



National Sustainable Agriculture Coalition

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Submitted Via email to: CRPComments@cardnotec.com.

RE: Comments on Docket Number FSA_FRDOC_0001-0243, Notice of Availability of Final Supplemental Programmatic Environmental Impact Statement for the Conservation Reserve Program, 79 FR 76952 (December 23, 2014)

On behalf of the National Sustainable Agriculture Coalition (NSAC),¹ I am submitting these comments on USDA's Notice of Availability of Final Supplemental Programmatic Environmental Impact Statement for the Conservation Reserve Program. NSAC represents 40 family farm, rural development, conservation and environmental organizations from around the U.S. that share a commitment to federal policy that promotes sustainable agriculture production systems, family-based farms and ranches, and healthy, vibrant rural communities.

Thank you for considering our comments.

Sincerely,

Greg Fogel
Senior Policy Specialist
National Sustainable Agriculture Coalition

¹ Agriculture and Land Based Training Association, Alternative Energy Resources Organization, California Certified Organic Farmers, California FarmLink, C.A.S.A. del Llano (Communities Assuring a Sustainable Agriculture), Catholic Rural Life, Center for Rural Affairs, Clagett Farm/Chesapeake Bay Foundation, Community Alliance with Family Farmers, Dakota Rural Action, Delta Land and Community, Inc., Ecological Farming Association, Farmer-Veteran Coalition, Fay-Penn Economic Development Council, Flats Mentor Farm, Florida Organic Growers, Grassworks, Hmong National Development, Inc., Illinois Stewardship Alliance, Institute for Agriculture and Trade Policy, Iowa Natural Heritage Foundation, Izaak Walton League of America, Kansas Rural Center, Kerr Center for Sustainable Agriculture, Land Stewardship Project, Michael Fields Agricultural Institute, Michigan Integrated Farm and Food Systems, Michigan Organic Food and Farm Alliance, Midwest Organic and Sustainable Education Service, National Center for Appropriate Technology, National Sustainable Agriculture Coalition, Nebraska Sustainable Agriculture Society, Northeast Organic Dairy Producers Alliance, Northern Plains Sustainable Agriculture Society, Northwest Center for Alternatives to Pesticides, Ohio Ecological Food and Farm Association, Organic Farming Research Foundation, Rural Advancement Foundation International – USA, Union of Concerned Scientists Food and Environment Program, Virginia Association for Biological Farming, Wild Farm Alliance

NSAC COMMENTS ON FINAL SUPPLEMENTAL PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT FOR THE CONSERVATION RESERVE PROGRAM

On September 8, 2014, we submitted comments on the draft SPEIS for CRP and continue to ask for your consideration of those recommendations. For your convenience, we have attached those comments as Appendix A.

In order to maximize enrollment of grasslands providing the most conservation value while maintaining the statutory maximum enrollment cap of two million acres, NSAC recommends that FSA include the *existence of previously untilled native grassland* as a criterion for ranking applications for enrollment of grassland in CRP.

In our comments on the draft SPEIS, we argued that, given the limited number of grassland acres available within CRP (up to 2 million), the SPEIS should assess the environmental impacts of a variety of implementation options, including targeting enrollment to expiring CRP lands, certain landscapes, or at-risk species.

The final SPEIS notes that FSA is in the process of developing ranking criteria for the 2 million acre grassland reservation; beyond noting, however, it does not provide any analysis of the potential environmental impacts of targeting or not targeting certain acres. The potential ranking criteria listed in the final SPEIS include:

- Existence of expiring CRP land;
- Row crop to grassland conversion;
- Existence of expiring GRP land;
- Existing grassland;
- Existence of multi-species cover;
- Livestock grazing operation;
- State priority enrollment criteria (non-land based) and state focus area (land based); and
- Other considerations as determined by CCC.

One criterion that is strikingly absent from this list is whether the land is native, untilled prairie. Given how little native, untilled grass remains in the United States and how ecologically important those acres are, we strongly believe that native grassland should be targeted for enrollment along with expiring CRP acres. We urge you to make the existence of expiring CRP land and native, untilled prairie the two top ranking criteria. Far less than one percent of total grassland acres can be enrolled in this program and hence it is imperative that targeting criteria are as specific and narrow as possible.

Appendix A

NSAC COMMENTS ON DRAFT SUPPLEMENTAL PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT FOR THE CONSERVATION RESERVE PROGRAM

1) NSAC recommends that the SPEIS examine alternative scenarios for implementation of the 2 million-acre grassland reservation, which Congress created in Section 2001(d) of the 2014 Farm Bill.

Section 2001(a) of the 2014 Farm Bill states:

For purposes of applying the [CRP acreage enrollment cap] no more than 2,000,000 acres of the land described in subsection (b)(3) may be enrolled in the program at any one time during the 2014 through 2018 fiscal years.

Subsection (b)(3) restricts this reservation to grassland acres that contain forbs or shrubland for which grazing is the predominant use; are located in an area historically dominated by grasslands; and could provide habitat for animal and plant populations of significant ecological value if the land is retained in its current use or restored to a natural condition.

Beyond the limited criteria set out in Subsection (b)(3), the Farm Bill gives FSA significant discretion in how to administer the provision. Nonetheless, the Draft SPEIS includes the grassland acreage reservation as part of its *No Action Alternatives* section. USDA writes, “Many elements of the 2014 Farm Bill are mandatory and therefore, non-discretionary or specifically required to be implemented. As FSA has no decision-making authority over those non-discretionary provisions of the 2014 Farm Bill, they are specified and assessed in the Draft SPEIS as part of the No Action Alternative.”

It is true that FSA is required by law to implement the grassland reservation; and it is also true that land eligibility provisions for the grassland reservation are the same as those previously defined for the Grassland Reserve Program (GRP). However, many important details are left to the Agency to decide. For example:

- The Farm Bill authorizes, but does not mandate, that USDA prioritize acres that are expiring from CRP. Would the environmental impact of the grassland reservation be the same whether or not FSA prioritized expiring CRP acres for enrollment?
- The draft SPEIS leaves out any discussion of geographic scope. What would the environmental impacts of a geographically targeted grassland enrollment be versus a nationwide grassland enrollment?
- The draft SPEIS does not assess the environmental impact of targeting at-risk species vs. not targeting at-risk species through the new grassland acreage reservation.
- The draft SPEIS does not address how the environmental impact of the grassland reservation would change depending on whether the acres are the same as or different than

acres targeted for grassland easements under the Agriculture Conservation Easement Program.

With just two million acres eligible to be enrolled out of over 500 million acres of privately held grasslands nationwide, these are very important environmental impact questions, not to mention critical cost-benefit questions. We strongly recommend that FSA examine possible alternative actions related to the grassland acreage reservation, including the option of enrolling only expiring CRP acres.

2) NSAC recommends that the SPEIS assess the environmental impacts of increasing the point value assigned to the cost factor within the Environmental Benefits Index as an alternative to implementing a reverse auction.

One of the Proposed Action Alternatives within the draft SPEIS is a reverse auction to target a portion of future CRP enrollment. Under a reverse auction, all bids would be grouped according to which conservation practice(s) would be pursued, and then selection would be made solely or primarily based on cost, with the low bidders winning. The draft SPEIS indicates the proposed targeted reverse auction option would supplement, not replace, the traditional general sign-up, though it also indicates there would be an annual enrollment period under the reverse auction option, something that is not guaranteed under the general sign-up option.

FSA uses an Environmental Benefits Index (EBI) to assess general sign-up bids for CRP enrollment. Within the EBI, a cost factor is used “to optimize the environmental benefits per dollar for CRP rental payments” (http://fsa.usda.gov/Internet/FSA_File/su45ebifactsheet.pdf). However, the cost factor is a relatively low percentage of the total available EBI ranking points. In addition and relative to examining a reverse auction, the SPEIS should look at the alternative option of substantially increasing the weighting given to the existing cost factor within the EBI.

A reverse auction would target CRP funds and enrollments based on cost; however, it would also exclude the other critical EBI factors, such as wildlife habitat benefits resulting from increased cover, water quality benefits resulting from reduced erosion, runoff, and leaching, etc. An alternative scenario under which there is no reverse auction—but instead the EBI cost factor is weighted close to one half of total points—would have the same general effect as a reverse auction (getting more bang for the buck) without completely discounting all of the other factors in the EBI.

We appreciate the opportunity to provide comments on the Draft Supplemental Programmatic Environmental Impact Statement for the Conservation Reserve Program. Thank you for your consideration and please contact us with any questions you may have.