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10/23/03
Date

2003 SENATE AGRICULTURE

SCR 4009

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10/23/03
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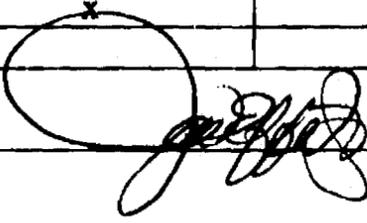
2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4009

Senate Agriculture Committee

Conference Committee

Hearing Date 01/30/03

Tape Number	Side A	Side B	Meter #
1		x	195 - 2763
2	x		736 - 1322
Committee Clerk Signature 			

Minutes:

Chairman Flakoll opened the hearing on SCR 4009.

Senator Krauter introduced and testified in favor of the resolution. (written testimony)

Senator Krauter related his experience in production agriculture. He has tried to improve the environmental stewardship on his farm while maintaining product quality and improving his bottom line. Senator Krauter has done 100% zero till on his farm for the last 3 years.

Brian Kramer with the North Dakota Farm Bureau testified in favor of the resolution. (meter # 740) He highlighted lines 15 and 16 that talk about the spending commitment and line 20 that mentions it is a national program available to all producers. The North Dakota Farm Bureau feels the program should be introduced nationally rather than as a pilot program. He asked that the word "promptly" be added to line 25 so that it reads "fully and promptly implement". North Dakota Farm Bureau would like the resolution even better with that change.

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Senate Agriculture Committee

Bill/Resolution Number SB 4009 SCR

Hearing Date 01/30/03

Gary Puppe, Executive Vice President of the North Dakota Association of Soil Conservation

Districts testified in favor of the resolution. The soil conservation districts have been working in this direction since their inception. Many programs in the past are focused on fixing problems that have developed on farms and ranches across the state. The Conservation Security Program is designed to sustain the productivity of the land. A producer can choose at what level he wants to participate. Our soil is our economic development tool and the source of our new wealth.

Paul Thomas, Northern Canola Growers Association, testified in favor of the resolution. (meter

1001) They have had meetings with USDA on the implementation of the Conservation

Security Program. The USDA officials indicated with current farming practices 60 - 70% of

North Dakota producers would already qualify for Tier III, the highest production level in the

program. Their association is not in favor of mandates of conservation programs and are in favor

of a program like this one which allows a producer to choose what he wants to do on his land.

Senator Klein clarified this isn't an environmental nightmare and many of our producers are

already on board.

Mr. Thomas said this is correct. It really allows a producer to implement a management plan that

is best for his farm.

Senator Urlacher asked if a producer went with the first tier could they then move up to the

second or third tier?

Mr. Thomas said each tier requires involvement of more of a producer's farm up to level three

which involves the entire farm.

Chuck Damschen, a farmer from Hampden, and a past president of the Landowner's Association

of North Dakota, testified against the resolution. (meter #1411) It is his understanding that

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Senate Agriculture Committee
Bill/Resolution Number ~~SB~~ 4009 *SCR*
Hearing Date 01/30/03

money was cut from commodity supports to fund this program. He thinks there are strings attached to the program. He is in favor of conservation and thinks most farmers practice conservation to protect the resources that provide their living. He thinks accepting the program is, in effect, sending the message that farmers do not already practice conservation. It also turns the farm bill into a wildlife bill. He would suggest a resolution to direct these funds to additional disaster support for farmers.

Senator Flakoll said that the first bill to pass out of the senate was a resolution to encourage the folks in Washington to provide drought relief to farmers and ranchers.

Senator Klein asked if Mr. Damschen was familiar with the program or was he speculating this program would end up having strings attached?

Mr. Damschen said he has not studied the program in depth. He said CRP started as a conservation program and has evolved into a wildlife program. Most of the dollars in CRP go to landowners from the city. Much of his area is in CRP and it has been very tough on the local businesses. He wishes a qualifying factor for CRP would have been continuing in farming.

Senator Flakoll clarified the maximum enrollment periods for the different tiers of the program.

Dennis Miller, past president of the Landowners Association of North Dakota testified against the resolution. He knows that agriculture needs help but he would much rather see the money for the program diverted to drought assistance. He distributed a brochure produced in part by taxpayer money that concerns him.

Senator Flakoll asked if some of the practices encouraged by the program would be helpful in times of drought?

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Dennis Miller
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Senate Agriculture Committee
Bill/Resolution Number SB 4009 SCR
Hearing Date 01/30/03

Mr. Miller said he is sure there are some good practices promoted by the program. One part of the program that he is against are perpetual easements which he thinks are a perpetual headache.

Arden Hainer from Douglas, North Dakota, testified in a neutral position on the resolution. He is surrounded by CRP and feels that program destroyed his community and closed its school. He thinks it is important to understand the long range goals of the program.

Senator Flakoll asked what he thought about the statistic that 60 - 70% of North Dakota producers are already qualified for tier III with their current farming practices?

Mr. Hainer said he has trouble believing it. He urged caution.

Chairman Flakoll closed the hearing on SCR 4009. (meter # 2763)

There was a short discussion of the CRP program.

Senator Klein said the farm groups are on board with this resolution

Senator Flakoll said you have to like the concept behind this program.

Senator Urlacher said he is as concerned about land rights as anyone.

Senator Erbele said we don't want to dredge up the past. This program makes payment for good production practices, it doesn't limit production.

It was moved by Senator Nichols, seconded by Senator Urlacher and passed on a roll call vote that the Senate Agriculture Committee take a Do Pass action on SCR 4009. Voting yes were Senator Flakoll, Senator Erbele, Senator Klein, Senator Urlacher, Senator Nichols, and Senator Seymour. There were no negative votes cast. Senator Seymour will carry the resolution to the floor.

Chairman Flakoll adjourned the meeting of the Senate Agriculture Committee.

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10/23/03
Date

Date: 1/30/03
Roll Call Vote #: ①

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 4009

Senate Agriculture Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Nichols Seconded By Sen Urlacher

Senators	Yes	No	Senators	Yes	No
Senator Tim Flakoll, Chair	✓		Senator Ronald Nichols	✓	
Senator Robert S. Erbele, V. Chair	✓		Senator Tom Seymour	✓	
Senator Jerry Klein	✓				
Senator Herb Urlacher	✓				

Total (Yes) 6 No 0

Absent _____

Floor Assignment Sen Seymour

If the vote is on an amendment, briefly indicate intent:

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Deanna Hall
Operator's Signature Date 10/23/03

REPORT OF STANDING COMMITTEE (410)
January 31, 2003 11:08 a.m.

Module No: SR-19-1424
Carrier: Seymour
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4009: Agriculture Committee (Sen. Flakoll, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4009 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-19-1424

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2003 HOUSE AGRICULTURE
SCR 4009

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10/23/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 4009

House Agriculture Committee

Conference Committee

Hearing Date March 11, 2003

Tape Number	Side A	Side B	Meter #
1		X	503-1015
Committee Clerk Signature <i>Elizabeth R. Fein</i>			

Minutes: **Chair Nicholas:** Opened discussion on SCR 4009

Sen. Krauter: Supports with written testimony.

Gary Puppe (ND Assoc. of Soil Conservation Districts): Need to support producers who do well. Crop, grass, range, and forest land are all eligible. This is not commodity driven. This provides environmental benefits and is voluntary and incentive driven.

Dennis Miller (Land Owners Assoc. of ND): There are a number of redeeming qualities to support the concept. However, there are not rules written for these programs and they would rather encourage the use of the funds to support disaster payments.

Rep. Mueller: Congress already took these moneys for disaster payments. Why not fund this to the fullest extent? Miller said he is leery about a program without rules.

Chair Nicholas: Closed discussion on SCR 4009.

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10/23/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4009

House Agriculture Committee

Conference Committee

Clerk

Hearing Date 3--21--03

Tape Number	Side A	Side B	Meter #
ONE		B	

Committee Clerk Signature

Minutes:

CHAIRMAN NICHOLAS: Committee members lets turn to SCR 4009. What are your Wishes on this resolution?

REPRESENTATIVE MUELLER MADE A MOTION FOR A DO PASS.

REP. ONSTAD SECONDED THE MOTION.

THE ROLL WAS TAKEN. THERE WERE 10 YES 1 NO AND 2 ABSENT

CHAIRMAN NICHOLAS CARRIED THE RESOLUTION

CHAIRMAN NICHOLAS CLOSED ON SCR 4009

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10/23/03
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SCR 4009
3-21-03

Date:
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House AGRICULTURE COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By MULLER Seconded By ONSTAD

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN NICHOLAS	✓				
VICE CHAIRMAN POLLERT	✓				
REPRESENTATIVE BELTER					
REPRESENTATIVE BOEHNING	✓				
REPRESENTATIVE KELSCH	✓				
REPRESENTATIVE KINGSBURY	✓				
REPRESENTATIVE KREIDT					
REPRESENTATIVE UGLEM	✓				
REPRESENTATIVE WRANGHAM		✓			
REPRESENTATIVE BOE	✓				
REPRESENTATIVE FROELICH	✓				
REPRESENTATIVE MELLER	✓				
REPRESENTATIVE ONSTAD	✓				

Total (Yes) 10 No 1

Absent 2

Floor Assignment NICHOLAS

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REPORT OF STANDING COMMITTEE (410)
March 21, 2003 12:50 p.m.

Module No: HR-51-5428
Carrier: Nicholas
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SCR 4009: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS
(10 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SCR 4009 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-51-5428

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2003 TESTIMONY

SCR 4009

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SCP 4009
SENATOR AARON KRAUTER
DISTRICT 31

- Conservation Security Program (CSP) is a voluntary program available nationwide. "The Conservation Security Program will provide payments for producers who have historically practiced good stewardship on their agriculture lands and incentives for those who want to do more.
- CSP is complementary with the other programs, not competitive.
- The objective of CSP is to help producers of working lands promote conservation and improve the quality of soil, water, air, energy, and plant and animal life. It provides environmental benefits by addressing resource concerns on agricultural working land.
- Examples of resource concerns are water quantity, water quality, animal erosion, soil quality, air quality, animal management, and plant suitability.
- Private agricultural land, including cropland, grassland, prairie land, and improved pasture land, and range land; land under jurisdiction of and Indian Tribe; and forested land that is an incidental part of the agricultural operation are eligible for enrollment in CSP. Land enrolled in the Conservation Reserve Program, Wetlands Reserve Program, and Grassland Reserve Program is not eligible.
- The CSP is available to all owners and operators of agricultural operations, including Tribes.
- CSP requires documentation of the current level of stewardship and enough information to establish the payment. If the producer chooses to move to a higher level of treatment, then the formal planning process begins.
- Payments will include a base payment determined by the treatment level, maintenance payments for conservation practices, enhanced payments for treatment that exceeds the minimum criteria, and the opportunity for cost-share for those who want to increase their conservation treatment.
 - A three-tiered approach to treatment levels is used when offering base payments.
 - Tier I level of treatment addresses at least one natural resources concern on part of the agricultural operation. Base payment is 5 percent of the average national rental rate for the 2001 crop year for the specific land use. Tier I contracts are limited to 5 years.
 - Tier II level of treatment goes a step further; it must treat one natural resource concern and involve the entire agricultural operation. Base payment is 10 percent of the average national rental rate for the 2001 crop year for the specific land use. Tier II contracts range from 5 to 10 years, as determined by the producer.

Page 1 of 2

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SCP 4009
SENATOR AARON KRAUTER
DISTRICT 31

- Tier III is the highest level of conservation management: it must treat all natural resource concerns and must involve the entire agricultural operation. Base payment is 15 percent of the average national rental rate for the 2001 crop year for the specific land use. Tier III contracts range from 5 to 10 years, as determined by the producer.
- In addition to the base payment, participants will receive up to 75 percent (up to 90 percent for beginning farmers and ranchers) of the cost of maintaining conservation practices, as determined by the county average costs for 2001 of conservation practice maintenance.
- If a producer desires to move to a higher tier, cost-share payments for needed enduring structural or agronomic practices are available through the CSP at up to 75 percent of the cost of the new practice, or up to 90 percent in the case of the beginning farmers or ranchers.
- CSP will help owners and operators of agricultural lands maintain conservation stewardship and implement and maintain additional needed conservation practices. The conservation benefits gained will keep farms and ranches more sustainable and increase the benefits provided to all Americans through improved natural resources.

Page 2 of 2

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SCR 4009

AGENCY OFFICES AND PHONE NUMBERS

Ducks Unlimited
3502 Franklin Avenue
Bismarek, ND 58501
701-258-6500

The Nature Conservancy
P.O. Box 1156
Bismarek, ND 58502-1156
701-222-8461

North Dakota
Game and Fish Department
100 North Bismarek
Expressway
Bismarek, ND 58501
701-328-6300

U.S.D.A. Natural Resources
Conservation Service
220 East Rosser Ave.
Bismarek, ND 58501
701-250-4425

Nature Preserves Program
North Dakota Parks and
Recreation Department
1835 Bismarek Expressway
Bismarek, ND 58504
701-328-5357

U.S. Fish & Wildlife Service
1500 Capitol Avenue
Bismarek, ND 58501
Private Lands Program
701-250-4418
Realty Program
701-250-4415

North Dakota Wetlands Trust
701-328-5377

North Dakota Prairie

*Our
Natural
Heritage*

The North Dakota Parks and Recreation Department's facilities, programs and employment procedures are open to all, regardless of age, sex, race, color, disability, religion, national origin, or political affiliation. For an alternate format of this publication (Braille, large print, audio tape, etc.), contact:

North Dakota Parks and Recreation Department
1835 Bismarek Expressway
Bismarek, North Dakota 58504
701-328-5357



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**NATIVE PRAIRIE VALUES, MANAGEMENT,
AND CONSERVATION PROGRAMS**

*Native Prairie
Heritage & Values*

"Within one human lifetime, the prairies have passed from wilderness to become the most altered habitat in this country and one of the most disturbed, ecologically simplified and over-exploited regions in the world.

The essence of what we risk losing when the grasslands are destroyed is not a species here or a species there, but a quality of life, the largeness and wildness that made this country remarkable."

-Adrian Forsyth



Native prairie once stretched for hundreds of miles across the middle section of our country, covering nearly a quarter of the lower 48 states. Prairie supported an enormous variety of plant and animal life, including large herds of bison, pronghorn, elk, plains grizzlies, and wolves. The wild prairie inhabitants thrived with wildfires, grazing, drought, heat and cold.

Settlement brought an end to the boundless prairie landscape, the great herds of bison, and the renewing wildfires. Pioneers began to break the prairie sod, and within the span of 100 years prairie was almost eliminated. The richest and most diverse prairies now are bountiful cropland. Today, the prairie ecosystem is just a ghost of its former self.

Prairie is now considered one of our most imperiled habitats worldwide. In North Dakota, approximately 80% of our prairie is gone, with most remaining areas found in the arid west. In the Red River Valley, over 95% of our prairie is gone. With this loss, prairie plant and animal populations have also declined, with some species now becoming rare.

Many prairie birds currently show population declines; the western prairie fringed orchid is now a rare flower of the tallgrass prairie; and the Dakota skipper butterfly is another prairie inhabitant whose numbers are decreasing. Each of these declines is believed to be directly related to the loss of prairie.

Prairie provides important values to people. It contains dozens of animals, hundreds of different plants, and thousands of insects. These species provide genetic diversity important to agriculture and medicine. Planted grasslands do not begin to match the diversity found in native prairie.

In addition to its importance to wildlife, prairie is also crucial for soil



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10/23/03

and water conservation. Prairie provides a reminder of our rural and pioneer heritage; it provides recreational activities such as hunting, hiking, and birdwatching; and it offers living laboratories for scientific research. Prairie also provides economic benefits through cattle grazing, haying, and native seed harvesting. When we lose prairie, we lose part of our natural heritage, and we lose a valuable resource.



Chris Bantz

Native Prairie Management

"Conservation is a state of harmony between men and land. We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect."

-Aldo Leopold

Wise use of our prairie resources can preserve our natural heritage, while also benefiting mankind. The prairie ecosystem is sustained and maintained by fire, grazing, drought, and other natural forces. The natural forces which shaped our original prairie can be adapted to conserve and manage prairie areas today.

To improve or maintain your prairie's health and diversity, it is important to be aware of the type of prairie that you own. Management treatments will have different impacts on various prairie types, which differ due to soil, moisture, slope, and other factors. Be aware of what plants make up your prairie and what factors influence it.

BURNING

Fires once swept across hundreds of miles of the unbroken prairie landscape. Prairie can thrive with fire. Unlike trees, the growing points of prairie grasses and plants are below ground, protected from fire.



Fire removes built-up litter from dead prairie vegetation and can consume sprouting trees and shrubs which may otherwise overrun prairie.

Burning can be an effective, economical means to rejuvenate grasslands, reduce undesirable plants, and set back shrub invasion. Forage is generally more palatable, nutritious and more abundant after a burn. Burning removes dead vegetation and litter which can build up and reduce plant vigor. Undesirable non-native plants such as smooth brome and Kentucky bluegrass can be reduced by burning during the correct season.

GRAZING AND REST

Prairie plants are also adapted to grazing. Native grazers such as bison helped maintain diverse prairie habitats by altering the vegetation height and density. These animals grazed at different intensities and frequencies, creating patches of heavily to lightly grazed prairie. This patchiness provided different habitats for various plant and animal species.

Grazing can improve prairie. However, continuous heavy grazing can reduce the health of a prairie and increase nondesirable plants and noxious weeds. A native prairie pasture should be stocked to balance with the available forage supply. Consider the timing of your grazing to improve your rangeland. Consider a "rest-rotation" system, which includes periods of rest from grazing.

Because native grazers migrated over vast areas, they often left areas of prairie idle for a length of time. Thus, prairie is also adapted to periods of rest from grazing and fire. Continuous grazing can reduce the abundance of highly desirable forage plants while increasing the amount of nondesirable forage plants. Periods of rest will increase plant vigor and will also improve the wildlife habitat of a prairie.



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10/23/03
Date

Native Prairie Conservation Alternatives

"...now there is considerable body of public opinion in favor of keeping for our children's children, as a priceless heritage, all the delicate beauty of the lesser and all the burly majesty of the mightier forms of wild life"

Theodore Roosevelt

Because much of our prairie is gone, it is important that we protect remaining areas for ourselves and future generations to enjoy. We must ensure that our prairie resource is wisely managed and remains intact. There are alternatives available for landowners which provide a source of income and maintain native prairie. Listed below are a number of programs which exist in North Dakota. Please contact the agency or organization for more information on these programs. Some programs may not be available in all regions of the state.



GRASSLAND OR CONSERVATION EASEMENTS

Mid-length easements, with landowner buy-back provision, which protects wetland/prairie complexes from conversion.

Contact: North Dakota Wetlands Trust

Payment for perpetual agreement which protects prairie from conversion.

Contact: U.S. Fish & Wildlife Service
Ducks Unlimited
The Nature Conservancy

LAND ACQUISITION

Acquisition of prairie lands is an activity associated with wetland or areas with high biodiversity values.

Contact: The Nature Conservancy
U.S. Fish & Wildlife Service
North Dakota Wetlands Trust

NATURAL AREAS REGISTRY PROGRAM

Voluntary conservation agreement which is non-binding. Technical assistance is available to landowners.

Contact: The Nature Conservancy and North Dakota Parks and Recreation Department

GRAZING SYSTEMS

Provides cost share for implementation of beneficial grazing systems.

Contact: North Dakota Wetlands Trust
U.S. Fish & Wildlife Service

WILDLIFE HABITAT INCENTIVES PROGRAM

Provides financial incentives for developing wildlife habitat.

Contact: Natural Resources
Conservation Service

GRAZING MANAGEMENT TECHNICAL ASSISTANCE

Provides technical assistance for grazing management systems.

Contact: Natural Resources
Conservation Service

ENVIRONMENTAL QUALITY INCENTIVES PROGRAM

Offers financial and technical help for practices which improve or maintain natural resources such as prairie.

Contact: Natural Resources
Conservation Service

GRASSLANDS FOR TOMORROW PROGRAM

Provides assistance for fencing and water developments for grazing systems.

Contact: Ducks Unlimited

HABITAT PLOT PROGRAM

Provides annual lease payment for idling prairie or other wildlife habitat.

Contact: North Dakota Game and Fish Department



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Testimony
SCR 4009
House Agriculture Committee
Chairman Eugene Nicholas
March 14, 2003

Chairman Nicholas and Members of the House Agriculture Committee, my name is Tom Christensen. My wife and I operate a small grain and row crop farm near Verona in La Moure County. I am here in favor of Senate Concurrent Resolution 4009 which supports the new Conservation Security Program (CSP) in the 2002 Farm and Security and Rural Investment Act.

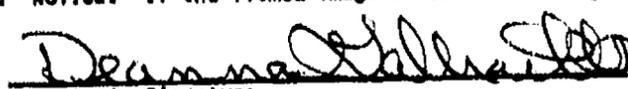
The purpose of CSP is to provide incentive payments to producers who adopt and/or maintain conservation practices on private working lands. Eligibility for the program includes all producers and all agricultural lands. In addition to incentive payments, producers will receive cost-share assistance to install practices, annual practice maintenance fees and potentially a "Secretary's" bonus to encourage participation in the program.

Most importantly this program rewards the producer who is a good steward of the land.

There are strong economic reasons to keep private working lands in production. Working lands provide jobs and income for rural communities. Working farmers need seed, equipment, crop protection products, fuel and service. All of these add jobs which would aid in retaining people in these communities.

Chairman Nicholas and Members I encourage your support of this resolution.

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Operator's Signature

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