

April 2, 2014

Mr. Michael T. Scuse  
Under Secretary, Farm and Foreign Agricultural Services  
U.S. Department of Agriculture

Docket No. FSA-2014-0002

Submitted electronically via <http://www.regulations.gov>

**Re: Comments for the Farm Service Agency / Risk Management Agency 2014 Farm Bill Implementation Listening Session**

Dear Under Secretary Scuse:

We represent millions of sportsmen and women and other conservationists, conservation professionals, and agricultural producers. Our organizations and members have long collaborated with the U.S. Department of Agriculture and its agencies to deliver conservation benefits on working farms and ranches, and are eager to assist with the key conservation provisions of the Agricultural Act of 2014.

The undersigned organizations were part of an historic agreement among leading conservation, agriculture, and crop insurance organizations that supported re-linking conservation compliance to federal crop insurance program. As you know, the Agricultural Act of 2014 did re-link conservation compliance and crop insurance premium assistance. This law provides an effective and meaningful farm and natural resource safety net that incorporates the principles of the groups' historic agreement. We anticipate that both the Farm Service Agency (FSA) and the Risk Management Agency (RMA), in addition to the Natural Resources Conservation Service (NRCS), will have active roles in administering these conservation compliance provisions. We would like to offer the following recommendations for your consideration.

**Conservation Compliance Comments**

- Both highly erodible land (HEL) and wetland conservation compliance became eligibility requirements for federal crop insurance premium assistance upon enactment of The Agricultural Act of 2014 on February 7, 2014.
- FSA, RMA, and NRCS need to work together to educate producers about these new conservation compliance provisions as soon as possible to avoid miscommunication and unintended consequences.
- We strongly encourage you to issue friendly reminders to all federal crop insurance participants that state the effective date for the new provisions and that clarify that there is no exemption for violations between the effective date and final rulemaking.
- FSA, RMA, and NRCS also need to be clear that the crop insurance-specific conservation compliance provisions (e.g., in lieu fee mitigation, equitable fine provisions, etc.) only apply to a small population of producers receiving crop insurance (Title XI) benefits alone. Traditional compliance and mitigation requirements still exist for those producers receiving other commodity (Title I) and conservation (Title II) program benefits.

Implementation of the 2014 Farm Bill's Sodsaver provision is also an important priority for our organizations. Sodsaver reduces incentives for grassland conversion in six states (Minnesota, Iowa, South Dakota, North Dakota, Montana, and Nebraska), while still allowing landowners to make their own management decisions. When implemented, Sodsaver will help conserve critical native habitats that both grass-based agriculture and wildlife depend on and save taxpayer resources. We look forward to working with RMA to put the necessary Sodsaver policies in place as soon as possible, and offer the following recommendations for consideration.

### **Sodsaver Comments**

- Policies on crop production on native sod went into effect upon enactment of The Agricultural Act of 2014 on February 7, 2014.
- FSA and RMA need to work together to educate producers about the Sodsaver provisions as soon as possible to avoid miscommunication and unintended consequences.
- Producers who break native sod in the six states after the enactment date of February 7, 2014, should be subject to reduced crop insurance premium benefits immediately upon enrollment in the federal crop insurance program.
- We also strongly encourage FSA/ RMA to provide annual "new breakings" reports at the county and state level to track the progress and effectiveness of these policies.

We appreciate this opportunity to comment, and look forward to working with you and your staff to implement these important policies.

Sincerely,

American Farmland Trust \* Archery Trade Association \* Association of Fish and Wildlife Agencies \* Audubon \* Boone and Crockett Club of America \* Bear Trust International \* Bow Hunting Preservation Alliance \* Congressional Sportsmen Foundation \* Delta Waterfowl Foundation \* Ducks Unlimited \* Izaak Walton League of America \* Quail Forever \* Quality Deer Management Association \* Masters of the Foxhounds \* Mule Deer Foundation \* National Association of Conservation Districts \* National Farmers Union \* National Wildlife Federation \* National Wild Turkey Federation \* North American Grouse Partnership \* Pheasants Forever \* Pollinator Partnership \* Pope and Young Club \* Quail Forever \* Resource Management Service, LLC \* Ruffed Grouse Society \* The Conservation Fund \* The National Trappers Association \* Theodore Roosevelt Conservation Partnership \* The Nature Conservancy \* The Wildlife Society \* U.S. Sportsmen Alliance \* Whitetails Unlimited \* Wildlife Forever \* Wildlife Management Institute \* Wild Sheep Foundation \* World Wildlife Fund