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*"Helping People Help the Land"*

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DATE: November 19, 2009

TO: Phoukham Vongkhamdy, State Conservationist  
Michael Moorman, ASTP

FROM: Joseph Bachand, State Program Manager

RE: Internal Changes to Farm Bill Programs for FY2010

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In FY2010 NRCS published new rules and manuals for all of the 2008 Farm Bill programs. Changes to the rules may require that Rhode Island NRCS change some of the policies we have been implementing for delivery of the Farm Bill programs. The following are items that will need to be discussed with the State Technical Team:

1. Installation of Irrigation Wells using the Environmental Quality Incentives Program (EQIP):

Previously, Rhode Island NRCS allowed EQIP Financial Funds (FA) to be used for installation of wells for irrigation for the following reasons: to replace an in-stream water withdrawal that has and impact on "Special Resource Priority Waters (SRPW)" as defined by the Rhode Island Department of Environmental (there must be impacts to species using these waters); and to replace the use of municipal water for irrigation if requested by a public water supply company.

Section 515.91: Determining Eligible Payment Schedule Cost provides a table of "Ineligible Costs". Within the table under "Ineligible Costs" it states "Wells- Replacement of existing wells used for irrigation, as this is determined to be a necessary cost of agricultural production". We were provided further clarification by our National Office that both scenarios we were using were not allowed under these guidelines. I would recommendation that we use the Agricultural Management Assistance Program (AMA) to support installation of wells in cases where we can help landowners mitigate risk due to drought. In cases where in-stream withdrawals are impacting species found in SRPW we can use the Wildlife Habitat Incentives Program. I do not see any scenario where we can pay to install a well to help a producer get of a public water supply.

2. Predator Fencing: In prior fiscal years Rhode Island NRCS paid for "Predator Fencing" to limit damage of crops and loss of livestock due to native wildlife. In section 515.91 under "Ineligible Practices" it states, "Production Practices.—Practices installed only for

production purposes.” Internally we are concerned that Predator Fencing is a practice that is for production only. We need to have a discussion with the State Technical Committee on what resource concerns are being addressed by installation of this practice. We can justify the use of Predator Fencing under the AMA program, however, the funding we receive for AMA is limited (\$60,000/year).

All final decisions on these changes are made by the State Conservationist with input from the State Technical Committee.