

FARM & COUNTRY



Bill Willis says the SCS isn't serious about enforcing its rules.

DIRCK STEIMEL/THE REGISTER

Flap over SCS

Ex-employee raises questions

Bill Willis claims farmers are let off easy when it comes to complying with soil conservation rules.

By **DIRCK STEIMEL**

REGISTER AGRIBUSINESS WRITER

Wiota, Ia. — Bill Willis wants to blow the whistle on his old employer, the nation's soil conservation agency.

The Soil Conservation Service, he contends, is bending over backward to let farmers off easy when it comes to enforcing rules designed to control soil erosion. That practice, he says, could be allowing more topsoil to run off fields than Congress intended when it began tying federal farm benefits to soil conservation nearly a decade ago.

"They are going to any length to find people in compliance" with the rules, said Willis, 50, who quit the agency in June after 20 years in the district office in Atlantic and 27 years with the agency. "They just don't want to have any bad public relations."

Willis said he has six cases in the hilly fields of Cass County to prove

his point. And, he says, other SCS employees would speak up except that they worry about losing their jobs.

Executives at Iowa SCS strongly disputed Willis' assertions and said soil conservation rules are being adopted and enforced in the state.

"Soil conservation is being applied at rates in Iowa that were unheard of before," said Jeff Vonk,

head of the Iowa SCS.

Some others agree.

"I'm not hearing about any problems. . . . Most of the reaction has been positive," said Dennis Keeney, director of Iowa State University's Leopold Center, which studies conservation and sustainable agriculture practices.

But the former employee's charges have caught the attention of environmental groups. The groups worked hard to get the soil conservation provisions in the farm law beginning in 1986 and want to make sure the rules are enforced by the Soil Conservation Service, a division of the U.S. Department of Agriculture.

That means Willis' charges — if proved correct — could play a pivotal role in the debate over soil conservation when Congress considers the next major farm bill, the 1995 Food Security Act, and other legislation affecting farming.

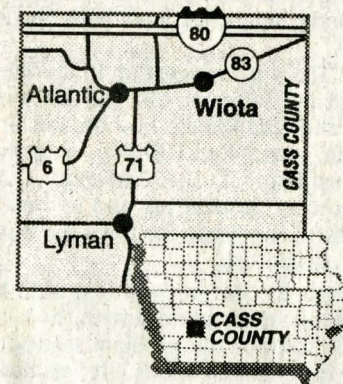
Farm Policy Debate

Environmental groups armed with assertions by Willis and others could push for tougher rules and a switch to enforcement by other agencies, such as the Envi-

THE REGISTER

SCS DISPUTE

A FORMER EMPLOYEE with the Soil Conservation Service says he knows of six cases in Cass County that show the agency is letting farmers bend conservation rules.



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Ex-employee says he has dirt on SCS

SCS

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ronmental Protection Agency.

Ken Cook, director of the Washington, D.C.-based Environmental Working Group, said: "We wonder whether the tradition and the culture of the Soil Conservation Service is hurting its ability to do this task."

The Environmental Working Group and others are sure to be major factors when Congress begins to debate any new farm policy.

"They are very adept at working the (Capitol) Hill and they are very influential," said Max Schnepf of the Soil and Water Conservation Society, a national conservation organization based in Ankeny.

After examining the Cass County cases, Cook sent a letter to Vonk at Iowa SCS, saying the Environmental Working Group concluded that Willis is correct. He has asked the Iowa SCS to take another hard look at Willis' cases to make sure soil conservation rules are being followed.

"We worry that the intent of Congress is not being carried out and that taxpayers are paying benefits to farmers who shouldn't get them," he said.

It was the farm bill passed in 1985 that for the first time required farmers who operated on highly erodible land to adopt soil-saving practices. Otherwise they would become ineligible for federal farm benefits.

Safety Net

While all farm programs are voluntary, the benefits — such as direct price subsidies, conservation payments or low-interest loans — are considered a vital safety net for most Iowa farmers.

For example, the USDA pumped \$7.3 million into Cass County in 1992 to support crop prices during the 1992 crop year, according to the Agricultural Stabilization and Conservation Service, which administers the benefits. In addition, the county's farmers received another \$1.4 million in payments for the Conservation Reserve Program, which pays farmers to idle very erodible acres.

The soil erosion rules work like this: Farmers who wanted to participate in the program were required to develop a plan to cut soil losses by 1990. Then the farmers are required to implement that plan by the end of 1994.

In addition, the 1990 farm bill required the SCS to make spot checks on randomly selected farms in every U.S. county to make certain that conservation plans were on track. Farmers found not to be in compliance were in jeopardy of being penalized or even thrown out of federal farm programs.

After completing the required 125 spot checks during 1992, Willis said, he found seven farmers were not following their plans and were still getting benefits.

Willis said some of the farmers had not planted grass waterways as called for in the plans. Other farmers did not rotate crops as they said they would. And in most cases there was not nearly enough crop residue left on the surface of fields to slow soil losses.

In six of the seven cases, the SCS district office in Council Bluffs overruled Willis after the farmers had appealed the local decisions.

"Just Appeal"

"That meant that my determinations were overturned 86 percent of the time," Willis said last week at his home in Wiota. "The message to farmers is to just appeal and you will be found in compliance. Nobody is going to come down on you. All the talk about enforcement is just talk."

According to Willis' records, the farmers whose appeals were upheld are: Art Bailey of Cumberland, who operated a farm owned by Wayne Peterson; Varel Bailey of Anita; Eric McClaren of Atlantic; Charles Moore of Cumberland; Don Pelzer of Marne; and Art and Arlo Stender of Cumberland, who operated a farm owned by

Willis does not blame the farmers for his decisions being appealed and overturned. The farmers have every right by law to appeal the decision on the local level, he noted.

Instead he points the finger at the SCS, saying it's not serious about enforcing soil conservation rules.

Alternative Practices

Vonk said that's wrong.

Instead of lax enforcement, Vonk says it is a case of Willis deciding farmers should be held strictly to the letter of the law, instead of to the spirit of the law. When it overturned Willis' rulings, the district office found alternative practices in place that were indeed stopping erosion, even though they may have been different from the farmers' original plan.

However, in one case Vonk acknowledged that Willis was not properly informed of the fact that rules had been altered in mid-year 1992, which caused the local ruling to be overturned. "He has a right to be upset about that one," Vonk said.

The Cass County farmers on Willis' list say they are achieving soil erosion control on their fields and wonder why they have been singled out.

"There is no question in my mind that my farm far exceeds the spirit of the compliance law on soil erosion," said Varel Bailey, a former president of the National Corn Growers Association and an unsuccessful candidate for Iowa secretary of agriculture.

Eric McClaren, who also said his farm is in compliance with the laws, said a lot of the problem seemed to be in communications. "It was never really very clear to me what the problem was," he said.

Still, Willis is convinced he made the right calls and said bucking the system cost him his job.

Vonk said Willis was not forced out. He was given a choice to stay in Atlantic or transfer to another job in the state, but turned both options down and chose to quit, Vonk said.

Willis, who wanted to be transferred out of state, says that he felt that he couldn't stay in Atlantic.

Few Found Out

The chairman of the Cass County Soil and Water Conservation Board, a farmer body elected to oversee the local SCS office, expressed support for Willis. But he said it's tough to determine who is right on the six cases.

"You just can't have a rule book and that's it. . . . Agriculture isn't an exact science," said Jim Jordan of Atlantic, the chairman. But, he said, "I'm a little concerned that so few people were found out of compliance."

Willis also cited another incident that worked against him.

The Cass County soil and water district in 1992 threatened to break off relations with the state office, an unprecedented step. The Cass County Soil and Water Conservation Board said the local office employees were being forced to spend too much time enforcing conservation rules and not spending enough time working with farmers on conservation.

The Cass County group eventually brought a resolution to the state Soil and Water Commissioners organization asking that enforced duties be shifted from the Soil Conservation Service to ASCS. The resolution was defeated.

Willis is now unemployed and has a much smaller pension than he would have received if he had stayed on.

Although he was recently elected mayor of tiny Wiota, Willis said his house is for sale. He and his wife, Mary, hope to move to another state to turn a part-time horse-training business into a full-time operation.

And while he acknowledges he is bitter about how he was treated by SCS, he said that's not the reason why he's blowing the whistle on the agency.

"They are trying to make a personality issue out of this, and it's a soil erosion issue," Willis said. "I just want to see right win out over wrong."