



Wyoming
DEPARTMENT OF Agriculture

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The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

August 26, 2009

CRP Interim Rule Comments
c/o PAI Consulting
4900 Seminary Rd. Suite 360
Alexandria, Virginia 22311

Dear Sir or Madam:

Following are the comments from the Wyoming Department of Agriculture (WDA) on the proposed interim rule revising regulations in the Code of Federal Regulations, part 1410 on the Conservation Reserve Program (CRP) by the Commodity Credit Corporation (CCC).

Our comments are specific to our mission within state government: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this proposal has major impacts upon our agriculture industry, our natural resources and the welfare of our citizens, we believe it is important you continue to inform us of proposed actions and decisions and provide us the opportunity to express pertinent issues and concerns.

The WDA supports the conservation, protection and restoration of America's farm and ranchlands. We believe the benefits of the 2008 Farm Bill programs are multifaceted for the private landowner, the wildlife utilizing these private lands and the public for their water quality, aesthetic values and open space. We write the CCC in support of the changes in regulation; specifically to the three items addressed: Farmable Wetlands Program (FWP), thinning of trees and amending adjusted gross income.

While the WDA writes in support of these changes, much of these additions or changes simply lack applicability to Wyoming agricultural producers and landowners. We hope the CCC continues to consider and address the importance of CRP to landowners in western states such as Wyoming. We believe the expansion of the programs captures a larger audience and develops opportunity for greater environmental benefit, however additional programs added underneath the umbrella of CRP may actually inhibit landowners from applying, because funding is spread too thin and competition is too high. Additionally, the FWP and thinning programs are so narrow in focus we question how much funding is appropriated specifically to these areas, which may actually fail to create demand. This

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appropriated funding would have been better appropriated to higher demand areas and lands.

Farmable Wetlands Program

- We support the 2008 Farm Bill changes to include lands with wetlands, commercial pond-raised aquaculture and natural overflow of prairie wetlands.
- We support the inclusion of larger wetlands (up to 40 contiguous acres).
- We support the idea of a conservation plan, but we strongly encourage CCC or the Farm Service Agency (FSA) has the staff available for technical assistance in place prior to implementing this rule. Also, recognize the fact that many landowners will forgo the application for funding if the conservation plan is too technical or burdensome.
- We urge CCC and FSA tie this conservation plan closely with other related programs through the Natural Resources Conservation Services to create one comprehensive plan and not multiple smaller plans related only to a specific pool of funds or programs.

Cost-Share Payments—Thinning

- We fail to see the applicability of this program to very many private landowners. Wyoming and states in the Rocky Mountain Region have thousands of acres of conifer forests dying from pine bark beetles. However, these forests are all located on public lands, which are not applicable for funding.
- We urge the CRP money is not misspent or abused on private lands with large timber tracts where thinning is a business practice, not intended specifically to develop wildlife habitat as stated in the CFR.
- A conservation plan should accompany this program, stating specifically what wildlife the thinning will benefit, how long-term forest management practices benefit the land, etc.

Payment Limitation and Adjusted Gross Income

- We strongly support the limitation of payment to producers and landowners who earn less than \$1 million per year.
- We also support the changes to include payments of \$50,000 be per “natural person” or legal entity. Many farms and ranches are legal corporations with many shareholders. We do not support these corporations taking advantage of the Farm Bill program funding if it excludes other needy applicants.
- We urge CCC to considering how this program can support smaller operations as well as beginning farmers and ranchers who need these programs to make their businesses more profitable and environmentally sound.

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The WDA thanks the CCC for receiving our comments. We look forward to reviewing the final rules and to the implementation of these programs onto the farm and ranchlands across Wyoming.

Sincerely,

A handwritten signature in blue ink that reads "Jason Fearneyhough". The signature is written in a cursive, flowing style.

Jason Fearneyhough
Director

JF/jw

Cc: Governor's Planning Office
WDA Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Rocky Mountain Farmers Union
Wyoming Association of Conservation Districts
Wyoming Farm Bureau Federation
Wyoming State Grazing Board
Wyoming Game and Fish Department
Wyoming NRCS State Office