

Appendix 4.a. Letter to USDA regarding Midwest tiling requests

June 30, 2011

The Honorable Tom Vilsack,
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Vilsack:

The Midwest Association of Fish and Wildlife Agencies (MAFWA) was formed in 1934 to provide a common forum for state and provincial fish and wildlife agencies to share ideas, information, pool resources, and form action initiatives to better the management and conservation of fish and wildlife resources in the Midwest. Currently, MAFWA represents 13 state and 3 provincial Midwest fish and wildlife agencies.

I am contacting you today to express the concern of MAFWA regarding the increase in new tile drainage activity in the eastern Dakotas. The volume of NRCS wetland determination requests in the Dakotas has dramatically increased in the past few years creating a backlog of over 1,800 requests in North Dakota and over 3,200 requests in South Dakota. One North Dakota county alone had over 10,000 acres in requests.

While we are pleased to hear that NRCS will be placing additional staff in these areas to address requests for certified wetland determination, we remain greatly concerned over the impacts of tile drainage to remaining natural wetlands in this area. In addition to the need for extra staff resources to conduct certified wetland determinations, we also encourage NRCS to look closely at requiring “As-Built” plans to ensure that tile installation is following the tiling plan designed by NRCS provided to landowners. Also, GPS locations of all tile infrastructure should be required to save NRCS time and money when conducting compliance reviews or responding to whistleblowers. GPS technology is readily available and utilized by nearly all involved in precision agriculture so this request should be a burden to very few.

We are also very concerned about the methodology being used by NRCS to determine tile setback distances from existing wetlands. Some hydrologists have questioned the adequacy of the van Schilfgaarde model in determining setback distances that provide minimal hydrologic and ecological impacts. We respectfully request that NRCS conduct a thorough assessment of hydrologic models and utilize a model that provides a significant level of comfort to conservation interests to ensure that tile setback distances are sufficiently protecting wetland functions and values in the eastern Dakotas. Any such review should also include an assessment of historical aerial photos of properties with known subsurface tile drain systems to determine whether there is sufficient evidence to

show that wetland functions and values either are or are not being protected by existing setback distances.

We are also concerned about any use of conservation program funds such as WRP, EQIP or CSP to incentivize tile drainage. While we understand the need to ensure tile is installed correctly and best management practices are used to reduce nutrient levels on existing tile drain systems, we are concerned that the availability of conservation program funds may provide an incentive for installation of new tile drain systems and required best management practices. We feel that if conservation program funds are ever used, NRCS should develop an “effective date” (“before date”) to define existing tile drains. Doing this would allow the use of conservation funds for best management practices aimed at addressing water quality concerns to improve existing subsurface drainage systems. In addition, it would prevent any incentive for producers to use conservation funds to install these practices on new subsurface drainage systems, which, if allowed, would significantly reduce the landowner’s total costs.

We recommend that NRCS expedite implementation of the Northern Plains Migratory Bird Habitat Initiative (NPMBHI). The use of the conservation programs included in the NPMBHI such as the Wildlife Habitat Incentives Program (WHIP), Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), Wetland Reserve Program (WRP), and Grassland Reserve Program (GRP) will provide producers with additional opportunities for wetland protection, enhancement or restoration in this region.

We feel that addressing these issues will provide the needed scientific support to ensure protection of wetland conservation compliance provisions. Thank you for your attention to these issues, and feel free to contact us with any questions.

Sincerely,

MAFWA President

cc:

Kathleen Merrigan, Deputy Secretary of the United States Department of Agriculture
David White, Chief of Natural Resources Conservation Service
Paul Sweeney, Senior Project Leader for NRCS’ Advance Drainage Water Management Strategy for the Mississippi River Basin Initiative

Appendix 4.b. Letter to USDA regarding wetland drainage and mitigation

The Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Mr. Vilsack,

The Midwest Association of Fish and Wildlife Agencies (MAFWA) represent the thirteen state fish and wildlife agencies located in Midwest cornbelt. These agencies have statutory authority for management of fish, wildlife, and their habitats within their respective states. As you are aware, our ability to manage the public trust resources on a landscape-level is directly influenced by the USDA agricultural conservation programs and policy. We are very concerned about a recent effort to improve agricultural drainage in several upper Midwest states and treating this increased subsurface runoff with nitrate removal wetlands (Iowa Drainage & Wetland Landscape Initiative/CREP Pilot, attachment 1). This initiative proposes to upgrade existing subsurface tile drainage systems across the upper Midwest by 150-400% and to treat this water with created “engineered” nitrate removal wetlands. The initiative proposes created wetlands would serve as in-kind mitigation for farmed wetlands. The proposed benefits of this initiative are reduced surface runoff, reduced nitrate levels delivered to the Gulf, and improved crop efficiency.

We feel that the benefits of this initiative have been oversold and that negative impacts to fish and wildlife have been overlooked. If this drainage approach becomes accepted policy and is widely applied without careful forethought, it could cause serious harm to fish and wildlife populations by accelerating loss of functioning wetland habitat. We have several serious concerns with this initiative:

1. We question the validity of the reduced surface runoff, with an initiative proposing to moving water downstream 150-400% faster given increasing trends in Midwest rainfall patterns. Wetlands in the uplands, even farmed wetlands, can serve to slow the flow of water down into the floodplains. Draining these areas could result in more flooding downstream. Downstream costs could be staggering, FEMA bailouts, siltation, flooding, levee breaks, etc.
2. We are concerned about the extreme watershed to wetland ratios of created nitrate removal wetlands. We are further concerned about the longevity of wetlands constructed with these highly-unnatural watershed to wetland ratios. These structures will fail in severe rain events or give way over time as operators fail to maintain them.
3. We are concerned that improved drainage will hasten the replacement of existing conservation programs that restore wetlands (CRP, WRP) with direct tile intakes

and exacerbate the nitrate problem rather than lessen it. These artificial wetlands will not function as well as natural ones and consequently, they lack the structural and plant diversity to provide anywhere close to the same wildlife and fisheries benefits as natural or restored (CRP, WRP) wetlands.

4. We are concerned this form of out-of-kind wetland mitigation sets a precedent that stands to significantly degrade remaining wetland habitats in order to improve agricultural productivity.

We would like to see more emphasis on working with landowners to increase enrollment rates by combining nitrate removal wetlands with other available conservation programs (not all of which are in the USDA). While we do not question that the current wetland design specifications that attempt to maximize efficiency in nitrate removal, we do think there are alternatives to increase the effectiveness of nitrate removal wetlands by lessening the watershed to wetland ratio, focusing on restoration rather than construction, and by restoring multiple wetlands in a complex as opposed to single, isolated wetlands. A comprehensive approach to drainage water management and nitrate removal giving consideration to multiple techniques will achieve the greatest return for taxpayer dollar invested as well as maximizing potential benefits, including reduce nitrates, reduced runoff, and enhanced wetland/wildlife habitat and function. We feel that wetlands can and do serve a broader purpose than simply removing nitrates.

We suggest USDA give strong consideration to convening a taskforce of Midwest experts (federal and state agency staff, NGO's, producers, sportsmen) to develop a comprehensive policy for addressing drainage water and hypoxia issues. The MAFWA directors are willing to assist USDA in convening such a Midwest taskforce. Please contact Ollie Torgerson (715) 365-8924 or Jen Mock (202) 624-7890 if we can be of any assistance on this issue.

We provide more in depth review of our concerns below. Thank you for your time and consideration on this issue.

Sincerely,

Pat Boddy
MAFWA President

cc:

Kathleen Merrigan, Deputy Secretary of the United States Department of Agriculture
David White, Chief of Natural Resources Conservation Service

Additional discussion by concern:

1. *Reduced runoff* – It is our concern that government is promoting enhancement of existing drainage systems (under an economic model that has not convinced producers to make the drainage improvements) as a means to get producers to build more nitrate removal wetlands. There is an assumption that the results will yield benefits in terms of nitrate levels in surface waters. This assumption does not adequately consider the cumulative impacts of the variety of changes in land use that have traditionally accompanied these types of infrastructure investments. There is almost certainly a trade-off with fewer lands enrolled in conservation programs, more acres dedicated to production, and more intensive agricultural practices on production acres (e.g., nitrogen and phosphorus application rates will increase, tillage will increase, as will herbicide and pesticide applications). We have serious reservations that the constructed wetland will be able to offset these cumulative impacts.
2. *Watershed:Wetland ratios* – These extreme watershed to wetland ratios of nitrate removal wetlands result in large bounces in water levels following rainfall events. These fluctuations in water levels make it difficult to maintain vegetation in the shallow water emergent zone. Wetlands where most of the watershed has been converted to agricultural production provide the greatest challenge for maintaining vegetation in the emergent zone. Problems stem from the rapid delivery of runoff via surface flow and sub-surface drainage tile. There are also issues related to the amount of nutrients these wetlands receive. Wetlands in this context receive high nitrogen and phosphorus loads. A common result of high nutrient levels, especially when combined with a poorly developed shallow emergent zone, is summer algal blooms. These algal blooms end up reducing water clarity and inhibit populations of aquatic plants that grow beneath the water surface. Rooted aquatic plants are “habitat” for invertebrate populations, and as wetlands transform from rooted aquatic plants to algae dominated systems, both invertebrate populations and water quality decline. These changes in invertebrate populations greatly alter the value of these wetlands to migratory birds.

We are further concerned about the longevity of wetlands constructed with these highly-unnatural watershed to wetland ratios. They receive such heavy nutrient and sediment loads and associated amounts of annually applied herbicides and pesticides, that it is hard to consider these constructed wetlands as able to sustain wetland function and wildlife habitat over a long period of time. Further, these wetlands are essentially flow-through wetlands created by impounding water with expensive structures. These expensive structures have a designed life expectancy of less than 100 years, and the easements that govern them do not include requirements, or funding, for repair or replacement should they fail. We find active management of water levels to be important, even in the short term, in order to maintain aquatic plant communities in the shallow emergent zone of these wetlands. There is no requirement for water level management within these wetlands even though water level management capacity is included in the structures.

3. *Other wetland programs for drainage water management* – Right now, the only nitrate removal wetlands under consideration are passive flow-through wetlands which are restricted to locations with adequate topographic relief. A variety of technologies also exist to construct wetlands in similar critical locations with less topographic relief by modifying the tile on the site to restore wetlands and utilizing electric pumps or other means to move the water to the surface for treatment in the restored wetland. Similar wetlands have been constructed along surface ditches with great success in Illinois. We remain concerned that the total of our nitrate removal wetland program has been limited to a single specific wetland design fitting a very narrow set of criteria and has been administered utilizing a very narrow set of programmatic options for working with landowners whose lands meet the criteria.

Constructed nitrate removal wetlands that we have examined lack sufficient adjacent upland buffers, and tend to be isolated habitats within intensive agricultural landscapes. Research projects conducted over the past 20 years indicate greater wildlife benefits from wetlands that are part of wetland-grassland complexes. These complexes provide multiple water regimes to increase the probability of providing suitable wetland habitats under a variety of climatic conditions. As such, they are better able to support populations of less mobile species such as reptiles and amphibians. Wetland complexes also provide a better buffer from pollutants on adjacent agricultural lands. Prairie pothole wetland-grassland complexes as small as 40 acres represent preferred mitigation alternatives to artificial wetland habitats created through construction of nitrate removal wetlands.

We certainly understand this initiative will be expedient for agricultural producers anxious to improve drainage and remove problem wet areas on their farms. These same landowners, however, were equally anxious to take advantage of the farmable wetland CRP program in the last decade (with thousands of acres enrolled). The popularity of these CRP wetland practices is evidence that these features can be compatible with modern farming operations. So, the argument that these alternatives are not viable is a weak one at best. The primary obstacle is financial. Within the past decade we have seen great interest in conservation opportunities for poorly drained pothole wetlands. There are a large number of wetland sites currently enrolled in conservation programs that could be fully restored and serve as in-kind mitigation for proposed drainage projects. Additionally, CRP wetlands are currently providing significant nitrate removal functions in their own right, using restored wetlands to filter surface runoff in locations where it previously entered sub-surface tiles directly through surface intakes.

4. *Out of kind mitigation* – Wetland mitigation is expensive, though not cost prohibitive especially with high commodity prices, and that is what is currently driving the proposed mitigation strategies and reductions in required mitigation ratios. Current agricultural commodity prices make it potentially economical to improve drainage systems and to drain remaining difficult to farm areas through large drainage projects. If adopted, these projects stand to drastically reduce the number of remaining prairie

pothole wetlands within the agricultural landscape, redistributing wetland acres to highly engineered locations designed to receive and treat high volumes of nutrient and chemical laden agricultural runoff. While this certainly seems expedient for agricultural producers, it in no way embraces the concepts, nor the science behind current wetland mitigation requirements. We encourage USDA to seek in-kind mitigation options prior to setting a policy that incorporates mitigation at a much reduced cost into planned drainage improvements that may or may not be receiving government subsidy. At a minimum, we suggest that out-of-kind mitigation be limited to mitigation banks and nitrate removal wetlands that are restorations of previously existing wetland habitats. Finally, if out-of-kind mitigation is allowed in the shallow water zones of constructed nitrate removal wetlands, we suggest that the ratio be increased to a minimum of 2:1 rather than the currently accepted 1.5:1. We also recommend that constructed nitrate removal wetlands have an upland grassland buffer in a ratio of at least 3:1 (upland to wetland) to be considered eligible as a mitigation site.

A Pilot Program for Integrated Drainage and Wetland Landscape Systems

Dean W. Lemke, P.E.
Matt Helmers, Ph.D.
Bill Crumpton, Ph.D.
Stewart Melvin, Ph.D.

Current Conditions

- Deteriorating drainage infrastructure in DSM lobe that will need replacement in next 10-30 years
- Replacement cost estimated at \$3-4 BILLION
- Farmed wetlands provide lowered crop production and little wetland function compared to original state
- Most farmed wetlands have drainage installed, but the drainage system capacity is too low to provide adequate drainage for good crop growth
- Farmed wetlands result in high losses of nitrogen fertilizer as result of denitrification
- "Worst of both worlds"- Poor crop production- Little wetland function

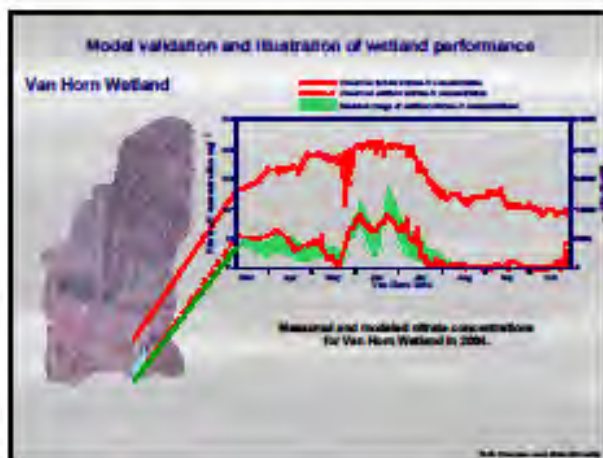
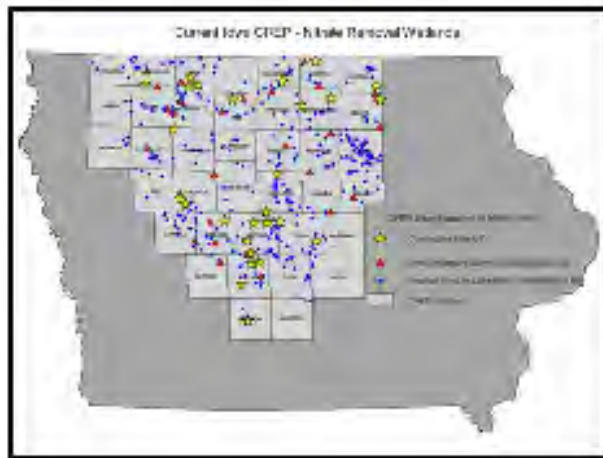
Environmental Issues

- To reduce the size of the Gulf of Mexico Hypoxic Zone - at least 45% reductions in both riverine total nitrogen flux and riverine total phosphorus flux are needed
- To achieve these reductions as well as local water quality goals will require a combination of practices implemented at the watershed scale
- Nitrate removal wetlands are a watershed scale practice that have been shown to be effective in removing nitrate
- Optimal drainage capacity has the potential to reduce surface runoff, phosphorus & other SRO contaminants
- Market driven, public/private partnerships will be essential to achieve these nutrient reductions at full landscape scale

Future Vision

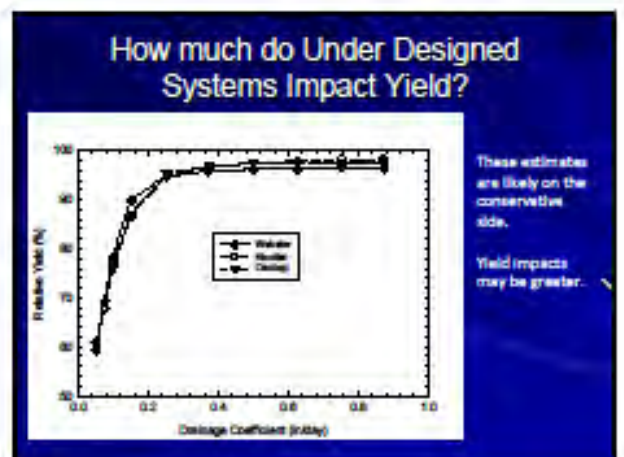
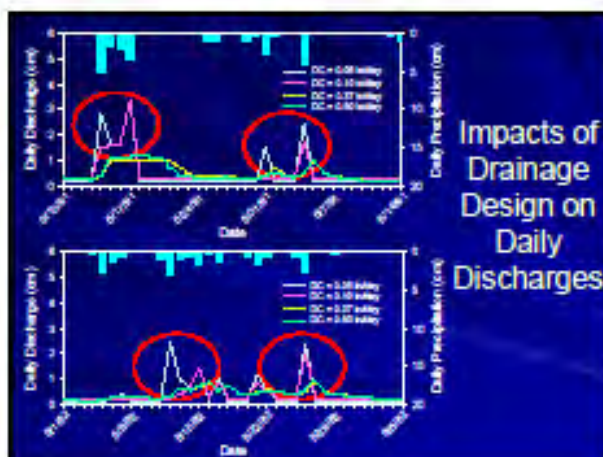
- "Engineer" watersheds for better drainage and wetland function
- Set aside areas where wetlands can be restored at the discharge end of the watershed for better wetland function as well as water quality renovation
- Allow restored wetlands to be used for mitigation of farmed wetlands in the watershed
- Allow higher capacity outlet systems to be installed to provide better crop production
- "Best of both worlds"- a win-win situation



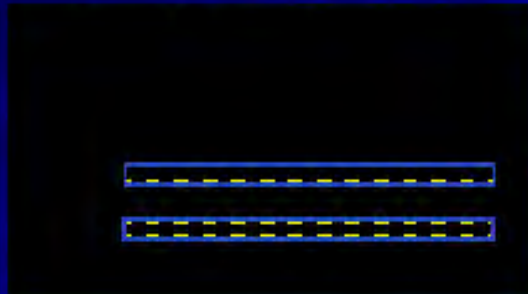


Drainage Design

- Majority of Des Moines Lobe is artificially drained with tile drainage systems installed in early to mid-1900's
- From surveys performed in 1980's many drainage systems have a drainage coefficient of <0.25 in/day (some <0.10 in/day)
- Modern drainage systems will be designed with a drainage coefficient of 0.5-1.0 in/day



Example Yield Increases



What Might \$ Impacts of Optimized Drainage Systems be on a County?

Acres in DD	250,411
Yield Increase (%)	7.7
Base Corn Yield	190
Base Soy Yield	55
Corn Price	\$4.00
Soy Price	\$13.20
Acres in corn (%)	65
Acres in Soy (%)	35

Total Annual Increase in Corn Yield (bushels)	2,381,283
Total Annual Increase in Soy Yield (bushels)	371,172
Annual Increase in Income (\$)	\$16,696,619

What Might \$ Payback of Optimized Drainage Systems be to Landowners?

Estimated cost of optimized drainage main	\$600/acre
Estimated cost of "status quo replacement" drains	400/acre
Optimization cost	120/acre
Estimated net income increase*	80/acre/yr
Projected payback for drain optimization**	2-3 yrs

*Base
7.7% yield increase
190 bu corn @ \$5/bu
55 bu soy @ \$10/bu

**Note - does not include wetland mitigation costs

Goals

- Reduce the loss of subsurface flow contaminants (primarily nitrate)
- Reduce surface runoff and loss of surface runoff contaminants (e.g. phosphorus, pesticides, sediment, and micro-organisms)
- Optimize crop production, yield, and profitability
- Increase habitat and ecological functions of the landscape



Kossuth County - 0.4 Acre Farmed Wetland with Crop Loss Spring 2007





Goals

- Reduce the loss of subsurface flow contaminants (primarily nitrate)
- Reduce surface runoff and loss of surface runoff contaminants (e.g. phosphorus, pesticides, sediment, and micro-organisms)
- Optimize crop production, yield, and profitability
- Increase habitat and ecological functions of the landscape
- Reduce N_2O greenhouse gas emissions

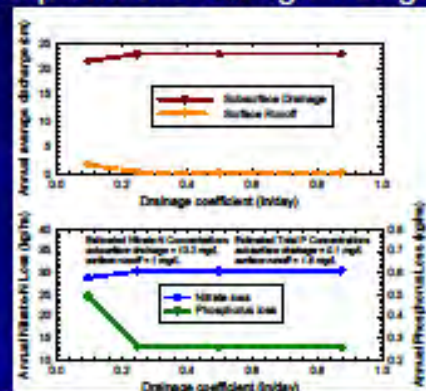
Public/Private Partnership for Achieving Full Landscape Scale

Iowa Drainage Districts

- 3000 drainage districts in Iowa manage common-outlet drains for 6 million acres
- Governing boards of trustees (typically county board of supervisors)
- Extensive statutory & case law base
- Taxing powers
- Power of eminent domain
- Construct and maintain drains

Wetland mitigation with "in-kind farmed wetlands" paid by landowners enhanced to achieve nutrient removal with CREP \$

Impacts of Drainage Design



Pilot Demonstrations

- 2012 – 25 pilot demonstrations
 - Study sites to confirm water quality, wetland function, & crop yield benefits
- 2020 – if initial pilots successful & benefits documented, expand to additional 200 pilots
- 2050 – projected target for implementation across 6 million acres of Iowa drainage districts

Potential for Cost-Share \$ to Drainage Districts for Pilot Demonstrations

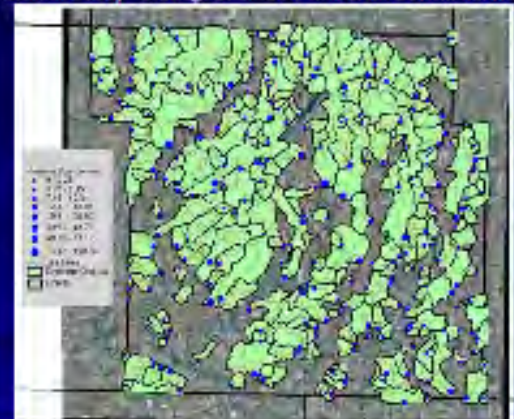
- \$3 million – minimum, for preliminary engineering of new DD mains/laterals
- \$16.5 million - 30% construction cost-share + minimum
- \$25.5 million - 50% construction cost-share + minimum

Benefits Under Potential National Economic Stimulus Legislation

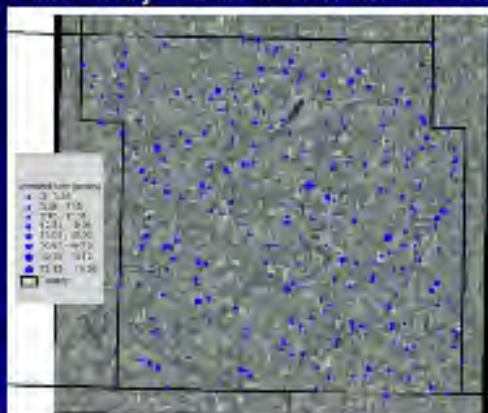
Public funding of \$16.5 – 25.5 million to cost-share 25 pilot demonstrations, will spur privately-funded infrastructure developments of

- Year 2020 – 200 pilots, \$390 million infrastructure
- Year 2050 – adoption across 6 million acres & 3000 DDs, \$4.05 billion infrastructure
- At 7.7% crop yield increase, \$400 million/yr in additional taxable net income
- How many jobs created?

Calhoun County – Drainage Districts & Potential Nitrate Removal Wetlands



Calhoun County – Potential Nitrate Removal Wetlands



Summary

- Flat, low-erosion drained landscapes are environmentally-preferred for production of row crops
- Over the next decades the existing drainage systems in Iowa's drainage districts will be replaced due to age and structural failures
- Critical Issue – will these replacement systems be designed to maintain the 'status quo' or to optimize these landscapes for both environmental benefits and crop production?

Appendix 4.c. Letter to USDA regarding shifting CRP acres to CCRP

The Honorable Tom Vilsack,
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Vilsack,

The Midwest Association of Fish and Wildlife Agencies (MAFWA) appreciates the work of FSA to fully subscribe the 32 million acres under the statutory CRP cap. We represent 13 state fish and wildlife agencies in the Midwest that have statutory authority for management of fish, wildlife, and their habitats. As you are aware, USDA agricultural conservation programs have landscape-level effects that directly influence our ability to manage the public trust resources.

To help reach the statutory CRP cap, we request that if FSA does not fully subscribe all 4 million acres available under the 41st general CRP signup, FSA should immediately shift acres remaining within the CRP cap to Continuous Signup practices, including SAFE, to provide as many landowners as possible the opportunity to enroll in CRP. A notice similar to CRP Notice 691, asking for state requests, would ensure that all states have the opportunity to affirm local needs.

If we can answer any questions or assist in the implementation of this recommendation, please feel free to contact Todd Bogenschutz, Iowa DNR, 515-432-2823.

Sincerely,

Patricia L. Boddy
President MAFWA

cc:

Val Dolcini, FSA Administrator
Brandon Willis, Deputy Administrator for Farm Programs
President(s) of SEAFWA, WAFWA, and NEAFWA

Appendix 4.d. Letter to USDA regarding General CRP Wildlife Conservation Priority Areas

The Honorable Tom Vilsack
U.S. Department of Agriculture
1400 Independence Av., S.W.
Washington DC, 220250

Dear Secretary Vilsack,

I am contacting you today to express the concern of the Midwest Association of Fish and Wildlife Agencies (MAFWA) regarding Farm Services Agency (FSA) rules that were changed for the recent Conservation Reserve Program (CRP) signup.

Specifically, the national FSA office changed the point scoring rules for state-established wildlife Conservation Priority Areas (CPA's). As implemented in the 41st general CRP sign-up any 40 point conservation practice (CP) within a wildlife CPA receives the wildlife priority points regardless of the purpose of the wildlife CPA. Until the 41st signup, states were able to limit points awarded for enrollment in state CPA's to specific CP's, which was done to make sure CRP offers receiving wildlife CPA points were providing the types of wildlife habitat meaningful to the CPA's priority wildlife species. For instance, in many prairie states, wildlife CPA's were established to benefit declining grassland songbirds and declining upland game birds – only offers seeded to grassy CRP practices received wildlife CPA points; in those cases states were not allowing wildlife CPA points for woodland CP's. However, since CPA points are no longer tied to the conservation purpose woodland practices are scoring additional wildlife CPA points in an area which will have a negative impact on the species we are trying to conserve.

This change appears to violate FSA's CRP rules that require conservation plans to "meet the objectives of the CPA, if applicable" (par 366 pg 11-4 and par 367 pg 11-6 in their manual [actual pages 216 and 219]). States have requested the limitation on eligible practices to ensure that enrollments getting wildlife CPA points are addressing priority wildlife resource concerns.

Staff from many Midwest states participated in a national conference call set up by the Association of Fish and Wildlife Agencies after this came to our attention before signup 41. FSA's national staff acknowledged the problem, but said the changes in signup software had already been made and it was too late to revisit.

We request FSA revisit the decision for this change, and revise the software so the intent of wildlife CPA points is restored prior to the next general signup. As currently implemented, signup software decreases the accountability of the EBI in reflecting the

identified wildlife needs and purposes for the wildlife Conservation Priority Areas in CRP general signups.

Thank you for your time and consideration with this issue. If the MAFWA can be of any assistance in resolving this issue, please do not hesitate to contact Tim McCoy at 402-471-5411 or tim.mccoy@nebraska.gov.

Sincerely,

cc: Val Dolcini, FSA Administrator
Brandon Willis, Deputy Administrator for Farm Programs
President(s) of SEAFWA, WAFWA, and NEAFWA

Appendix 4.e. MAFWA 2012 Farm Bill Priorities

Curtis Taylor
AFWA President
444 North Capitol Street, NW
Suite 725
Washington, DC 20001

Dear Mr. Taylor,

As you are aware, USDA agricultural conservation programs have landscape-level effects that directly influence our ability to manage the public trust resources. We are aware that the 2012 Farm Bill funding has the potential to be significantly cut. In times of budget cuts it is important to identify priorities and which programs most efficiently and effectively address those priorities. A concerted effort needs to be made by USDA to streamline programs and paperwork to increase efficiency and reduce costs.

The MAFWA Private Lands Working Group met in Decorah, Iowa on May1-4, 2011. We developed the following list of priorities and recommendations:

Conservation Financial Assistance Program Priorities

Highest Priority

Conservation Reserve Program funded at the status quo 32 million acres
Wetland Reserve Program
Environmental Quality Incentive Program – that includes a strong wildlife and natural community restoration component

Medium Priority

Voluntary Public Access
Wildlife Habitat Incentive Program

Low Priority

Grassland Reserve Program
Healthy Forestland Reserve Program
Farm and Ranchland Protection Program
Conservation Stewardship Program- If the Conservation Stewardship Program (CSP) is continued, significant changes need to be made to the program in order to provide transparency, decrease administrative time needed to deliver the program, and to ensure conservation benefits are being realized. CSP priorities should be made at the state level with sideboards provided at the national level. Enhancement Activities should be selected at the state level to meet state specific conservation needs and be allowed to follow the state Conservation Practice Standards.

Conservation Compliance

Conservation Compliance is vital to the implementation of the Farm Bill as it sets the baseline conservation requirements for recipients to be eligible for USDA-provided

benefits. We would like to see the following conservation compliance recommendations implemented:

- Re-establish compliance requirements for federal crop insurance benefits so that all existing or new insurance or other risk management programs must be subject to all existing or new conservation compliance provisions.
- Revise all soil conservation plans approved, applied, and maintained before July 3, 1996 to at minimum meet current HEL planning standards.
- The 2012 Farm Bill should include a Sodsaver provision similar to swampbuster penalties.
 - Native sod that is tilled for the purpose of producing an annual crop, after the date of enactment of 2012 farm bill legislation, shall be permanently ineligible for federal crop insurance, non-insured crop disaster assistance program (NAP), disaster assistance, all Title I commodity program benefits and all Title II conservation program benefits. Ineligibility shall ONLY apply to the actual acres of native sod that were tilled and converted to crop production.
 - *Native sod is defined as land that is composed principally of grasses, grass-like plants, forbs or shrubs, suitable for grazing and/or browsing AND that has never previously been tilled for the purpose of producing an annual crop as of the date of enactment of the 2012 farm bill legislation.*

Technical Assistance

For the successful delivery of financial assistance programs made available through the 2012 Farm Bill USDA must ensure adequate funding is available to deliver conservation technical assistance which should include funding for technical service providers and expanding opportunities to partners.

State Coordination

It is imperative that state personnel assigned to AFWA Farm Bill related committees work closely with Jen Mock Schaeffer to make sure wildlife needs continue to be incorporated and refined in the next Farm Bill. We encourage State Directors to make sure appropriate personnel are assigned to the AFWA Agricultural Conservation Committee and participate to the fullest extent possible in crafting State, Regional Association, and AFWA committee comments and recommendations as they apply to the Farm Bill.

Sincerely,

Patricia L. Boddy

MAFWA President

Appendix 4.f. General CRP Environmental Benefits Index Adjustment Recommendations

The Honorable Tom Vilsack
U.S. Department of Agriculture
1400 Independence Av., S.W.
Washington DC, 220250

Re: Environmental Benefits Index for future CRP signups

Dear Secretary Vilsack,

The farm bill statute requires CRP to address soil, water and wildlife resource concerns equally.

Unfortunately, based on the current EBI and its scoring regime, wildlife is not represented equally compared to soil and water erosion concerns. To equally represent soil, water and wildlife in the EBI, AFWA proposes the attached changes to the N1, N4 and N5 factors. We propose to eliminate N5 because it effectively double counts soil and water erosion concerns which are already addressed in other factors, while adding air quality which is not a statutory purpose of CRP. All CRP practices can result in carbon sequestration, and the most successful carbon sequestration practices typically result from matching soils to appropriate native vegetation; regardless if the sites are grasslands, woodlands, or wetlands.

We also propose to simplify N1 in ways that we hope will improve the quality of wildlife habitat enrolled through the General CRP signup. It is important to note that under N1b, we support points awarded only for lands enrolled in wildlife priority zones that also implement a conservation practice that best benefits the species listed in that wildlife priority zone. If a landowner in a wildlife priority zone chooses not to implement a conservation practice beneficial to the wildlife priority, then no points should be awarded to him/her under N1b because the conservation actions implemented will not benefit the wildlife priority in the area.

Under N4, Priority Resource Benefits, we recommend allowing landowners to choose more than one option and accumulate up to 30 points for increasing their level of stewardship and wildlife conservation on their lands. We also continue to recommend enrolling contracts with existing, restored, or restorable wetlands under N4. The Continuous CRP (CCRP) option for wetlands enrollment does not meet landowner's needs because it makes many fields infeasible to farm. Furthermore, the CCRP wetland option does not take into consideration the wetland-upland landscape complex, so it does not efficiently reduce habitat fragmentation which is critical to grassland/wetland dependent species. Consequently, we recommend that wetlands once again be allowed enrollment through the General CRP.

Additionally, we recommend modifications to N4b and N4d which we believe will benefit wildlife. However, these modifications should be coupled with AFWA's recommended "National CRP Do Not Plant List," which you received separately, in order to be the most effective. The use of a "Do Not Plant List" would also make N1a more effective, preventing enrollment of CRP contracts where landowners enroll covers with a wildlife value of 0. This is troubling because all CRP contracts must meet minimum standards to prevent soil erosion and improve water quality, but not all are required to provide a minimum standard of benefit for wildlife.

We thank you for the opportunity comment on the CRP and eagerly look forward to working with you to address the problems facing America's farmers, ranchers and forest owners while conserving our nation's fish, wildlife and their habitats. Todd Bogenschutz is available to work with you on this issue and may be reached at 515-432-2823 ext 111 or at todd.bogenschutz@dnr.iowa.gov.

Sincerely,

Patricia L. Boddy
President, MAFWA

cc:

Val Dolcini, FSA Administrator
Brandon Willis, Deputy Administrator for Farm Programs
President(s) of SEAFWA, WAFWA, and NEAFWA

To: Midwest Association of Fish & Wildlife Directors

From: MAFWA Fish & Wildlife Committee

Date: June 29, 2011

Subject: Motion for Federal CWD Funding

The following proposal is for use in the body of a letter from the MAFWA Directors to appropriate federal legislators [*Note: At the April 2011 meeting of the MAFWA Fish and Wildlife Health Committee, the committee's top ranked federal appropriations recommended for advancement to AFWA was a request for 2013 Federal Budget for USDA-APHIS, to fund Chronic Wasting Disease at \$20M*]:

To the Honorable Senator Kohl, Chairman of the Senate Appropriations Agriculture Subcommittee

To the Honorable Senator Blunt, Ranking Republican of the Senate Appropriations Agriculture Subcommittee

The discovery of Chronic Wasting Disease (CWD) in the Midwest brought a significant threat to each state's white-tailed deer population and culture of deer hunting. Federal Tier One and Earmark funding has been an important and helpful tool for CWD management and surveillance. The loss of earmark funding and projected reduction of tiered funds from \$19 million in funding to \$1.9 million, with the latter being projected for the captive cervid industry, would result in a drastic reduction in disease management of wild cervid populations.

A loss of federal funding, and in turn a major reduction in CWD management, would likely mean a drastic change to the hunting culture. Not having the option of having deer tested for CWD could mean a drop in hunter participation. The economics of this change would be felt throughout all states. As an example, deer hunting in Wisconsin alone is a one billion dollar industry involving nearly 700,000 hunters. Hotels, sporting goods stores, restaurants, gas stations, and many other industries would likely suffer reduced revenues. A small stream of long-term federal funding for CWD surveillance and management of wild cervids would help assure hunters would continue to purchase licenses and products in their respective states.

Without adequate management and control the disease, its prevalence, and the geographic distribution will almost certainly increase and cause long-term impacts on the deer hunting culture and the related industries and businesses. We hereby request continued funding for surveillance and research on wild deer populations in Midwestern states to advance our understanding of the dynamics of the disease, its pattern of increase and

spread, the role of the environment in transmission, and the effect of management actions on this significant wildlife disease, all of which result in an informed hunting public.