



April 23, 2020

Mr. Bill Reck
National Environmental Engineer, Conservation Engineering Division
U.S. Department of Agriculture, NRCS
1400 Independence Avenue, South Building, Room 6136,
Washington, DC 20250

Re: Proposed Revisions to the National Handbook of Conservation Practices for the Natural Resources Conservation Service (Docket ID NRCS-2020-0001)

Dear Mr. Reck,

Missouri Coalition for the Environment and Mississippi River Network are pleased to provide comments on the Proposed Revisions to the National Handbook of Conservation Practices for the Natural Resources Conservation Service on behalf of farmers, concerned citizens, and our 800 members across Missouri.

MCE is a non-profit, grassroots, citizen action group committed to clean water, clean air, clean energy, and a healthy environment. Our mission is to educate, organize, and advocate in defense of Missouri's people and their environment. MCE's Food and Farm Policy Director participates in the Missouri State Technical Committee, and we enthusiastically support the work of Missouri's NRCS State Office to enhance and protect our natural resources through Farm Bill Conservation Programs. MRN is a coalition of 56 organizations working toward a healthy and resilient River for the land, water, wildlife, and people of the United States' greatest River. MCE is one of these member organizations of MRN.

We have provided comments below on several of the conservation practices with proposed changes. We look forward to working with the agency to ensure that the NRCS Conservation Practices and the Conservation Programs through which landowners use these practices continue to protect and enhance our nation's farms, forests, woodlands, grasslands, and wetlands and ensures taxpayer dollars are invested wisely.

Thank you for considering our views.

Sincerely,

A handwritten signature in cursive script that reads "Melissa Vatterott".

Melissa Vatterott, Food & Farm Policy Director
Missouri Coalition for the Environment

A handwritten signature in cursive script that reads "Maisah Khan".

Maisah Khan, Policy Manager
Mississippi River Network

Amendments for Treatment of Agricultural Waste (Code 591)

We are seriously concerned with the following language under *System Effects* in proposed language: “Where use of the amendment to improve one resource concern negatively impacts another resource concern, include mitigation measures to offset the effects.” We feel strongly that NRCS should not be allowing a practice to be used that requires mitigation measures for another resource concern; if the treatment of waste is causing other resource concerns, then the treatment should not be allowed. NRCS pays farmers to implement these practices in order to conserve our natural resources; allowing payments for amendments for treatment of agricultural waste that causes other resource concerns, even with mitigation measures taken, would not be the best use of conservation taxpayer dollars. There is no list of what sufficient mitigation measures are or how a landowner would go about determining what a sufficient mitigation measure would be; therefore, we are concerned as to whether such measures would be taken. We urge NRCS to keep the following language under *Validation of Product*: “Land application of treated manure and other waste must meet the criteria in NRCS Conservation Practice Standard 590, Nutrient Management.”

The proposed change removes this requirement of land application of treated manure or other waste to meet the standards for Nutrient Management, which risks improper application rates of the treated manure. NRCS Conservation Practice Standard 590's definition is: "Manage rate, source, placement, and timing of plant nutrients and soil amendments while reducing environmental impacts." This should most certainly be required if any treated manure or other waste is being land applied. We know that adjacent landowners and those who rely on nearby water bodies are already already concerned with the effectiveness of existing standard application rates; not requiring landowners to implement a nutrient management practice goes against the purpose of the programs through which farmers are rewarded for using conservation practices - protecting our soil and water resources and protecting wildlife habitat.

Under *Plans and Specifications*, we urge NRCS to keep this language from the current version: “Develop specifications for the use of the amendment in accordance with the label directions and other instructions provided by the vendor.” We see no reason why the NRCS would not want to explicitly require landowners to develop specifications for using an amendment in accordance with the amendment label and any other instructions. One could argue it's repetitive or obvious, but given the purpose of these programs through which landowners are rewarded for using conservation practices, the NRCS should reiterate in every possible place the importance of abiding with proper use and handling instructions to protect our natural resources. Additionally, we urge the removal of the following language from *Plans and Specifications*: “Any required mitigation measures resulting from the use of the product.” NRCS should not be allowing landowners to use this practice and receive payment for use of this practice if it is causing other resource concerns requiring mitigation measures to be implemented. It does not appear to be a wise use of conservation funds.

Under *Operation and Maintenance*, we urge NRCS to keep this language from the current version: “Ensure that the O&M plan is consistent with the purposes of the practice, safety considerations, and label directions and other instructions provided by the vendor.” NRCS should want to make as explicit as possible, for the benefit of our natural resources, that landowners understand the importance of complying with all safety considerations and other directions and instructions; therefore, landowners should be

required to spell out these things in their operation and maintenance plans. We also feel “amendments to be used” in the bullet about details surrounding amendment rate and timing should remain as in the current version. It is important to reiterate the specific amendment being used.

Composting Facility (Code 317)

We are supportive of changes to emphasize soil health and to add the technical requirement to limit stack height to address potential spontaneous combustion safety hazard.

Conservation Crop Rotation (Code 328)

We are supportive of the proposed three additional purposes and glad to see the associated criteria in response to the Farm Bill review, especially the criteria to “contain no less than four crop types adapted for the region and the rotation to [provide a supply] of diverse soil organism food” for improving soil organic matter quality. We also flag the typo in the proposed criteria of “provideasupply” in order to be corrected if adopted in the final changes.

Field Operations Emissions Reduction (Code 376)

We are supportive of adding “oxides of nitrogens” to the emissions sought to be reduced by this practice - both in the definition and in the purpose. We are also supportive of the change to clarify this practice is for cropland only.

Grassed Waterway (Code 412)

We are supportive of the following additions in *Considerations*: “Implement best management practices and use a system of additional conservation practices in conjunction with the grassed waterway to minimize upstream runoff and concentrated flow” and “For all organic or transitioning-to-organic operations, follow all National Organic Program rules.”

Heavy Use Area Protection (Code 561)

We want to flag a typo in the definition; it seems it should read “Stabilization or protection of an intensively used area,” not “Stabilization or protection of intensively an used area.”

We are supportive of the inclusion of “reduce soil erosion” as a purpose.

We are not supportive of the addition in *Considerations* of “, or consider topping the aggregates with sand or similar covering material” to the third consideration. To avoid harming livestock, angular aggregates should simply not be used.

Pasture and Hay Planting (Code 512)

We are supportive of additional statements about livestock and plant growth: “Ensure the plants have reached the full start grazing heights or the recommended hay cutting heights (late elongation phase or later) before the first grazing or cutting begins. See NRCS Conservation Practice Standards (CPSs) Prescribed Grazing (Code 528) and Forage Harvest Management (Code 511) for details. There may be conditions and time of the growing season that require letting the plants reach maturity before any haying or grazing takes place to avoid the risk of killing the new plants.”

We urge NRCS to keep the following statement under *Additional Criteria for Improving or Maintaining Livestock Nutrition and Health* from the current version: “Select species with low or no toxic effects on grazing livestock.”

We are also supportive of Additional Criteria for Improving Air Quality and Additional Criteria for Improving Soil Health.

Riparian Forest Buffer (Code 391)

We are supportive of changes to the *Purposes* section. We urge NRCS to keep the following statement in *Conditions Where Practice Applies* from the current version: “They are not applied to stabilize stream banks or shorelines” to ensure interested landowners and others who use these sheets for conservation education understand that riparian forest buffers are not meant to stabilize stream banks or shorelines.

Stormwater Runoff Control (Code 570)

We urge NRCS to keep reference to “flooding” in *Conditions where Practice Applies* as flooding will continue to be more frequent and likely more disastrous with increasing climate variability. It is important for landowners to understand that it is important to control stormwater runoff to help prevent flooding. We suggest inserting “, such as flooding” after “undesirable downstream conditions.”

Surface Drain, Field Ditch (Code 607)

We are supportive of making explicit that the landowner and contractors must follow laws and regulations, obtain all necessary permits, and locate all utilities.

Water Well (Code 642)

We are supportive of the additional *Criteria* of “roles and responsibility,” “screen and filter pack installation,” and “well performance aquifer testing” and their associated text.