ARC
Amphibian and Reptile Conservancy

Policy Recommendations for the 2023 Farm Bill


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The Farm Bill is by far the largest source of US investment in the conservation of soil, water, land, and wildlife on private lands. Farm Bill policies have significant impacts on producers' decisions about how to manage their lands. Its voluntary, incentive based conservation programs enable farmers, ranchers and foresters to protect sensitive ecosystems like wetlands and grasslands, improve water and soil quality, mitigate climate change impacts, and restore habitat for imperiled species, all while improving the sustainability and economic viability of their operations. The 2023 Farm Bill provides an opportunity to improve upon existing policy to increase producers' ability to restore habitats, protect biodiversity, and enhance the ability of human and wildlife communities to adapt to climate change. The Amphibian and Reptile Conservancy offers the following recommendations to improve conservation outcomes for reptiles, amphibians and other wildlife in balance with the needs of producers and their communities.


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Table of Contents



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Core Priorities

Addressing the Twin Crises of Biodiversity Loss and Climate Change 1
Ensuring Just and Equitable Access to USDA Resources and Participation in Farm Bill Programs for All 2
Delivering Adequate Funding and Improved Program Administration to Meet the Needs of Farmers, Communities and Nature 4

Specific Policy Recommendations

Environmental Quality Incentives Program 5
Conservation Stewardship Program 7
Agricultural Conservation Easement Program 8
- Agricultural Land Easements 9
- Wetland Reserve Easements 9

Conservation Reserve Program 10
Regional Conservation Partnership Program 12
Technical Assistance 14
- Conservation Technical Assistance 14
- Technical Service Providers 15

Additional Conservation Title Recommendations 15
- Working Lands for Wildlife 15
- Feral Swine Eradication Pilot Program 16
- State Technical Committees 16
- Conservation Effects Assessment Project 17
- Conservation Assessment and Ranking Tool 17

Credit 18
- Heirs Property Relending Program 18

Forestry 18
- Healthy Forest Reserve Program 18

Crop Insurance 19
- Sodsaver 20

Conservation Compliance 21



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Core Priorities

Addressing the Twin Crises of Biodiversity Loss and Climate Change

The biodiversity loss and climate change crises are closely interconnected. They are largely driven by the same human-caused stressors, both are already having negative impacts on human health and safety, and each can have exacerbating effects upon the other. The Farm Bill provides critical resources for agricultural producers to help address both of these crises, but Congress and the US Department of Agriculture (USDA) must recognize that it is essential to address them holistically and give them equal attention through Farm Bill programs and policies. Fortunately many conservation practices can produce co-benefits for biodiversity and the climate, while increasing the climate resilience of agricultural lands.

- As part of its ongoing effort to prioritize climate smart practices across its conservation programs, USDA's Natural Resources Conservation Service (NRCS) must invest in conservation initiatives and practices that will foster climate resilience for wildlife populations by restoring habitat with diverse and ecologically appropriate native vegetation, improving terrestrial and aquatic habitat connectivity across important migration corridors, and protecting climate refugia.
- Congress should direct NRCS to identify and incentivize practices and enhancements that have co-benefits for wildlife and climate across all conservation programs by offering them at higher cost share rates, awarding them additional points when ranking applications, or other appropriate means.



- Some practices designed to sequester carbon, such as replacing native habitat with monoculture plantings of non-native tree species, can result in harmful impacts to wildlife. As NRCS continues to develop and incentivize carbon sequestering practices, every effort must be made to ensure that they are not implemented in a manner that accelerates biodiversity loss.
- Conservation programs can more strategically minimize biodiversity loss by prioritizing funding for projects that benefit species identified in state, regional and national conservation plans such as State Wildlife Action Plans (SWAPs), Priority Amphibian and Reptile Conservation Areas (PARCAs), and the North American Waterfowl Management Plan (NAWMP). To better identify, assess and rank such projects, NRCS should work with relevant agencies to obtain and integrate occurrence data into the Conservation Assessment and Ranking Tool (CART).

Ensuring Just and Equitable Access to USDA Resources and Participation in Farm Bill Programs for All



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USDA has a well-documented history of discrimination against indigenous people and people of color, including denying loans, services, and technical assistance. These producers, along with women, low income, and small scale farmers, continue to struggle with unequal access to land and Farm Bill resources today. While USDA has taken important steps in recent years to begin to address some of these inequities, much work is still needed in order to level the playing field for Historically Underserved (HU) producers. Increasing equity in access to Farm Bill conservation programs and technical support will improve HU producers' ability to enhance the sustainability and climate resilience of their lands while enhancing soil, water and habitat health and improving conservation outcomes for biodiversity.

- NRCS could help level the playing field for socially disadvantaged producers by increasing program set-asides, decreasing match requirements, and prioritizing program applications from these producers across all conservation programs.
- The 2023 Farm Bill should take aggressive steps to address historic disenfranchisement of Native American individuals and tribes. Congress should direct NRCS to increase engagement with tribes, improve access to conservation programs, and recognize the value of traditional practices in implementing these programs. ARC fully endorses the recommendations laid forth in the Native Farm Bill Coalition's 2022 Gaining Ground Report, particularly regarding expanding access to conservation programs for collectively managed tribal lands and institutionalizing Traditional Ecological Knowledge within practices across all conservation programs.



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- Studies have shown that smaller farms are associated with higher rates of biodiversity, improved resilience to severe weather events, and better soil health. Beginning farmers, women and historically marginalized producers are also more likely to operate small farms. Many small scale farmers operate with slim margins and struggle with profitability. Congress should direct NRCS to prioritize funding for small scale producers across all programs, and add "small scale producer," with defined eligibility criteria, as a category within the definition of Historically Underserved (HU) producers. This will give small scale producers access to improved cost share rates and other incentives within conservation programs.
- HU producers and small farm operators face increased barriers to program participation due to a historic lack of outreach, language barriers, and little support to navigate complex application processes. NRCS could begin to address these issues by partnering with community-based organizations who have the capacity and knowledge to support HU and small farm producers that are currently underserved. Such organizations can support producers by being available outside of normal hours when producers are working, translating program information into producers' native languages, and sharing information about programs with producers who cannot access it online due to lack of rural broadband.


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Delivering Adequate Funding and Improved Program Administration to Meet the Needs of Farmers, Communities and Nature

Farm Bill conservation programs provide essential support to landowners to address urgent conservation challenges. As funding for these programs has declined or remained steady for more than a decade, producer demand has significantly increased. Currently only one in every three to four applications for the most popular conservation programs receives funding. Many producers also face significant barriers to participation in conservation programs because of limited outreach, lack of timely and straightforward program information, language barriers, and a cumbersome and time consuming application process. Robust funding and improved program delivery are needed in order to meet producer demand, ensure equitable access to conservation programs, and improve conservation outcomes for soil, water, biodiversity and the climate.

- In addition to expanding programs to meet producer demand, funding for the Conservation Title in the 2023 Farm Bill must be allocated to increasing staff capacity to provide technical assistance, improving program delivery, and increasing outreach to HU producers.
- Congress should direct NRCS to conduct a thorough assessment of its current quality of program delivery, and undertake a rigorous effort to improve outreach and education, disseminate more timely information about enrollment opportunities and deadlines, streamline the application process, and reduce unnecessary administrative requirements for producers.
- The current Adjusted Gross Income (AGI) eligibility limit of $900,000 for conservation programs keeps funding available for producers who most need assistance. This cap has had the unintended effect of precluding conservation-minded large landowners from undertaking large scale projects of potentially high conservation value. To provide limited support for such high value projects, Congress should adopt a targeted AGI waiver for large scale projects of significant conservation value, while also capping total program dollars that may be used for such exempted projects. This would strike a balance between supporting occasional large, high value projects and ensuring that program funds remain available for lower income farmers.
- The total amount of funding that a single producer or entity can receive between 2019 and 2023 is currently capped at $200,000 for CSP and $450,000 for EQIP. Due to inflation and increased material costs in recent years, some high value conservation practices can quickly exceed this cap, which disincentives producers from adopting these practices. Congress should direct NRCS to identify those practices and enhancements that are costly, but of high conservation value, and establish a higher alternative payment cap for producers who wish to adopt them.

Specific Policy Recommendations

Environmental Quality Incentives Program

The Environmental Quality Incentives Program (EQIP) helps agricultural producers address natural resource concerns by adopting conservation practices on their working lands. It provides producers with direct technical assistance to develop conservation plans and financial assistance in the form of cost-share funding to support implementation of conservation practices.

- The 2023 Farm Bill should increase the current five percent funding set-aside for socially disadvantaged producers to at least ten percent. This would improve competitiveness of applications from socially disadvantaged producers, and also incentivize NRCS staff to increase outreach to these producers in order to ensure the ten percent target is attained.
- Congress should require NRCS to notify and provide detailed information about the Advanced Payment Option (APO) to every eligible EQIP applicant. Congress should also raise the current APO cap on contracted payments from 50 percent to 100 percent, at the option of the recipient.
- In recognition of the longer term durability of conservation practices implemented on protected lands, EQIP applications for land already held under easement through the Agricultural Conservation Easement Program (ACEP) should be prioritized for funding.
- The 2018 Farm Bill enacted a "wildlife ten percent" set-aside within EQIP to ensure minimum adequate funding for addressing wildlife habitat resource concerns. NRCS identified 16 conservation practices to count towards the allocation, and counts them every time they are used, even when they are implemented in a manner that does not benefit wildlife. To ensure that wildlife ten percent funds are spent as originally intended, Congress should:
  - Direct NRCS to only count these practices when they are used to address the aquatic or terrestrial wildlife habitat resource concern.
  - Direct NRCS to work closely with State Technical Committees (STCs) to commit the wildlife ten percent allocation to appropriate initiatives during initial fund pool planning, which should negate the need to count practices that are associated with unrelated projects.



- Some EQIP conservation practices benefit wildlife but do not directly improve a producer's agricultural operations. To minimize the financial burden to the producer, these "altruistic" practices should be offered at a 90 percent cost share rate. (Suggested Practices: 395- Stream habitat improvement and management, 396- Aquatic organism passage, 649- Structures for wildlife, 643- Restoration of rare and declining natural communities, 657- Wetland restoration, 658- Wetland creation, 659- Wetland enhancement)
- Current statute requires forest landowners receiving EQIP funds to follow a "forest management plan (CAP 106)." Congress should expand this to allow forest landowners to adopt a "wildlife management plan (CAP 142)" if they wish to manage their lands specifically to address wildlife habitat objectives.
- In the 2023 Farm Bill, Congress should restore historic provisions that that prohibited EQIP funding from going to new or expanding large Concentrated Animal Feeding Operations (CAFOs), and that required all CAFOs to have a Comprehensive Nutrient Management Plan in place before they can receive any EQIP cost share funding.



Conservation Stewardship Program

The Conservation Stewardship Program (CSP) is the largest of the Conservation Title programs. It allows landowners who have already undertaken conservation actions on their working lands to expand upon those efforts and address additional resource concerns. CSP offers five year contracts with an opportunity for renewal. Landowners can receive payments for maintaining existing conservation benefits and implementing new conservation actions.

- As with EQIP, Congress should increase the current five percent funding set-aside for socially disadvantaged producers to at least ten percent in the 2023 Farm Bill. This would improve competitiveness of applications from socially disadvantaged producers and incentivize NRCS staff to increase outreach to these producers in order to ensure the ten percent target is attained.
- In recognition of the longer term durability of conservation practices implemented on protected lands, CSP applications for land already held under easement through the ACEP should be prioritized for funding.
- CSP applicants whose properties are exiting an existing Conservation Reserve Program (CRP) contract should be given priority in ranking so that the conservation benefits resulting from prior USDA investments on those properties may be retained and expanded.
- Congress should direct NRCS to adopt a new resource concern related to climate adaptation, mitigation and resilience, and to develop CSP enhancement bundles to address it.
- Because CSP does not have a set-aside like EQIP's "wildlife ten percent," Congress should direct NRCS to prioritize adoption of CSP enhancements and bundles that benefit federally and state listed or petitioned species, and other priority species identified in plans such as SWAPs, PARCAs, and the NAWMP. NRCS should offer favorable payment rates for relevant enhancements and give ranking priority to initial and renewal contracts for wildlife-friendly projects.


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- Similarly, Congress should direct NRCS to prioritize adoption of enhancements that provide significant co-benefits for wildlife habitat and carbon sequestration, particularly through improved soil and forest health. Such enhancements emphasize the use of native trees and plants, pollinator-friendly plant species , and high diversity forms of cover. NRCS should also review and design new implementation standards to augment co-benefits within existing enhancements.
- While carbon sequestration practices should be among NRCS' highest priorities for CSP funding, NRCS should be clearly instructed that climate adaptation and mitigation enhancements should never be implemented in a manner that degrades wildlife habitat or negatively impacts other priority resource concerns.

Agricultural Conservation Easement Program

The Agricultural Conservation Easement Program (ACEP) helps landowners restore, enhance and protect wetlands and working farmlands through the purchase of conservation easements. ACEP has two components. The Agricultural Land Easement (ALE) component protects the viability of working farmland by preventing conversion to nonagricultural uses. NRCS provides financial assistance to partners such as tribes, land trusts or state and local governments to purchase permanent easements. Through the Wetland Reserve Easement (WRE) component, NRCS assists landowners in restoring and protecting previously degraded wetlands by purchasing easements directly from the landowner and providing financial assistance for wetland restoration activities.

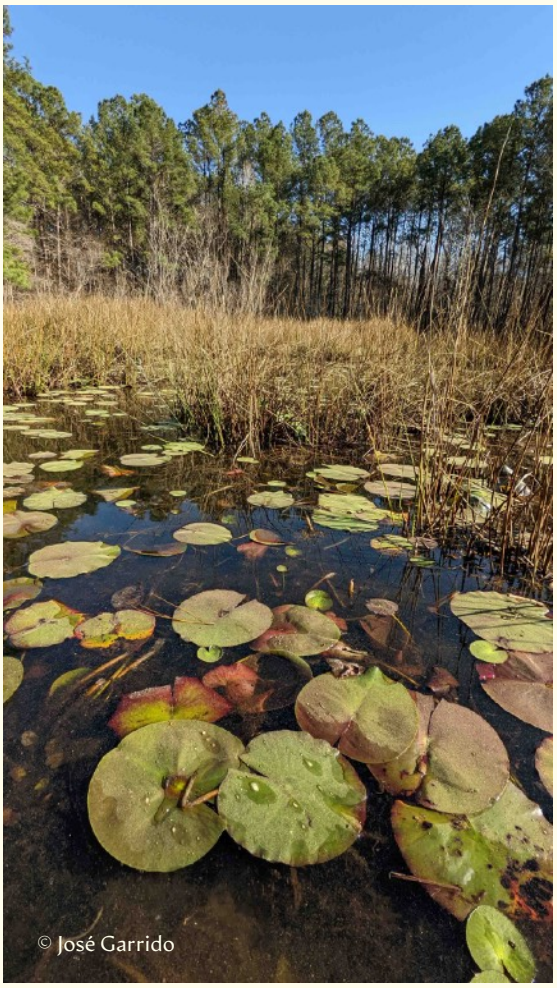
- Congress should adopt a minimum program funding set-aside for socially disadvantaged producers, similar to those in other Conservation Title programs.
- To maintain the conservation benefits of NRCS investments on agricultural lands, acres that are exiting other Conservation Title programs should be prioritized for ACEP funding.

Agricultural Land Easements

- The 2023 Farm Bill should expand upon recent NRCS efforts to improve program access for beginning and socially disadvantaged farmers by permanently reducing or entirely eliminating the 50% match requirement for lands owned by these producers.
- The 2018 Farm Bill removed the requirement for a comprehensive conservation plan to be developed on all ALE easements, requiring only that ALE easements with Highly Erodible Land have a soil conservation plan. To ensure that NRCS investments maximize conservation outcomes, the 2023 Farm Bill should restore this requirement.
- NRCS has prioritized acquisition of easements on "grasslands of special significance," which are grass or shrublands that are dominated by native plant species and that could provide habitat for imperiled species. Many parcels that meet these conditions occur in areas with few or no eligible easement-holding entities, limiting landowner access to the program. The 2023 Farm Bill should allow USDA to hold easements on grasslands of special significance in these situations.

Wetland Reserve Easements

- The 2023 Farm Bill should ensure that an adequate proportion of ACEP program funding is allocated for restoration and stewardship of lands enrolled in WRE, as wetland stewardship practices can be costly to maintain.
- Priority in WRE is given to easements based on their "value for water quality improvement and protection and enhancement of wildlife and migratory bird habitat." As climate change drives species to migrate to find new suitable habitat, FSA should explicitly include habitat connectivity between wetlands in their interpretation of "value for protecting and enhancing wildlife habitat."



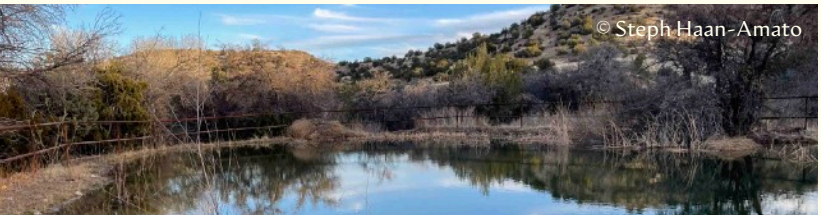

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- Generally, to be eligible for WRE, the hydrology of a wetland must have been "significantly degraded or modified" to facilitate an agricultural use of the land. Occasionally, an otherwise degraded wetland (such as through introduction of invasive species and loss of native plant diversity) may still be hydrologically intact, and thus may be of high value for wetland-dependant imperiled species. Congress should amend the definition of eligible land types for WRE to include hydrologically unimpaired wetlands where the wetland provides important habitat for a federally or state listed or candidate species, or a SWAP listed species.

Conservation Reserve Program

The Conservation Reserve Program (CRP) provides landowners with cost share assistance and yearly rental payments in exchange for removing environmentally sensitive land from production and replanting it with vegetative cover. CRP offers three different enrollment options and several targeted initiatives, and contracts run 10-15 years in length. The popularity of CRP is strongly driven by commodity prices. When prices are high, producers prefer to keep land in production because revenues are more profitable than rental payments. When prices are low, rental payments become more attractive and demand for CRP contracts increases.

- The 2014 Farm Bill cut the CRP acreage cap from $32 million to $24 million and the 2018 Farm Bill only increased it to $27 million. The 2023 Farm Bill should restore the acreage limit to historic levels.
- The $50,000 contract funding limit that a producer may receive has not been revised since it was established in 1985 and does not account for land rental rate and commodity price increases. To support continued enrollment of sensitive land in CRP, Congress should significantly increase this limit.
- The 2018 Farm Bill lowered the cap on the maximum per acre rental rate that CRP could offer, making CRP rental payments less attractive than the value of land for commodity production. The 2023 Farm Bill should remove the rate cap so that CRP can fairly compensate producers who enroll in the program and ensure that more environmentally sensitive acres are protected.


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- Signup Incentive Payments (SIP), Practice Incentive Payments (PIP), and other incentive payments for various initiatives under the Continuous CRP enrollment option help to make high value conservation practices affordable for landowners. To support enrollment in CRP by beginning and socially disadvantaged producers, FSA should increase the payment rate for SIPs, PIPs, and other incentive payments.
- Under the Transition Incentives Program (TIP), landowners with expiring contracts who agree to sell or rent their land to a beginning or socially disadvantaged producer can receive up to two extra annual rental payments. The new owners or renters must agree to use certain sustainable farming or grazing methods as they return the land to production. Congress should direct FSA to increase outreach efforts to eligible producers for this undersubscribed program, and should ensure the 2023 Farm Bill provides adequate funding for both outreach and program enrollment.
- The State Acres for Wildlife Enhancement (SAFE) initiative was created by FSA to support high priority state-established conservation goals for restoring habitat for state or federally listed or at-risk species. Through SAFE, landowners can receive cost share payments, rental payments, and additional incentive bonuses to restore wetlands, grasslands or forested habitat. Congress should permanently authorize the SAFE initiative under the Continuous CRP enrollment option.



- The CLEAR30 initiative is a pilot program that incentivizes adoption of practices that decrease erosion, improve water quality, and increase associated wildlife habitat. It is unique among CRP initiatives in that it extends the benefit of these practices by offering 30 year contracts. Eligibility is limited to producers with existing water quality CRP contracts that are about to expire. Congress should permanently authorize CLEAR30, ensure that it is offered nationwide, and remove the current eligibility restrictions.
- The Forest Management Incentive was created to improve the condition of forest resources and enhance wildlife habitat on forested acres already enrolled in the CRP. In order to better incentivize landowner uptake of expensive practices such as thinning and controlled burning, Congress should increase funding for the program in the 2023 Farm Bill and direct FSA to significantly increase cost share payment rates for adopted practices.

- Congress should direct NRCS to improve delivery of conservation outcomes under the Grassland CRP enrollment option by incentivizing adoption of managed rotational grazing and other sustainable grazing practices, incentivizing longer term contracts, and prioritizing acres that provide important habitat for wildlife, including wetland habitat.
- The 2018 Farm Bill eliminated cost-share payments for mid-contract management, which is a requirement of most CRP contracts. This made it costly for landowners to conduct important activities like mowing and prescribed burning, leading them to opt for less expensive and less beneficial practices on enrolled acres . The 2023 Farm Bill should restore cost share payments for mid-contract management.
- The 2018 Farm Bill included a provision limiting re-enrollment in CRP after contract expiration to one time for CRP acres planted in hardwood trees. For administrative reasons, the CRP program includes longleaf pines in this category. Acknowledging the rarity and ecological importance of longleaf pine ecosystems, Congress should restore continual re-enrollment eligibility for CRP acres planted in hardwood trees, including longleaf pines.

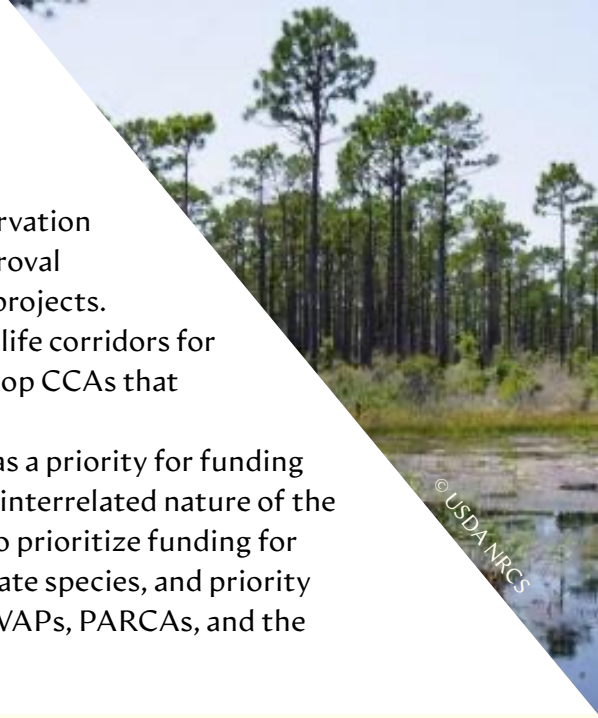


Regional Conservation Partnership Program

The Regional Conservation Partnership Program (RCPP), which was established in the 2014 Farm Bill, provides a mechanism for local partnerships to leverage their collective resources with NRCS funding to address priority resource concerns on agricultural lands. RCPP allows partners to combine and adapt core elements of existing NRCS programs to develop unique, flexible conservation programs that may be more suited to address the challenges faced by their communities. It also provides funding support for program implementation.

- Congress should direct NRCS to revise the RCPP funding model to mitigate the disproportionate financial burden that current requirements place on small but otherwise well-qualified organizations and organizations that represent HU producers, and to improve the competitiveness of their applications.
  - Reduce or eliminate the current 1:1 ratio requirement for partner contributions for lead partner organizations that support small and socially disadvantaged producers.
  - Repeal the current statutory prohibition on allowing partners to use RCPP funds to cover administrative expenses.
  - Increase the percentage of total project funding available to partners for Enhancement and Implementation Technical Assistance (ETA, 7% and ITA, 18%) to at least 35 percent. The current cap is insufficient to allow many lead partners to effectively administer RCPP programs.
  - Set aside a minimum of 20 percent of total annual program funds to be awarded only to projects with "small" lead partner organizations, whose annual operating budgets must fall below an appropriate threshold to be determined by the Secretary.
  - Utilizing US Census and Census of Agriculture data, develop a new "Critical Conservation Area" within the CCA fund pool that specifically prioritizes counties with high densities of socially disadvantaged producers.
- The current application, contracting and reporting processes for RCPP are overly bureaucratic and cumbersome for partners. Congress should direct NRCS to significantly simplify and streamline these processes to improve program implementation and support partners' efforts to achieve program objectives.
- Meeting program requirements for reporting on project outcomes can be challenging for many lead partners due to lack of capacity or specialized expertise . Congress should direct NRCS to provide additional clarity and support for partners in implementing this program requirement.
  - With input from relevant experts, significantly improve upon the existing monitoring and evaluation guidelines that are provided to RCPP applicants.
  - Make additional training and ongoing direct support from NRCS staff for monitoring and reporting available to lead partners throughout the execution of RCPP contracts.
  - Increase the percentage of project funding available for ETA as previously noted to assist lead partners in implementing or subcontracting a monitoring and evaluation protocol.





- In order to support innovation around high-value conservation practices, NRCS should streamline and simplify the approval process for proposed new practice standards for RCPP projects.
- In the CCA fund pool, NRCS should add protecting wildlife corridors for migration and climate adaptation as a priority, and develop CCAs that target this objective.
- NRCS has identified climate adaptation and mitigation as a priority for funding RCPP projects in the coming years. Acknowledging the interrelated nature of the climate change and biodiversity crises, NRCS should also prioritize funding for projects that benefit federally and state listed or candidate species, and priority species identified in other conservation plans such as SWAPs, PARCAs, and the NAWMP.

Technical Assistance

Conservation Technical Assistance

Many agricultural producers rely upon Conservation Technical Assistance (CTA) from NRCS and its partner organizations to assess their resource needs, design and implement conservation plans, and enroll in NRCS conservation programs.

- CTA has been seriously underfunded for many years, resulting in long wait times for producers to get assistance, severe bottlenecks in implementing projects, and inequitable distribution of effort in areas that lack sufficient staff to meet local farming community needs. In the 2023 Farm Bill, Congress should significantly increase funding for CTA above current levels.
- To complement increased funding, Congress should direct NRCS to improve delivery of CTA by ensuring that staff and partner organizations are regularly trained on updates to NRCS programs and new initiatives that may be available to producers, relevant advances in science and technology, and strategies for effectively reaching and supporting HU producers.




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- NRCS should continue and increase investment in partnership contracts with organizations who can provide technical assistance in the form of specialized expertise and/or community-specific knowledge and relationships.

Technical Service Providers

Technical service providers (TSPs) are individuals, nonprofits, or private organizations that supplement NRCS technical assistance capacity by offering conservation planning, design and implementation services to producers participating in NRCS programs. TSPs must be certified by NRCS for each area of technical expertise that they offer.

- Congress should direct NRCS to encourage growth of the TSP program by streamlining the administratively cumbersome certification process.
- As NRCS increases its emphasis on incentivizing climate-friendly conservation practices, it should also create sufficient capacity to train and certify TSPs to provide carbon sequestration and greenhouse gas mitigation expertise to producers.
- Congress should direct NRCS to address longstanding gaps in TSP availability to support Tribal Nations, heirs' property owners and other HU producers, and should provide funding for NRCS to conduct outreach and TSP training and certification for organizations such as tribal conservation districts and legal service providers for heirs' property owners.

Additional Conservation Title Recommendations

Working Lands for Wildlife

Through the Working Lands for Wildlife (WLFW) partnership model, landowners may implement voluntary practices to support conservation efforts for certain imperiled species in exchange for regulatory predictability should those species become listed under the Endangered Species Act. This approach has produced measurable outcomes for covered species, while also supporting landowners' management objectives.


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- The earliest WLFW species initiatives are funded from NRCS' national budget, while initiatives added later must be funded out of limited State program allocations. This has resulted in some state-driven initiatives receiving little or no annual funding. Congress should provide national level funding for all WLFW initiatives to avoid competition in oversubscribed State programs.
- Acknowledging the effectiveness of the WLFW model, Congress should also significantly increase funding for WLFW to adequately support all of the species initiatives covered by the program.


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Feral Swine Eradication Pilot Program

The 2018 Farm Bill introduced a pilot program to address the serious threat posed by feral swine to agriculture, sensitive ecosystems and human health. The pilot program funded 38 projects with local partners across 12 states, all of which are in various stages of implementation.

- Congress should permanently authorize the Feral Swine Eradication Program in the 2023 Farm Bill and continue to provide adequate funding to address this ongoing threat.
- The monitoring and evaluation measures outlined in the pilot program should remain a mandatory component of the program in order to ensure that program expenditures are contributing to meaningful results.

State Technical Committees

Every State NRCS office is required to have a State Technical Committee (STC). STCs are composed of representatives from federal, state and tribal natural resource agencies and environmental and agricultural organizations. They serve in an advisory capacity on matters related to implementation of the conservation provisions of the Farm Bill.

- NRCS has adopted a policy directive stating that STCs should meet at least twice a year, but this directive is not uniformly followed. Congress should codify this directive, and should further instruct NRCS State offices to schedule the timing of meetings so that STCs have a legitimate opportunity to provide input with time for discussion and consideration by staff before final annual program administration decisions are made.

Conservation Effects Assessment Project



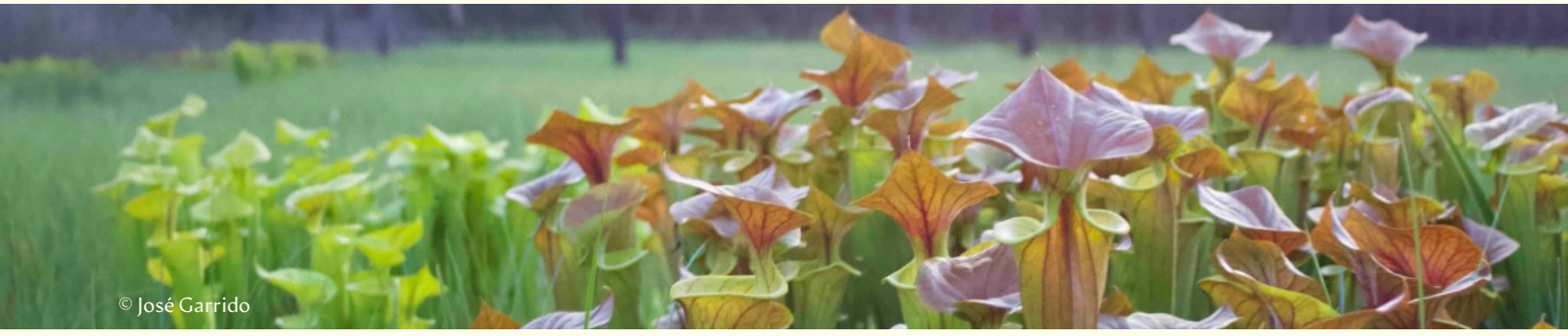
The Conservation Effects Assessment Project (CEAP) is a multi-agency effort led by NRCS to quantify the effects of conservation practices that are implemented on agricultural lands. CEAP assessments are designed to inform implementation of conservation programs and help producers make informed management decisions.

- The CEAP framework could help NRCS address longstanding concerns around data collection and evaluation to assess program effectiveness, but it lacks adequate funding and resources to conduct assessments at program-wide or nationwide scales. Congress should formally authorize and significantly expand funding for CEAP.

Conservation Assessment and Ranking Tool

The Conservation Assessment and Ranking Tool (CART) was designed to aid NRCS staff in conservation planning for landowners and standardize ranking decisions for applications to NRCS programs.

- NRCS currently provides no mechanism to notify landowners of the factors contributing to their application's ranking outcome or the actions needed to improve their chances of ranking well in the future. Congress should require NRCS to publish clear and detailed information about how CART ranks applications, including local variations. It should further direct NRCS to send physical and emailed reports to program applicants providing an itemized account of how CART distributed points to their applications, including points awarded for addressing certain resource concerns and ranking pool questions, or including certain practices, and detailing how the application fared relative to other applications in each ranking pool where the application was ranked.



Credit

Heirs Property Relending Program

The Heirs Property Relending Program allows USDA to provide loans to intermediary lenders, who may then relend those funds to heirs' property owners for the purpose of resolving land title issues and developing succession plans. Resolving title issues can improve access to USDA resources that have historically been unavailable to these landowners.

- Congress should permanently authorize and expand the program to ensure it meets demand from intermediary lenders and borrowers.
- Under current law, interest rates for borrowers may be determined by intermediary lenders "in an amount sufficient to cover the cost of operating and sustaining the revolving loan fund." The 2023 Farm Bill should establish a reasonable cap on this interest rate to ensure that all heirs' property borrowers can afford to access the program.
- Congress should consider developing loan forgiveness options for borrowers under this program, especially for costs not directly related to the purchase of property.

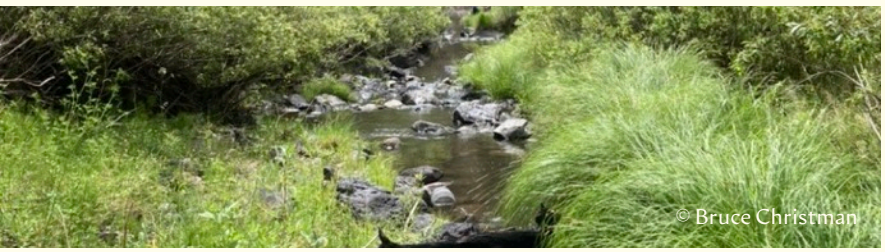


Forestry

Healthy Forest Reserve Program

Among the programs administered by NRCS, The Healthy Forest Reserve Program (HFRP) is the only one with an express purpose of promoting recovery of federally listed, candidate, or SWAP identified species. HFRP provides landowners with 10-year restoration agreements and 30-year or permanent easements, along with varying rates of cost share support in exchange for implementing an approved HFRP restoration plan. It also provides regulatory protections from certain ESA restrictions.

- The 2014 Farm Bill eliminated mandatory funding for HFRP, leaving it largely defunct due to a lack of annual appropriations. The 2023 Farm Bill should restore mandatory funding for HFRP and significantly increase its authorized spending level.
- Congress should set aside a minimum of 10 percent of program funds for projects that assist beginning and socially disadvantaged producers.
- Under the 10-year restoration agreement component of the program, the cost share rate for beginning and socially disadvantaged producers should be increased from the current 50 percent to at least 75 percent.
- Congress should direct NRCS to explore options to leverage partner resources to acquire priority habitats by expanding HFRP to include an option for entity-held easements, similar to ACEP-ALE. Any such expansion must continue to support HFRP's core purposes of supporting imperiled species recovery, enhancing biodiversity and sequestering carbon.


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Crop Insurance

The Federal Crop Insurance Program (FCIP) is designed to protect farmers from losses due to adverse weather events and price fluctuations. It is administered by the USDA Risk Management Agency (RMA).

- RMA Good Farming Practices (GFP) are intended to ensure that reduced yields of insured crops are not due to producer negligence. However, many beneficial conservation practices can result in temporary yield reductions. The GFP list should be expanded to include all NRCS conservation practices and enhancements, so that farmers may adopt these practices without imperiling their eligibility for the FCIP.


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- The Whole Farm Revenue Program (WFRP) is the only FCIP product that promotes crop and livestock diversification as a risk-reducing practice by covering the whole agricultural operation and offering premium discounts for diversification. RMA should expand this undersubscribed program by streamlining the enrollment process and by increasing outreach and education efforts to improve producer awareness of the program.
- RMA's Pandemic Cover Crop program established a five dollar per acre premium discount for planting cover crops. RMA should make this discount permanent, and expand the list of eligible practices to include other risk-reducing conservation practices as identified by NRCS.

Sodsaver

The Sodsaver provision was implemented in the 2008 Farm Bill to help address the rapid loss of native prairie, one of the most endangered ecosystems in the world, due to conversion to cropland in certain areas. Sodsaver reduces crop insurance premium subsidies and limits guaranteed yields and revenues for four years for crops that are planted on land that has been converted from native grasslands.



- Sodsaver currently only applies to six states in the Prairie Pothole region. Congress should expand the provision nationwide to cover native grasslands wherever they are found.
- The 2023 Farm Bill should extend the provision's restrictions on premium subsidies and yield and revenue guarantees from four years to 10 years subsequent to the conversion.



- For any conversion of native grassland that occurs within the documented range of a state or federally protected grassland-dependent species, the 2023 Farm Bill should extend the provision's restrictions indefinitely. RMA should consult with The US Fish and Wildlife Service and state wildlife agencies to proactively identify and map these areas.
- Congress should require USDA to collect data on the rate of conversion of native grassland and associated soil carbon and habitat loss, and report this data to Congress and the public annually so that the effectiveness of the sodsaver provision can be measured.

Conservation Compliance

The Conservation Compliance provisions (CC), often referred to as "Swampbuster" and "Sodbuster," were first included in the 1985 Farm Bill. These provisions require producers to meet basic conservation standards on land that is identified as highly erodible or a wetland in order to access almost any USDA program. Commodity support, subsidies, disaster payments, production loans and eligibility for NRCS conservation programs are all conditioned upon Swampbuster and Sodbuster compliance.

- Previous Farm Bills have occasionally decoupled crop insurance from CC, but the provision's effects have been restored since 2014. The 2023 Farm Bill should maintain the provisions as written to minimize producer incentives to convert or farm sensitive lands.
- The 2023 Farm Bill should provide dedicated funding for enforcement of CC provisions and direct NRCS to ensure that CC is enforced uniformly across all states.
- NRCS currently utilizes a process called State Offsite Methods for Wetland Determinations to decide what land qualifies as a wetland for purposes of CC enforcement. There is significant concern that this process frequently fails to capture certain wetland types. Congress should direct NRCS to study and improve the efficacy of this process, and improve national oversight of state-level wetland determinations.
- CC provisions provide for temporary exemptions that allow producers time to correct violations before being determined to be non-compliant. Congress should direct USDA to utilize these exemptions to the maximum extent practicable and couple them with other non-punitive remedies, such as providing access to conservation planning and technical assistance, to support producers' efforts to return to compliance.

ARC
Amphibian and Reptile Conservancy

A cohesive national strategy, implemented at a local level

Amphibian and Reptile Conservancy, or ARC, is a 501(c)(3) nonprofit focused on identifying and conserving the highest priority places for amphibians and reptiles in the United States.

We protect endangered amphibians and reptiles through a strategic, scientific, and passionate approach. We believe the conservation of amphibians, reptiles, and the habitats they depend on is vitally important.


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