



## CONSERVATION IN THE 2018 FARM BILL PRIORITIES FOR THE CHESAPEAKE BAY

Prepared by the Chesapeake Bay Commission  
Maryland. Pennsylvania. Virginia.  
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The Federal Farm Bill is the most important piece of Federal legislation in the country for promoting conservation on private lands. Other than forest, agriculture represents the largest land use and one of the largest industries in the Chesapeake Bay watershed. Thus, the Farm Bill has, and will continue to have, a profoundly influential role in our region.

Not only does the Farm Bill enhance the economic viability of our farms, it also provides critical financial and technical resources needed to address agricultural sources of pollution. Between now and 2025, all six Bay watershed states are relying on agriculture to play a leading role in reducing pollution. Financial and technical support provided by the 2018 Farm Bill will help to determine if the water quality goals of the region are met.

***Just six percent of all Farm Bill funding supports the conservation programs. Congress should pass a Farm Bill that increases funding for the Conservation Title and avoids further cuts to the Forestry and Research Titles.***

To maximize the benefits of the 2018 Farm Bill's Conservation Title, we offer the following improvements:

- 1. Focus the critical role of NRCS on providing Conservation Technical Assistance (CTA), development of practice standards, and training to increase the availability of conservation professionals.**

Conservation Operations (CO), including CTA is administered by NRCS and helps to fund NRCS staff in the local offices. NRCS staff provide trusted expertise and planning that leads to the installation of the right practices in the right locations. Before a farmer is ready to participate in a Farm Bill program, this on-farm planning is critical. Yet this foundation is threatened by continued cuts to CTA and other core NRCS funding. While new opportunities must be made to partner with private providers and NGOs to enhance farm practice implementation, funding for CO and CTA must be at least stable.

Another role unique to NRCS is the development of practice standards for Federal cost-share programs. This backbone provides consistency nation-wide to ensure financial assistance programs achieve their desired results, and design and engineering standards are met. It is important to recognize this important role that only NRCS can provide.

In the same way, NRCS provides training and certification to third-party TA providers. Again, this is a role unique to them, as the regulatory lead and technical authority.

To increase the availability of TA, additional resources are needed by NRCS for training conservation professionals from Conservation Districts and state agencies, NGOs, and the private sector. The certification of third-party TA providers should be streamlined and encouraged through numeric goals. NRCS can also ensure that training for modern-day conservation professionals keeps pace with the evolution of new pollution reduction technologies available to farmers, particularly technologies that advance water quality goals while providing strong economic return.

**2. Establish State Block Grants to supplement direct funding and strategically leverage investments.**

The Chesapeake Bay states, in close partnership with the Conservation Districts have been leaders in agricultural conservation, helping to achieve some of the highest pollution reduction rates reported across the country. Due to the nature of farming, these efforts are all local. By providing supplemental funding to the states – for financial assistance, TA, and edge-of-field monitoring – states can work directly with NRCS, Districts and local partners to most efficiently address local priorities and monitor progress.

This approach could be achieved through a variety of approaches, including:

- a. Reserve a percentage of Environmental Quality Incentives Program (EQIP) funding for direct state agency partnerships or for “State Agency-Approved/Prioritized” projects.
- b. Allow RCPP, EQIP or other programs to be delivered through a “block grant” or an analogous method between the conservation districts and state agricultural agencies, with administrative duties retained by NRCS.

**3. Enhance financial and technical support for the working lands programs.**

Working lands programs such as EQIP and the Conservation Stewardship Program (CSP) provide farmers with the cost-share support they need to plan for and install conservation practices. These programs are the backbone of agricultural conservation efforts, helping to maintain healthy soils and ensure clean water. To successfully administer the financial assistance, TA, particularly engineering support, is needed. The recommendations of #1 and #2 above, plus the facilitation of public and private-sector partner support for outreach and education, are critical to maximize the potential of these financial assistance programs. Program implementation would be enhanced through greater certainty in funding levels; fluctuating funding levels increase a farmer/landowner’s investment risk.

**4. Enhance the RCPP.**

With the creation of the Regional Conservation Partnership Program (RCPP) in the 2014 Farm Bill, over the first five years the Chesapeake Bay region received \$49.3 million in Critical Conservation Area projects – an average of \$9.8 million. This contrasts with the \$47.6 million received *annually* through the Chesapeake Bay Watershed Initiative in the 2008 Farm Bill. More funding, better alignment with regional priorities, more transparency, and increased opportunity for RCPP partners to provide TA will improve

this regions' prospects. An opportunity for all award recipients within the watershed to convene and discuss best practices and lessons learned in implementing the RCPP projects would also help to ensure that each round of RCPP proposals is building on the best of what has been accomplished.

Specifically, we recommend:

- a. Alignment with Regional Priorities: Projects awarded under the Critical Conservation Areas (CCA) funding pool should be directly related to the resource concern for which the CCA was designated. For example, projects awarded under the Chesapeake Bay CCA should directly address nitrogen, phosphorus and sediment.
- b. Transparency: Written feedback to applicants, both successful and unsuccessful, will improve the quality of applications and ensure that projects support program goals. Greater clarity in how awarded funds will be reserved for NRCS is also warranted.
- c. Technical Assistance: Limitations on the amount that NRCS can reserve for TA, as well as the ability to advance (rather than reimburse) TA costs and know the available amount up-front, will facilitate state and local partners to provide TA services, relieving an already burdened NRCS staff.
- d. Funding: Increasing the overall funding for RCPP, while narrowing it to only the State and CCA pools, would increase the amount available to the region and avoid application confusion.

The Chesapeake Bay Farm Bill Enhancements Act of 2017 (S. 2139/H.R. 4420) addresses these critical conservation conditions under the RCPP program.

## **5. Increase the CRP cap to 30 million acres.**

The Conservation Reserve Program (CRP) acreage cap of 24 million acres is a provision of the 2014 Farm Bill. Current enrollment is about 23.5 million acres, nationwide. This cap may soon prevent some marginal land from being enrolled. Continued cropping on this marginal land can present an environmental risk due to its proximity to local waterways, and presents a financial risk due to low yields, inefficient nutrient use, and/or flood damage. The expense of increasing the enrollment cap could be offset by savings in the Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) programs.

## **6. Modernize CREP.**

The Chesapeake Bay region boasts some of the longest and most successful state Conservation Reserve Enhancement Program (CREP) programs in the country. Continuing experience with CREP implementation has revealed several ways that the program could be revised to improve delivery:

- a. Encourage partnerships with NGOs for the delivery of TA and allow that service to count toward the match.
- b. Allow TA funding for riparian forest buffers to go directly to a state forestry agency.
- c. Allow for enrollment of riparian forest buffers that were previously unmaintained grass buffers.

- d. Allow for the pooling of maintenance payments for contracting with a third party for the maintenance.

**7. Provide longer-term funding for annual practices.**

Watershed-wide, one of the most commonly relied upon practices for achieving improved water quality and soil health is cover crops. Yet cover crops are an annual practice, requiring the farmer to apply for cost share year-after-year, adding unnecessary administrative burden to both NRCS and the farmer. Farmers will be more inclined to adopt such practices if there were reassurances of support for multiple years. “High priority annual practices” identified by the states in concert with the state NRCS office should be provided, with an option for a multiple-year contract. Maryland provides a successful example of this approach.

**8. Improve Funding and Flexibility of the Agricultural Conservation Easement Program (ACEP).**

The loss of agricultural lands is of concern, both in the Chesapeake Bay watershed and nationwide. The Agricultural Conservation Easement Program (ACEP) offers farmers a way to ensure that their land stays available for farming in perpetuity, while providing an infusion of capital that can be used to invest in new agricultural infrastructure, improve conservation practices, acquire additional land, finance retirement, and/or enable the transfer of the farm to the next generation. To more easily achieve this, the following amendments are proposed:

- a. Baseline funding for ACEP should be restored and increased to at least \$500 million annually over the next ten years, front-end-loading the early years, without reducing critical funding for water quality programs.
- b. Water quality benefits should be prioritized at the same level as wildlife benefits under the Wetlands Reserve Enhancement Partnership (WREP) evaluation and ranking program.
- c. Improve the certification process to recognize the diversity of state/public programs. Certification should result in greater flexibility at the state level for choice of land acquisitions and easement terms, allow for a wider window of time for choosing projects and accelerate the closing of easement agreements.
- d. Provide states and public programs with the flexibility to substitute parcels. This will allow projects to be completed even if initial agreements fall through.

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*The Chesapeake Bay Commission is a tri-state legislative commission created in 1980 to advise the General Assemblies of Pennsylvania, Maryland and Virginia and the U.S. Congress on matters of Bay-wide concern. Fifteen state legislators, three cabinet secretaries representing their governor, and three prominent citizens work in partnership to overcome differences of party, background and culture. The Commission is the only signatory of the Chesapeake Bay Agreements that represents the legislative branch of government.*