. 1999). They calculated a per acre magnitude for these three benefits of approximately \$13/acre per year.

RESOLUTION: *No Action*-the potential for both beneficial and adverse impacts to recreational users is addressed as part of the economic analysis of impacts for both *No Action* and the *Proposed Action* alternatives.

ISSUE: Despite over fifteen years of existence since its origin in the 1985 Farm Bill, the multi-year land retirement brought about by the Conservation Reserve Program (CRP) still represents an anomaly in farm country. Its departure from traditional annual cropping elicits an almost endless array of variables that, when combined with agricultural business patterns and land use trends that were already developing prior to the advent of CRP, make defining accurate cause and effect relationships with regard to its effect on rural economies a difficult if not impossible task. Most if not all of the spoken, written, and published accounts of the impact of CRP on rural economies are based on supposition and anecdotal information. To our knowledge, few studies exist that adequately separate variables and quantitatively describe the effect of this multi-year land retirement program on either the farm economy or the larger rural economy anywhere in America.

The CRP, while having an enormous positive impact on wildlife, has also been a financial benefit to landowners through its annual payments as well as ancillary financial benefits provided by enhanced hunting and fishing opportunities. Still, we commonly hear CRP blamed for the documented declines in rural economies although this opinion is commonly based on anecdotal information and supposition. Although few studies have adequately accounted for all the variables influencing rural economies, the data and surveys to date suggest CRP is not the principle cause of decline. These benefits ripple through our economy in the forms of better hunting, fishing and tourism. In turn, wildlife-related recreation is an increasingly important source of economic activity in the rural parts of the region.

RESOLUTION: *No Action*-the potential for both beneficial and adverse impacts to recreational users is addressed as part of the economic analysis of impacts for both *No Action* and the *Proposed Action* alternatives.

A.2.15 Soil, Air, and Water Benefits

All commenters agreed that CRP has had significant impact in improving soil, air, and water quality in the United States. Some comments expressed interest in expanding the program to increase those impacts.

ISSUE: As of January 1, 1997, CRP has reduced soil erosion on cropland by an average of 18 tons/acre/year totaling 603,015,000 tons/acre annually (FSA).

RESOLUTION: *No Action*-no new issue raised.

ISSUE: The Conservation Reserve Program (CRP) as administered by the U.S. Department of Agriculture represents one of the largest and most successful opportunities the nation has in offsetting many of the water quality challenges associated with production agriculture. As such, water quality benefits play a significant role in the scoring, ranking, and selection of lands to be considered for enrollment in CRP.

RESOLUTION: *No Action*-no new issue raised.

ISSUE: We would urge renewed emphasis by USDA on filter and buffer strips, providing little if any, further opportunity for whole-farm buyout through the program. Water quality is a major challenge for U.S. agriculture, and we urge a shift in emphasis within the CRP to better address the issue.

RESOLUTION: *Proposed Action-the new Farm Bill suggests new eligibility criteria for conservation of ground and surface water that would provide a net savings, and this coupled with the continuation of CCRP and CREPs should put more use of filter and buffer strips.*

ISSUE: The current rule does not recognize environmentally sensitive areas with high degrees of soil erosion. NACD urges USDA to increase soil erosion points for erodibility indexes above 21 tons.

RESOLUTION: *Proposed Action-the new regulations and EBI are being created and could address this issue.*

ISSUE: CRP can even more significantly contribute to the nation's water quality and reduce soil erosion by expanding use of riparian buffers and contour buffer strips, and restoring wetlands specifically designed to filter agricultural drainage water.

RESOLUTION: *Proposed Action-the new Farm Bill suggests new eligibility criteria for conservation of ground and surface water that would provide a net savings, and this coupled with the continuation of CCRP and CREPs and the expansion of FWP nationwide to see more use of filter and buffer strips.*

A.2.16 Technical Assistance

The issue of how technical assistance is provided and suggestions on who should provide it was the subject of 28 comments. Several commented on shortcomings of the present system due to lack of training, lack of staff, or lack of local expertise and resources. Several agencies and organizations offered their technical assistance and suggested that a cooperative model would serve the program. Representative comments are below.

ISSUE: It is important that technical assistance, such as creating grazing plans, for the Grassland Reserve Program be provided by NRCS or Conservation District Employees.

RESOLUTION: *Not Considered-GRP is no longer part of this PEIS.*

ISSUE: Species composition, size of planting, maintenance schedules, and the need for weed barrier fabric mulch should be determined at the field level, not in Washington or by State Technical Committees. Cost-share limitations imposed on these design components discourage flexibility in program implementation. Natural resource professionals are trained to design tree plantings so they accomplish program objectives within site limitations. Practices should be written to allow professionals flexibility in their designs, and cost-share should support that flexibility. Tree planting and maintenance constraints imposed by Washington or State Technical Committees can unnecessarily limit the ability of resource professionals to accomplish program objectives.

RESOLUTION: *No Action-NRCS is the technical oversight for CRP and makes decisions based on their FOTG, which is out of scope for this project.*

ISSUE: The NASF and the State Foresters are committed to actively participating on the State Technical Committees to ensure that CRP, CREP, and ECP provide the assistance that landowners need. By including forestry as one of a suite of tools for conservation, these programs will continue to ensure that our soils, waters, wood products, and wildlife resources are sustained through proper management.

RESOLUTION: *No Action-in accordance with 2-CRP, forestry can be included in the process mentioned, but whether or not they are is a State and CREP issue.*

ISSUE: A local committee, with local farmers as members, would have a practical knowledge of the farming practices and could advise NRCS on practices that would grow.

RESOLUTION: *No Action-input given to NRCS by local farmers is reasonable, but not an issue under this Programmatic Environmental Impact Statement.*

ISSUE: USDA policy requires CRP contract administration to be delegated to the FSA after three years regardless of adequate permanent cover establishment. FSA does not have the technical expertise or staff to address conservation needs on acreage that has not been established to permanent vegetative cover. NACD petitions USDA to extend NRCS's technical responsibility until the time that permanent vegetative cover is adequately established and to provide funding to carry out that responsibility. NACD encourages FSA to establish rules to prevent abuse of this provision. NACD will petition USDA to amend CRP eligibility requirements to include such described lands for eligibility and to give local conservation districts the responsibility and authority to determine cropland eligibility requirements for application into the CRP

RESOLUTION: *Proposed Action-FSA is revising their regulations and polices in accordance with the New Farm Bill changes and this issue can be addressed through new handbook amendments and revisions.*

ISSUE: I am with Washington State Department of Fish and Wildlife. I would like to make a suggestion as a potential for providing technical assistance on the grounds that might be needed for development of C.R.E.P. and C.R.P. projects, and I believe in other states there has been a union, if you would, between the Fish and Wildlife agencies and the federal agencies to provide that technical assistance. Although we are suffering just like anyone else with budget cuts, the potential to contract between the two of us to provide the expertise that may be needed should be looked into, and I just thought I would offer that.

RESOLUTION: *Proposed Action-FSA is revising their regulations and polices in accordance with the New Farm Bill changes and this issue can be addressed through new handbook amendments and revisions.*

ISSUE: USDA should allow State or Federal agencies (e.g., the Service) to augment a practice; for example in this case provide a water control structure to flood or expose mudflats for waterfowl or shorebird use or to establish wetland plants to enhance the site as wetland wildlife habitat.

RESOLUTION: *Proposed Action-FSA is revising their regulations and polices in accordance with the New Farm Bill changes and new conservation practices regarding the expanded FWP can be addressed through new handbook amendments and revisions.*

ISSUE: Recognition of the respective state fish and wildlife agencies authority, responsibility and expertise in fish and wildlife management by making them full resource management partners in program planning and implementation. Implementation alternatives should include use of Cooperative Agreements or Memorandums of Understanding with State fish and wildlife agencies to provide state-specific levels of assistance with program implementation and monitoring, including identification of seed mixes, seeding rates, type of disturbance and frequency of disturbance for CRP establishment and management that address fish and wildlife resource needs. The agreements should allow direct reimbursement to states for the assistance provided.

RESOLUTION: *Proposed Action-FSA is revising their regulations and polices in accordance with the New Farm Bill changes and this issue can be addressed through new handbook amendments and revisions.*

A.2.17 Tenant Issues

All of the comments regarding tenant farming stated that CRP either does not have any provisions to protect tenant farmers, or maintain that CRP depletes the availability of available land to farm.

ISSUE: I just have a comment about the landlord/tenant provisions. When you share in these contracts, you share in the liability along with the payment. Where's the protection for the person that doesn't have the ownership of the farm? That's my main concern what we are hearing in Talbot County. If the person sells the farm, the farmer is out of the contract. Then he has to wind up refunding money that he had no control over.

RESOLUTION: *No Action-the potential effect of CRP on tenant farmers is considered as a part of the social impacts analysis for the NO Action alternative.*

ISSUE: Producers under cash-rent agreements who enroll land into the CRP may be required to pay back all program payments plus penalties if the CRP contract is terminated, even if they are not involved in the decision to end the contract. NACD urges the FSA through regulation, and lawmakers through changes in the next Farm Bill, to implement the following changes relative to this situation: Require tenants and landowners with cash rental agreements to be informed about this potential problem at time of sign-up. Require tenants to have agreements with landowners before sign-up to address land ownership changes, contract responsibilities, etc. Link CRP and CREP contracts to the land and stipulate that the party that terminates the contract bears the responsibility for the contract re-payment and penalties. Provide appeal rights to the tenants in these situations. Provide that tenants will be forgiven re-payments and penalties up to the time of the contract termination if the tenant has fulfilled his/her duties under the contract up to the point of termination.

RESOLUTION: *Not Considered-the suggested approach is not a component part of any of the alternatives considered as a part of the PEIS.*

A.2.18 Wetlands

Many comments mentioned the wetlands benefits as an indication of the success of the program. Most comments were in regard to expanding the enrollment of wetlands in CRP, CREP, and CCRP. There were also 9 comments specifically targeted to FWP.

ISSUE: Allow all wetland under the continuous signup provisions of the program. Floodplain and bottomland wetlands are one of the most threatened ecosystems in North America. The areas provide habitat to a number of T&E species and provide significant water quality benefits.

RESOLUTION: *Proposed Action-FWP has been expanded nationwide.*

ISSUE: This program has the potential to be one of the most ecologically important components of the conservation provisions. From restoring the wetland functions to dramatically decreasing greenhouse gas emissions, wetlands enrolled in the FWP are environmental gems of great benefit to the landscape. The program should receive increased emphasis and promotion to generate even greater benefits.

RESOLUTION: *Proposed Action-FWP has been expanded nationwide.*

ISSUE: Although CP-9 does not appear to be a practice for wetland wildlife, significant wetland wildlife benefits could accrue at no additional cost to USDA. Consider awarding additional points in the EBI for restoring wetlands on fields enrolled in the CRP.

RESOLUTION: *Proposed Action-FWP has been expanded nationwide.*

A.2.19 Wildlife

Over 40 comments received were specifically about wildlife benefits, or the need to make it more attractive to landowners to create wildlife habitat on CRP land. As discussed in section A.3.10 Co-Equal Status of Soil, Water and Wildlife above, there were a few who felt that the balance had tipped too much in favor of wildlife over soil and water issues.

ISSUE: Evaluate and describe the Continuous CRP conservation practices to determine if they achieve a balanced mix to meet the three purposes of the CRP (soil, water and wildlife). It appears that the CCRP practices mainly achieve soil and water conservation benefits. Wildlife benefits are more random because the cover practices are installed in accordance with the NRCS Conservation Cover Standards, which do not have specific guidelines for planting or improving wildlife habitat values on the CRP lands. Also wildlife habitat practices generally cost more to establish and landowners, who contribute 25 percent of the cost to establish a practice, may not select the practices most beneficial for wildlife due to financial limitations.

RESOLUTION: *No Action-NRCS is responsible for the technical aspects of CRP in accordance with the FOTG and therefore out of scope of this PEIS.*

ISSUE: Created thousands of acres of critical habitat for wildlife species especially grassland dependent species that have been on a steep decline.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: It has played an enormous role in restoring not just waterfowl populations, but also those of upland birds and other wildlife. Research has indicated that from 1992-1997 CRP lands in Montana, North Dakota, and South Dakota added 12.4 million ducks to the fall flight (Reynolds et al. 2001). CRP has been partially responsible for the reversal of population declines of some grassland bird populations and increased populations of ring-necked pheasants (Johnson and Schwartz 1993, Reynolds et al. 1994, Clark and Bogenschutz 1999).

RESOLUTION: *No Action-no new issue raised.*

ISSUE: Since contract offers for the CCRP are not ranked, and wildlife choices often cost more than options not beneficial to wildlife, wildlife benefits often are forgone to save dollars. If wildlife is a producer's objective, then the width of cover strips could be doubled; for example, contour grass strips could be made 60 feet wide instead of 30 feet.

RESOLUTION: *Proposed Action-FSA is revising their regulations and polices in accordance with the New Farm Bill changes and a new EBI in which this issue could be addressed.*

ISSUE: In addition, provide an additional consider an incentive payment of \$10/acre/year when a landowner agrees to plant wildlife beneficial choices on filter strip, contour buffer strip and grass waterway practices – otherwise, economics will drive producers away from incorporating wildlife needs when that could have been done at relatively little additional program cost.

RESOLUTION: *Proposed Action-FSA is revising their regulations and polices in accordance with the New Farm Bill changes and this issue can be addressed through new handbook changes and a new EBI in which this issue could be addressed.*

ISSUE: This project in restoring native warm season grasslands in mid-Atlantic coastal prairie through CRP and CREP has caught national attention. As an exhibit of native habitat restoration, a platform for student training and research, this CRP project has been a total success, a win-win-win decision. We gave the wildlife and the American people a field of dreams and they came.

RESOLUTION: *No Action-no new issue raised.*

ISSUE: I own and operate a farm in Dawson County near Lamesa, Texas. Anyone that is familiar with the terrain and weather conditions typical to that part of the country knows that sand storms and soil erosion are all too real and prevalent. The CRP program has made it possible to take thousands of acres out of cultivation and replace crops with a year-round ground cover, very successfully reducing soil erosion and air contamination. However, there is another important benefit that is worthy of mention. Since the program has been implemented, wildlife has flourished. For the first time in known history, mule deer have populated the region. There are other examples of wildlife returning to the area and/or increasing their populations. West Texas (thanks to the ground-cover provided by the CRP program) remains one of the few places that the Horned Lizard (Horned Toad) can be found. Its natural habitat has been destroyed in too much of Texas and the United States.

RESOLUTION: *No Action-no new issue raised.*

Table A.2-3 Issue Categories Identified in Public Scoping

Issue	Number of Comments
3RD PARTY VENDOR ISSUES	6
51% RULE	8
BUFFERS	26
COMMODITY PRICES	15
CONTEST NEW COMMENT DEADLINE	2
CONTRACT LENGTH / INCENTIVES	4
CROPPING HISTORY	4
CRP IS A SUCCESSFUL CONSERVATION PROGRAM	52
DECREASE ACREAGE	7
EBI (General Scoring)	22
ECONOMIC BENEFITS OF RECREATION	6
ELIGIBLE LAND/ENROLLMENT	15
EQUALITY OF SOIL / WATER / AIR / WILDLIFE	13
EXISTING COVER	9
FIELD BORDERS	7
FIELD MAINTENANCE (\$5)	18
FILTER STRIPS	15
FIRE PLAN/BURNING	10
FSA/NRCS STAFFING ISSUES	9
GIVE GRP TO NRCS	3
GRAZING/HAYING	26
HUNTING ON CRP LAND	4
INCREASE ACREAGE / REOPEN	18
INTRA-STATE VARIATIONS / ECOSYSTEM	25
LACK OF FLEXIBILITY	22
LOCAL SEED GENOTYPE / NATIVE SPECIES	25
LONGLEAF PROGRAM	10
MANAGEMENT/ADMIN	36
MARGINAL PASTURE	8
MORE PUBLIC INPUT / BETTER LOCATIONS	3
NATIVE TREE PLANTING / EBI	9
NATURAL REGENERATION	3
NOXIOUS WEEDS/INVASIVE	22
NTE 25%	7
PRAIRIE ISSUES	6
PROBLEMS W/ NRCS	3
PRODUCTIVE LAND IN CRP / NO WHOLE FARMS	4
PUBLIC PROGRAM EVALUATION	4
REDUCE MINIMUM ACREAGE	3
RENTAL RATES	23

Table A.2-3 Issue Categories Identified in Public Scoping

Issue	Number of Comments
RURAL ECONOMY	27
CO-EQUAL STATUS: SOIL, WATER, WILDLIFE	4
SOIL EROSION/AIR QUALITY	25
TECHNICAL ASSISTANCE	25
TENANT ISSUES / RIGHTS	13
TREE PLANTING	10
UPLAND WILDLIFE	6
WATER QUALITY BENEFITS	15
WETLANDS ISSUES	10
WILDLIFE	44
100-YEAR FLOOD PLAIN	3
20% STATE/LOCAL MATCH	3
AG SECURITY AREA	2
EXTENSIVE RESTORATION	2
AMTA	1
BIOMASS	4
CHESAPEAKE BAY	4
COORDINATE WITH DUCKS UNLIMITED	1
DISCOURAGES DEVELOPMENT	3
ENCOURAGES DEVELOPMENT	2
LOCAL CONSERVATION DISTRICTS	1
RUN GRP LIKE WRP	3
HELPS ELDERLY FARMERS	3
INCLUDES STATE FORESTERS	2
KEEPS FAMILY FARM ALIVE	3
LEAVE WITHOUT PENALTY	2
LIEN HOLDER / BANK ISSUES	1
NEED-BASED ENROLLMENT	2
WASH, DC OUT-OF-TOUCH W/ RURAL AREAS	2
SMALL & NON-TRADITIONAL FARMS	1