HEARING TO REVIEW IMPLEMENTATION OF FARM BILL CONSERVATION PROGRAMS

HEARING

BEFORE THE

SUBCOMMITTEE ON CONSERVATION AND FORESTRY

OF THE

COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES

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CONTENTS

WITNESSES

HEARING TO REVIEW IMPLEMENTATION OF FARM BILL CONSERVATION PROGRAMS

TUESDAY, JANUARY 28, 2020

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CONSERVATION AND FORESTRY,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The Subcommittee met, pursuant to call, at 10:04 a.m., in Room 1300 of the Longworth House Office Building, Hon. Abigail Davis Spanberger [Chair of the Subcommittee] presiding.

Members present: Representatives Spanberger, Fudge, O'Halleran, Axne, Schrier, Peterson (*ex officio*), LaMalfa, Johnson, and Conaway (*ex officio*).

Staff present: Prescott Martin III, Félix Muñiz, Jr., Anne Simmons, Alison Titus, Josh Maxwell, Ricki Schroeder, Patricia Straughn, Dana Sandman, and Justina Graff.

OPENING STATEMENT OF HON. ABIGAIL DAVIS SPANBERGER, A REPRESENTATIVE IN CONGRESS FROM VIRGINIA

The CHAIR. This hearing of the Subcommittee on Conservation and Forestry to review implementation of farm bill conservation programs will come to order.

Good morning. I would like to welcome everyone and thank you all for joining us today as we review USDA's implementation of the 2018 Farm Bill conservation programs.

In 2018, this Committee reauthorized the farm bill and amended several of the conservation programs. Farmers in my district in central Virginia know how important these conservation programs are, because they use them to boost soil health, improve water quality, protect wildlife habitat, and reduce soil erosion. And by doing so, they can improve their crop quality and increase their crop yields, all while better adapting to and mitigating the impacts of climate change.

We are now a year in, and we are watching as those conservation programs take shape. And I have been glad to see an increased focus on important issues like soil health, water quality, and water supply. Specifically, in the area of soil health, the farm bill boosts incentives for soil health practices like cover cropping, crop rotation, and advanced grazing systems, all of which are utilized in my central Virginia district. And a new Soil Health Demonstration Trial provides financial assistance for soil health and carbon-related practices, continuing efforts to test new and innovative conservation approaches.

One of the advancements made in the 2018 Farm Bill was the encouragement of conservation strategies at the local and regional level. You can appreciate how important that is to my district in the Chesapeake Bay Watershed and districts across the country. Our farmers in Virginia know what works for their land and for their ecosystems, the land that they have operated for generations, and they know it far better than anyone else.

Through voluntary conservation programs like the ones we will talk about today, they are given more of a role in helping to expand clean water and soil strategies in their own operations.

Now, our focus should be on implementation and watching to see what is working and what, if any, barriers there are to making sure that each of these programs is operating in a way that is consistent with what this Committee intended when it wrote the bill, and what the overall goals of the programs are. I look forward to receiving a candid look at those efforts, as well as a discussion of the agency's rulemaking process.

But when we talk about implementation, we must also talk about the staff doing the implementing. Programs, no matter how good they are, or no matter how noble their goals may be, will only ever be as good as the people delivering them. And because of that, it is extremely important that both NRCS and FSA are operating at full staff to achieve program benefits. And in that regard, there are some serious questions about the ability of other USDA agencies to retain and empower staff to achieve their mission, and I want to ensure that that isn't an issue at NRCS and FSA.

Furthermore, it is just as important that NRCS and FSA staffers are enabled and equipped by their agencies to deliver these programs in a manner that is consistent with what we want them to achieve, and that means consistent and genuine engagement with farmers and landowners on the ground.

We are not here today to challenge the Administration, bash the Administration, nor are we here today to greenwash the efforts already underway. We are here for an honest look at where we stand, what is working, what needs more time, and I look forward to hearing ideas from USDA and from my colleagues on how we do just that.

[The prepared statement of Ms. Spanberger follows:]

PREPARED STATEMENT OF HON. ABIGAIL DAVIS SPANBERGER, A REPRESENTATIVE IN CONGRESS FROM VIRGINIA

Good morning, and thank you for joining us today as we review USDA's implementation of the 2018 Farm Bill conservation programs.

In 2018, this Committee reauthorized the farm bill and amended several of the conservation programs. Farmers in my district in central Virginia know how important these conservation programs are, because they use them to boost soil health, improve water quality, protect wildlife habitat, and reduce soil erosion. By doing that, they can better adapt to and mitigate the impacts of climate change

So, we're a year in and we're watching as those conservation programs take shape. I've been glad to see an increased focus on important issues like soil health, water quality, and water supply. Specifically, in the area of soil health, the farm bill boosts incentives for soil health practices like cover cropping, crop rotation, and advanced grazing systems. And, a new Soil Health Demonstration Trial provides financial assistance for soil health and carbon-related practices, continuing efforts to test new and innovative conservation approaches.

One of the advancements made in the 2018 bill was the encouragement of conservation strategies at the local and regional level. You can appreciate how impor-

tant that is to my district in the Chesapeake Watershed. Our folks know what works for their land and for the ecosystems they've operated in for generations far better than anyone else. Through conservation programs like the ones we'll talk about today, they're given more of a role in helping to expand clean water and soil strategies in their own operations.

Now, our focus is on implementation and watching to see what's working, and what if any barriers there are to making sure each of these programs is operating in a way that is consistent with what this Committee intended when we wrote the bill, and what the overall goals of the program are. I look forward to receiving a candid look at those efforts, as well as a discussion of the agencies' rulemaking process.

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Furthermore, it's just as important that NRCS and FSA staffers are enabled and equipped by their agencies to deliver these programs in a manner that's consistent with what we want them to achieve. That means consistent and genuine engagement with farmers and landowners on the ground.

We're not here today to bash the Administration, nor are we here to greenwash the efforts already underway. We're here for an honest look at where we stand, what's working, and what needs more time. I look forward to hearing ideas from USDA and from my colleagues on how we do that.

The CHAIR. And with that, I would like to recognize the Ranking Member, the distinguished gentleman from California, Congressman LaMalfa.

OPENING STATEMENT OF HON. DOUG LAMALFA, A REPRESENTATIVE IN CONGRESS FROM CALIFORNIA

Mr. LAMALFA. Thank you, Madam Chair. Good morning. Thank you, panelists. I appreciate you, Chair Spanberger, for calling this hearing today to update and review on the implementation of these important conservation programs in the Agricultural Improvement Act of 2018.

Over the course of 2019, we heard from many producers about the benefits of the conservation and the assistance they receive from the programs. I heard about many of the innovative conservation practices that California producers are implementing. We have, among many crops, ½ million acres of rice in the northern part of the state, which is ideal for some of the habitat and conservation we are talking about, including building healthy soils through cover cropping and reducing inputs through the use of precision agriculture, are some of these practices.

Additionally, when the Subcommittee reviewed the USDA programs last spring, we did receive a good update from USDA. We look forward to hearing more about the progress USDA is making in implementing 2018 Farm Bill conservation programs today.

Congress has prioritized voluntary incentive-based conservation programs, which have achieved good bang for the buck over the years, and certainly over the last several farm bills, helping farmers and ranchers reduce soil erosion, protect wetlands and wildlife habitat, and improve water quality and quantity. In an effort to modernize the delivery of these programs, the 2014 Farm Bill made significant reforms consolidating over 20 conservation programs into 13, while preserving the fundamental goals of these conservation programs.

In writing the 2018 Farm Bill it included efforts by the House Agriculture Committee to build upon these successes by streamlining, simplifying, and improving program administration. We also fought to protect mandatory funding in the conservation title.

The 2018 Farm Bill includes more flexibility in the delivery of CSP, a significant increase in funding for both EQIP and ACEP, the establishment of Conservation Incentive Payments, and separate funding allocations for RCPP, as well as an increase in the acreage cap for CRP. In addition to these improvements, we made significant investments in infrastructure, emphasizing protection of drinking water sources, created the Feral Swine Eradication and Control Pilot Program, expanded Conservation Innovation Grants, the CIG.

I am proud of what we have been able to accomplish as a Committee, and I am very proud of the farmers and ranchers who voluntarily participate in these conservation programs to preserve not only their land, but also their way of life.

Thank you to our panelists again for being here today, Chief Lohr and Administrator Fordyce, for taking time to update us, and I thank each of you and your teams' support that was essential to writing the farm bill, and then ultimately helping the people in the field to implement it.

Thank you, Chair Spanberger. I will yield back.

The CHAIR. In consultation with Ranking Member and pursuant to Rule XI(e), I want to make Members of the Subcommittee aware that other Members of the full Committee may join us today.

I would now like to recognize Ranking Member Conaway for an opening statement.

OPENING STATEMENT OF HON. K. MICHAEL CONAWAY, A REPRESENTATIVE IN CONGRESS FROM TEXAS

Mr. CONAWAY. I have no statement. Thank you very much.

The CHAIR. Thank you. The chair would request that other Members submit their opening statements for the record so witnesses may begin their testimony, and to ensure that there is ample time for questions.

I would like to welcome our witnesses today. Thank you very much for being here. It is my pleasure and privilege to welcome Mr. Matthew Lohr, the Chief of the Natural Resources Conservation Service at the United States Department of Agriculture. As Chief, Mr. Lohr provides leadership for NRCS and its mission to support America's farmers, ranchers, and forest landowners in their conservation efforts. Mr. Lohr is a fellow Virginian and a fifth-generation farmer, and prior to NRCS, Mr. Lohr served as Virginia's Commissioner of Agriculture and Consumer Services, and in the Virginia House of Delegates. Since 2017, he has farmed full-time on his family's operation, which includes poultry, beef cattle, row crops, and sweet corn.

Our next and final witness is Mr. Richard Fordyce, the Administrator of the Farm Service Agency at the United States Department of Agriculture. As FSA Administrator, Mr. Fordyce provides leadership for FSA and its mission to support agricultural production across America through a network of over 2,100 county and 50 state offices. Mr. Fordyce is a fourth-generation farmer from Beth-

any, Missouri, and previously served as the State Executive Director for FSA in Missouri, and as Director of the Missouri Department of Agriculture.

We will now proceed to hearing from our witnesses. Each of you will have 5 minutes to present testimony. When the light turns yellow, that indicates there is 1 minute left to complete your testimony.

Chief Lohr, please begin when you are ready.

STATEMENT OF HON. MATTHEW J. LOHR, CHIEF, NATURAL RESOURCES CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

Mr. LOHR. Good morning, and thank you, Chair Spanberger. I am one of those proud Virginian farmers you mentioned in your opening comments, so it is an honor to be here.

Chairman Peterson, Ranking Members Conaway and LaMalfa, and Members of the Committee, good morning and thank you for this opportunity to testify today on USDA's Natural Resources Conservation Service, the programs that we deliver, the conservation.

I know I speak for Secretary Perdue and Under Secretary Northey when I say that we appreciate the ongoing efforts of this Subcommittee for voluntary private lands conservation and the improvement of our natural resources. We are also grateful for the Committee for providing us the authority to implement our programs in 2019 through existing regulations.

Since we visited last May, NRCS has been working hard to implement our farm bill programs. I am pleased to report that as of today, three of our four farm bill interim rules have been published, including the Agricultural Conservation Easement Program, or ACEP, Conservation Stewardship Program, or CSP, and the Environmental Quality Incentives Program, or EQIP. We have also published a miscellaneous rule that strengthens and streamlines our services delivered through the Healthy Forest Reserve Program, as well as expands the membership of our state technical committees.

I am also pleased to announce that last night, we got clearance from OMB on the interim rules for our final farm bill program, the Regional Conservation Partnership Program, RCPP. I know there has been a lot of anticipation around this announcement, so the rules are being sent to the Office of the Federal Register today, and they should be published early next week for public comment.

Following the publication of each of our interim rules, we invited agriculture and conservation stakeholders to our headquarters and held meetings to discuss the changes made to the programs. These meetings have been very constructive, and the feedback has been positive. So far, we have received over 100 public comments to our CSP interim rule, expressing a desire for program support for both existing and new conservation activities. We expect to review our comments in response to EQIP and ACEP later this winter. And following the public comment for each of these interim rules, we will immediately begin developing final rule to publish sometime later in 2020.

As we continue making progress towards full implementation, I wanted to highlight just a few of our 2019 accomplishments: $300

million was invested and made available under RCPP; $37½ million was announced for the Feral Swine Control Pilot Program in partnership with USDA's APHIS; $37½ million was made available for both our Conservation Innovation Grants, or CIG, and the new CIG On-Farm Conservation Innovation Trials. Under CSP, our funds were used to cover 6.3 million new acres, bringing the total program acres to 53 million across 60,000 contracts, and EQIP financial assistance obligations totaled over $1.2 billion for over 41,000 active contracts, covering an estimated 13 million acres.

As all of us know, 2019 was filled with numerous disasters all across the nation. Through our Emergency Watershed Protection Program, or EWP, we provided over $330 million in assistance to communities, the recovery payments and floodplain easements. Also through our EQIP emergency funding, we provided $62 million in assistance to farmers, ranchers, and private forestland owners.

I would also mention that last Friday, we launched the Conservation Assessment and Ranking Tool, or CART. Throughout 2020, our staff will be working hard with customers throughout the country to utilize this tool which will help assess land conditions and resources concerns. The designs and improvements made by this tool will certainly enhance our customers' experience and streamline the application process over all of our programs, saving a significant amount of staff time each year.

We recognize that we had challenges last year administering producer payments through CSP, but as a result of those challenges, we have begun revamping our internal processes to ensure that payments can be delivered efficiently and timely. As Chief, I am committed to making timely producer payments a top priority, and will continue to evaluate and make appropriate changes moving forward.

Throughout 2019 and to now, balancing farm bill implementation with our program delivery has certainly been a heavy lift, but we could not have done it without the support of Under Secretary Northey and his team at the Business Center. His leadership has enabled us to advance our coordination efforts with the Farm Service Agency and the Risk Management Agency. NRCS and FSA continue to work very closely and collaboratively to address our customer concerns, especially in the delivery of Conservation Reserve Program, and provide excellent customer service to producers all across the nation.

Madam Chair, this concludes my opening statement. I look forward to sharing more with you and the Committee, and certainly welcome your questions. Thank you for the invitation.

[The joint prepared statement of Mr. Lohr and Mr. Fordyce follows:]

JOINT PREPARED STATEMENT OF HON. MATTHEW J. LOHR, CHIEF, NATURAL RESOURCES CONSERVATION SERVICE; HON. RICHARD FORDYCE, ADMINISTRATOR, FARM SERVICE AGENCY, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

Chair Spanberger, Ranking Member LaMalfa, and Members of the Subcommittee, thank you for the opportunity to appear before you today to testify about the United States Department of Agriculture's conservation programs administered through the Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA). We appreciate the ongoing support of this Subcommittee for voluntary, private lands

conservation and the improvement of our soil, water, and other natural resources. We are also grateful to the Committee for providing us the authority to implement our programs in 2019 through existing regulations.

We are pleased to report today that the NRCS and the FSA, under the leadership of Secretary Perdue and Under Secretary Northey, have made significant progress with the implementation of the conservation title of the Agriculture Improvement Act of 2018. We would like to provide you an update on the progress we have made on conserving resources on our nation's working lands.

NRCS moved quickly to implement the 2018 Farm Bill provisions. Agency staff held dozens of meetings across the country to evaluate policy and prepare recommendations for improved services, develop streamlined directives, and draft the rules and associated analyses all while conducting sign-ups for a variety of conservation programs in 2019. This could not have been accomplished without support from our dedicated staff, partners, and our customers.

NRCS field offices held 2019 sign-ups and approved the contracts and agreements for the Agricultural Conservation Easement Program (ACEP), Conservation Stewardship Program (CSP), and the Environmental Quality Incentives Program (EQIP). Field offices concurrently serviced farm bill program contracts and agreements that were enrolled in prior years. Extensions for CSP and Regional Conservation Partnership Program (RCPP) agreements were offered to eligible participants.

The 2018 Farm Bill required NRCS to revise its program rules and provided an opportunity to improve program implementation through the evaluation of how each can be used in conjunction with one another to improve efficiency. Four of the five interim rules have been published, including those for ACEP, CSP, and EQIP; and one we refer to as the "miscellaneous rule" that streamlined minor changes to multiple rules in one *Federal Register* publication. The rules updated through the "miscellaneous rule" include Technical Service Providers, Healthy Forests Reserve Program, Administration of State Technical Committees, Voluntary Public Access and Habitat Incentive Program, and the Watershed Protection and Flood Prevention Act program. The RCPP interim rule is expected to be published soon. Following public comment periods on each interim rule, NRCS will begin development of final rules that will publish sometime in 2020. Below are highlights of changes to our flagship programs and additional key components of the 2018 Farm Bill.

Agricultural Conservation Easement Program (ACEP)—The 2018 Farm Bill added provisions to improve partnership implementation opportunities through reduced requirements on the ACEP Agricultural Land Easements (ALE) partners. For example, it removed a planning requirement, added buy-protect-sell provisions, and adjusted cash match requirements. The public comment period runs through March 20, 2020. In FY 2019, NRCS enrolled approximately 160,000 acres through over 450 new enrollments.

Conservation Stewardship Program (CSP)—The 2018 Farm Bill reauthorized CSP through 2023 and changed the program from an acre-based to a cash-based program. As required, we have been working to streamline the program and better align it with EQIP. Our improvements will result in more efficient programming whereby EQIP and CSP are complementary programs rather than competitors. The bill also added the CSP Grassland Conservation Initiative, simplified the ranking criteria, incentivized conservation activities such as cover crops, advanced grazing management and resource-conserving crop rotations, and continues support for organic production. The public comment period closed on January 13, 2020. We are evaluating comments and considering recommendations as we continue to review the program's procedures and guidelines internally to provide the best level of service to producers in subsequent years.

Environmental Quality Incentives Program (EQIP)—The 2018 Farm Bill expanded program focus by adding "weather volatility" and "drought resiliency" to the list of program purposes. It expanded program enrollment opportunities for participants by inserting conservation incentive contracts as an enrollment option and special outreach for advance payments and subsequent election. It expanded the program's reach by adding eligible applicants to include "water management entities" identified as state, irrigation district, groundwater management district, acequia, and land-grant-merceds. Increased payment rates were also authorized for certain high-priority practices and source water protection. NRCS announced the availability of On[-]Farm Conservation Innovation Trials in 2019. Through these trials NRCS and partners will work together on the adoption of innovative practices with a specific focus on soil health strategies for carbon capture. The comment period for the EQIP rule closes February 17, 2020. In FY2019, EQIP financial assistance obligations totaled over $1.2 billion in 41,471 active or completed contracts covering an estimated 12 million acres.

Feral Swine Eradication and Control Pilot Program—The farm bill provided $75 million in mandatory funding for Fiscal Years 2019 through 2023, and this funding is equally divided between NRCS and the Animal and Plant Health Inspection Service (APHIS) to carry out the pilot program. Pilot areas were identified collaboratively by NRCS and APHIS state personnel in consultation with the state technical committees.

In this first year of the program, USDA has identified 20 pilot projects and has prepared for project implementation beginning in early FY 2020. These pilot projects have been identified in ten of the eleven states that APHIS determined have the highest density of feral swine. These states are: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, and Texas. California did not identify pilot projects for implementation in FY 2020.

In June of 2019, NRCS solicited partner proposals to carry out NRCS-funded activities. This solicitation closed in August 2019. Partners submitted 34 proposals, and at least one proposal was received for activities in each of the pilot areas.

Regional Conservation Partnership Program (RCPP)—The 2018 Farm Bill made a number of changes to RCPP that will provide greater opportunities for partners and enable NRCS to implement the program more efficiently. Of note, RCPP is now a stand-alone program with $300 million in annual funding. Moving forward, landowners and agricultural producers will enter into RCPP contracts and RCPP easements. NRCS may award up to 15 Enhanced Alternative Funding Arrangement (AFA) projects, which are more grant-like and rely more on partner capacity to implement conservation activities. The announcement offering AFA opportunities will be released after the rule is published. And, all RCPP projects must now develop and report on their environmental outcomes, providing a greater emphasis on project outcomes.

Throughout 2020, NRCS staff will be working with customers throughout the country on the newly-launched Conservation Assistance Ranking Tool (CART). This tool was designed to conduct conservation planning and deliver our programs more efficiently. CART will also track conditions on the land, including resource concerns. The information collected through CART will enable NRCS to better report on the outcomes from our conservation efforts and will inform future conservation planning efforts. Overall, the improvements made through CART will enhance our customer experience and is also expected to save 200,000 hours of staff time each year.

The 2018 Farm Bill also provided for some of the most extensive changes to FSA conservation programs in recent history. As we implemented the farm bill provisions, FSA made administrative decisions that prioritized the conservation goals of the programs and ensured that the programs would not adversely impact new farmers and ranchers who are critical to the future of American agriculture. Administrative decisions were facts-based, data-driven, and customer-focused.

Conservation Reserve Program (CRP)—This year marks the 35th anniversary of the CRP, administered by FSA. This farm bill program provides a variety of conservation and economic benefits. By enrolling in CRP, producers are improving water quality, reducing soil erosion, and restoring habitat for wildlife. This in turn spurs hunting, fishing, recreation, tourism, and other economic development across rural America. Following an abbreviated signup in 2019, updating of rental rates, and publication of our regulation, FSA opened CRP signup under the broader suite of 2018 Farm Bill provisions for both continuous and general CRP on December 9, 2019.

CRP Continuous Signup—The continuous signup is noncompetitive and ongoing, targeting certain high-priority conservation practices.

CRP General Signup—The general signup is now an annual competitive opportunity for producers to enroll acres in CRP, which ends this year on February 28. This signup includes increased opportunities for enrollment of wildlife habitat through the State Acres for Wildlife Enhancement (SAFE) initiative.

While some practices under SAFE will remain available through continuous signup, CRP continuous signup now focuses primarily on water-quality practices under the Clean Lakes, Estuaries, and Rivers (CLEAR) Initiative. The 2018 Farm Bill prioritizes water-quality practices such as contour grass strips, filter strips, riparian buffers, wetlands, and "new" prairie strips.

CRP CLEAR30 Pilot—In addition to the CLEAR Initiative practices already being enrolled through the regular 10 to 15 year continuous signup contracts, FSA will also offer a new CLEAR30 pilot beginning later this year. CLEAR30 will provide an opportunity for producers to re-enroll in CRP CLEAR initiative practices for 30 years.

CRP Grasslands—A separate CRP Grasslands signup will now be offered each year following general signup. This year CRP Grasslands signup begins March 16 and ends May 15. CRP Grasslands helps landowners and operators protect grass-

land, including rangeland and pastureland and certain other lands while maintaining the areas as grazing lands. Additional information on CRP Grasslands will be provided in the next few weeks.

CRP Soil Health and Income Protection Pilot Program (SHIPP)—The signup for SHIPP will be announced soon. SHIPP will allow producers in the prairie pothole region the option of a 3 to 5 year CRP contract to establish cover on less productive cropland.

CRP Transition Incentives Program (TIP)—TIP is also now available to all owners and operators of expiring CRP acres and enables the transition of that land to a beginning, veteran or socially-disadvantaged farmer or rancher to return land to production for sustainable grazing or crop production. TIP participants may have a lease of at least 5 years with an option to purchase, and they have 2 years before the end of the CRP contract to make conservation and land improvements.

Emergency Conservation Program (ECP)—FSA has also implemented all 2018 Farm Bill provisions related to ECP. This program provides emergency funding and technical assistance to farmers and ranchers to rehabilitate farmland damaged by natural disasters in order to restore the land's productive agricultural capacity and to implement emergency water conservation measures in periods of severe drought. Farm bill changes included advanced payments for fencing, increased cost-share for socially-disadvantaged participants, added wildfires as an eligible disaster event, and increased payment limits.

Farm Loans for Conservation—FSA continues to support farmers and ranchers to promote and fund conservation practices through its direct and guaranteed loan programs. Family farmers unable to obtain commercial financing may use direct and guaranteed farm ownership and operating loan funds for costs associated with land and water development, or to promote soil and water conservation and protection. Larger and financially stronger fa[r]mers may use guaranteed conservation loan funds for conservation activities included in a conservation plan or Forestry Stewardship Management Plan. Additionally, existing borrowers may qualify for a reduction in indebtedness in exchange for a conservation contract (also referred to as Debt for Nature) that restricts the type and amount of development that may take place on marginal cropland and other environmentally sensitive lands for conservation, recreation, and wildlife purposes.

Grassroots Source Water Protection Program (GSWPP)—FSA also oversees GSWPP, providing $6.5 million annually under the 2018 Farm Bill to the National Rural Water Association to implement the Source Water Protection Program.

Conclusion

We are proud to update this Committee on the thoughtful and coordinated actions to implement the provisions of the farm bill that both the Natural Resources Conservation Service and Farm Service Agency have taken. We continue to work together to ensure our programs work for the benefit of our nation's farmers and ranchers as intended.

And while we have worked very hard to implement these changes as quickly as possible, we have done so while continuing to provide consistent delivery for these impacted programs throughout this past year. We recognize the need to continue our efforts and to work closely with our partners inside and outside the agencies to build and conserve our nation's natural resources.

[Madam] Chair this concludes our statement. We are happy to answer your questions and those of the other Subcommittee Members.

The CHAIR. Thank you, Chief Lohr. We appreciate your comments.

Administrator Fordyce, you may begin.

STATEMENT OF HON. RICHARD FORDYCE, ADMINISTRATOR, FARM SERVICE AGENCY, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

Mr. FORDYCE. Thank you, Chairman Peterson, Ranking Member Conaway, Madam Chair Spanberger, Ranking Member LaMalfa, and other distinguished Members of the Subcommittee. I am honored to be with you this morning. Thank you again for the opportunity to appear before you and represent FSA.

The 2018 Farm Bill provided for some of the most extensive changes to FSA conservation programs in recent history. We are

dedicated in our outreach to ensure producers understand the many options they have to benefit from these programs.

As we implemented the farm bill provisions, FSA made administrative decisions that prioritized the conservation goals of the programs, and would not adversely impact new farmers and ranchers, who are critical to the future of American agriculture. Our decisions were fact-based, data driven, and customer-focused.

2020 marks the 35th anniversary of the Conservation Reserve Program. The tens of millions of acres farmers and ranchers have chosen to enroll under CRP since 1985 provide a variety of conservation and economic benefits. Currently at 22 million acres, CRP is one of the largest private lands conservation programs in the U.S. The 2018 Farm Bill authorized 27 million acres by 2023, which means continued successes like preventing more than 9 billion tons of soil from eroding, enough soil to fill 600 million dump trucks, protecting more than 175,000 stream miles, enough to go around the world seven times, and increasing populations of birds and other wildlife. After updating rental rates and publishing our regulation in December 2019, we were able to open sign-up for both general and continuous CRP. This includes the Conservation Reserve Enhancement Program.

We reminded producers today that we are only 1 month from the end of the general sign-up, which is now an annual competitive opportunity for producers, where offers will continue to be ranked based on environmental factors. We set this deadline to ensure decisions on acceptance are made in early spring, prior to planting, so farmers and ranchers can use best management practices on that ground in preparation for CRP.

A separate CRP grasslands sign-up will follow general sign-up annually, which will run from March to May this year.

The ongoing continuous sign-up continues to target high priority conservation practices, and now focuses primarily on water quality practices prioritized in the 2018 Farm Bill under the Clean Lakes, Estuaries, and Rivers Initiative, or CLEAR. Producers will also have the opportunity to re-enroll CLEAR practices in a 30 year CRP contract for the first time under the new CLEAR30 Pilot, which will be announced later this spring.

We also anticipate announcing soon the Soil Health and Income Protection Pilot Program, or SHIPP, in the prairie pothole region of the country.

For producers that have CRP contracts nearing expiration, we encourage them to re-enroll in one of these sign-up options, or take advantage of expanded options under the CRP Transition Incentives Program, or TIP. With $50 million available under the 2018 Farm Bill, TIP now allows all contract holders with expiring CRP acres the opportunity to transition land to a beginning, veteran, or socially-disadvantaged farmer or rancher to return land to production. FSA also has funding tools for farmers and ranchers who implement conservation practices through guaranteed conservation loans, and for those that qualify, our more traditional and direct and guaranteed loans programs may be a funding option.

Our efforts to implement conservation programs could not be realized without talented and dedicated staff. The additional appropriations from Congress for staff and direct hire authority from the

Office of Personnel Management are helping us help our staff, who in turn help America's farmers and ranchers.

And as I bring my comments to a close, sitting next to my colleague and former farmer, Chief Lohr, I want to emphasize that FSA continues to strengthen our relationship with NRCS and the Risk Management Agency in the farm production and conservation mission area. We work very closely with NRCS on CRP and our other programs in our nearly 3,000 offices in communities nationwide, and through the outreach that we provide to our producers, which is unparalleled. Together, our conservation programs make up a tremendous tool kit that USDA provides to America's primary land stewards and drivers of our agriculture economy, the U.S. farmer and rancher. Information about all of our programs is available at *farmers.gov*.

Thank you again for this opportunity to update on the implementation of the 2018 Farm Bill. Madam Chair, this concludes my statement, and I will be happy to answer your questions, and those of the other Subcommittee Members.

The CHAIR. Thank you very much for your comments today. We appreciate them on this very, very important topic.

Members will be recognized for questions in order of seniority for Members who were here at the start of the hearing. After that, Members will be recognized in order of arrival.

I would like to first begin by recognizing Chairman Peterson of the full Agriculture Committee for 5 minutes.

OPENING STATEMENT OF HON. COLLIN C. PETERSON, A REPRESENTATIVE IN CONGRESS FROM MINNESOTA

Mr. PETERSON. I thank the gentlelady for recognizing me.

Chief Lohr, we had a meeting a couple weeks ago before this, but I never heard in that meeting anything about this ranking thing, what did you call it?

Mr. LOHR. The CART, Conservation Assistance Ranking Tool.

Mr. PETERSON. Yes.

Mr. LOHR. Yes, sir.

Mr. PETERSON. Where did that come from?

Mr. LOHR. Mr. Chairman, this has been an idea that has been in the works for many years as a way how we can streamline our programs and our processes, because as you know, we offer a variety of farm bill programs, and many times, it is very cumbersome for a producer to know which program would make the most sense, and ranking different programs have different ranking techniques.

CART is a tool that has been developed over the last several years, but the goal is to have one centerpiece of technology where one of our employees can work hand-in-hand with the producer, identify their farm, get the farm information inputted, look at all of the resource concerns that they have. That information is inputted. Look at what programs we have, what pieces of technical assistance we can provide. All of that gets inputted into the computer software, and then it will actually do an assessment on which practices would be the most beneficial to affect that operation, and it will automatically rank them for which program would be the best fit for that.

Mr. PETERSON. In other words, you don't need the people in the county offices anymore?

Mr. LOHR. No, there is still going to be much work for our employees.

Mr. PETERSON. Well, this streamlining, this is more bureaucracy. I don't see that it is going to do any good, other than give people a chance to come in and lobby your department, come up with more damn crazy regulations that are going to screw things up, like what you are doing with CRP and EBI (Environmental Benefits Index).

I just think that this is going in the completely wrong direction, to have some kind of top down deal. I mean, it is just—I don't know. That is the first I have heard of this. I don't think my staff has heard about it either. Yesterday. You say it has been going on for years?

Mr. LOHR. No, actually we just rolled the program out last Friday.

Mr. PETERSON. Yes, but you said you were working on this for years?

Mr. LOHR. A goal of the agency—certainly even a goal of Secretary Perdue—is how we can better streamline our programs to make them more efficient. We all have participated in government programs, and one of the complaints by producers is the red tape and the amount of paperwork and the redundancy.

Mr. PETERSON. Are people going to come in here and put things into this system that are going to drive what kind of things happen, or is this going to be neutral and that stuff?

Mr. LOHR. No, sir. Yes, so we are still accomplishing the same end goal of helping producers match their resource concerns with the proper assistance that is needed and the proper farm bill program. This is just a way to make the process easier.

Mr. PETERSON. But, the EBI is going to try to figure out what is the most environmentally sensitive land was, and then people came in and lobbied and got all this stuff put in there. We ended up spending $600 an acre planting these crazy mixtures that they got, and so forth.

I just have no confidence that that is not going to be the end result of this kind of a system.

Mr. LOHR. Well, I can assure you——

Mr. PETERSON. You got a bunch of work to do to convince me that this is a good idea.

Mr. LOHR. Yes, sir. Well, it is debuting in our offices this week, and I would be happy to come back and give you an update on the progress and success of the program.

Mr. PETERSON. We better do that.

I thank the gentlelady.

The CHAIR. I now recognize Ranking Member Conaway of the full Agriculture Committee for 5 minutes.

Mr. CONAWAY. Thank you, Madam Chair.

Mr. Fordyce, on the rental rates for CRP, can you talk to us about the criteria for setting up those rates, because we are getting some differences between neighboring counties, and obviously, farmers talk to each other and it creates a ruckus. Can you give us some insight in how that is coming about?

Mr. FORDYCE. Absolutely. We start with the NASS cash rent survey that NASS does every year to gauge what the rental rates are in that particular county. And then there is a proration. General CRP is prorated at 85 percent of that cash rental rate from the NASS survey. Continuous is prorated at 90 percent of that. I would say that once the rental rates are posted, counties—driven by the county—the locally elected county committee can submit an opportunity to adjust those rates, and we do have a formula in place that allows them to readdress those if they see that they are disparate, say, compared to a neighboring county.

Mr. CONAWAY. But, if the NASS data is wrong in your analysis—I mean, if you have counties side-by-side, there shouldn't be market differences between the two.

If I could get my team and I to work with you on the specific counties in District 11 that are giving me the most heat about this issue, can we work with you on that and find out why that is happening?

Mr. FORDYCE. Yes, absolutely.

Mr. CONAWAY. Because, the goal in the 2018 Farm Bill was to lower rental rates to be more reflective of market, but some of these were set at levels that got the farmers back home scratching their heads over it. We can work with you on that?

Mr. FORDYCE. Yes, absolutely, sir.

Mr. CONAWAY. Okay.

Mr. FORDYCE. We would be more than happy to work with you on the processes that we are currently utilizing, and again, the counties do have an opportunity to—I guess the word is *appeal*——

Mr. CONAWAY. Appeal, okay.

Mr. FORDYCE.—those rates, and we do have a process by which we follow.

Mr. CONAWAY. All right, and the other thing, Chief, I am keenly interested in the implementation of the Feral Swine Eradication Program, your pilot projects. Can you give us some specifics, I think you said $37 million was made available. Can you talk about the specific projects that we can look forward to seeing the results of?

Mr. LOHR. Yes, sir. In my travels throughout the Southeast primarily, hardly a trip goes by without someone mentioning the impact of feral swine. The farm bill gave $75 million that was split between us and APHIS, so we have $37½ million. Our goal was to take ½ of that money in year 1 and then ½ of that money in year 2, and work with partners to be able to put some pilot programs together, delivering the money in the first 2 years, we would have several years to assess the impact, and hopefully see what the successes can be.

We targeted ten states primarily from Oklahoma, Texas, all the way around the Southeast up to North Carolina. These were the states that had the highest percentage of feral swine infestation. APHIS state director and our NRCS state coordinator worked together with the state technical committees. They identified pilot programs or pilot projects in each of those ten states, and then they applied and we selected—I think there were 18 areas that were selected, ten pilots were selected, and then they have begun to start putting their proposals together.

From NRCS' point of view, we are focusing on the trapping of feral swine, and so most of these proposals are going to focus on surveillance equipment and cameras, and the actual monitoring, and then be able to see how collaboratively they can come together to try to get a handle on feral swine.

Some of the projects are going to be focusing on doing videos, maybe training videos to help other people once they gather some of these successes so they can share with other farmers to see what would be the most beneficial, going forward.

We are well underway. Like I said, we have ½ of the money that has been obligated. We have the partners in place. They put their proposals together, and we are anxious to see them get started and see what successes we can find.

Mr. CONAWAY. Well thanks for getting the quick start on that project, because you had a lot to get done, both of you guys did, and I appreciate that.

Madam Chairman, I yield back.

The CHAIR. I now recognize myself for 5 minutes.

Chief Lohr and Administrator Fordyce, again, thank you for being here. We have a number of Members who are coming and going from multiple committee hearings, so thank you for your patience, and thank you for your presence here today.

I wanted to first ask about the implementation of some of the significant changes to the farm bill. Staff at USDA are working to implement these changes to the conservation programs made in the 2018 Farm Bill, and my question is, how are you all engaging with producers at the various state levels regarding sign-up timelines? Are you meeting with groups on a monthly basis, and if not, what are the meeting schedules that you are carrying out, and what can you commit to, going forward?

Mr. FORDYCE. Thank you for the question, and certainly, outreach and the ability to communicate all of the opportunities that we have to offer under our conservation programs is critically important.

In every state, we have dedicated outreach and public affairs coordinators that work individually with county offices, and we find that certainly we can have larger statewide meetings with stakeholders, but a lot of times that outreach and that communication works really best at the local level. And so, I can get for you, I don't have the number, but I can get for you the number of outreach kind of meetings, town hall meetings in which our local staff, folks on the ground that understand the needs of the local producer and landowner, have undertaken. But it is quite numerous, because as you can imagine, with just CRP, for example, with a new general sign-up and some of the things that are offered through the continuous sign-up. Lots of questions and certainly lots of interest.

The CHAIR. I would be interested in receiving that as follow-up, so thank you for offering it. My focus really here is ensuring that localities and communities across Virginia and across the country have access to the information so that they can be as responsive as possible, and make sure that they know about these programs and are meeting the timelines.

And Mr. Fordyce, you had mentioned that your staff is the staff that helps America's farmers and ranchers, and I appreciate that

understanding of how you view your workforce. Congress has invested significant resources into these conservation programs. We have also raised the NRCS staff ceilings and provided FSA funds to hire additional field staff to efficiently administer their programs, with an eye towards meeting producer needs and conservation goals.

Can both of you talk through your plans and timelines for hiring staff, NRCS field staff, and when can producers in my district expect to have additional NRCS and FSA staff on board?

Mr. LOHR. Very good. Thank you, and please know that for both of us, staffing is one of our top priorities to make sure we have enough employees in the field being able to service the needs of our producers.

Very quickly, we are about 8,800 employees right now at NRCS, and we have been given a ceiling cap of about 10,445. We have a tremendous opportunity to bring a lot of new employees into the field, and for NRCS, we have a targeted three-prong approach, one focusing on the Pathways Program, the Student Intern Program. We derive a lot of our employees that go through this program. Right now, we have made 569 offers to college students. Right now, 450 have been selected that will intern with us next summer, and the thing about Pathways, when you do two summers, 640 hours, then you have an automatic conversion into being a full-time employee. We put a lot of emphasis into that program. It gives them the opportunity to see who we are.

The second one is our direct hire authority, which we are very appreciative for OPM for giving us 273 positions in about 25 states, focusing on disaster work and farm bill implementation. We are working very aggressively to meet that obligation we have for those positions, but we certainly appreciate the flexibility being able to work at a local level to get those right folks in place.

And finally for us, we realize that if we are going to make progress in our staffing numbers, we need to focus on those entry level positions that are the most farmer-facing. Our soil conservationists and soils contacts, soil scientists, the ones in our district offices who are putting an emphasis on allowing our states to put that as a priority to make sure that we can have folks that are coming into the agency that are going to be the ones that are working most directly with our farmers.

We have an aggressive timeline. Our hope is that by probably May we should have an additional 500 employees that we will have on staff, so the farmers in your district hopefully will see some new faces pretty soon, and then once we get them hired, we have processes to train them and mentor them to ensure they will be effective.

I apologize if I took all the Administrator's time.

The CHAIR. Thank you. We will be doing a second round of questions, so out of respect for my colleagues' time, we will proceed through and I will get back to you hopefully, Mr. Fordyce, when we come back to it.

I now recognize Mr. Johnson, for 5 minutes.

Mr. JOHNSON. Thank you, Madam Chair. I appreciate it.

Administrator, I will start with you. Of course, you know how incredibly wet the last year has been in South Dakota, really, the en-

tire northern Great Plains, it seemed like. And as producers try to grapple with how best to deal with that land resource on a going forward basis, one would think CRP would play a big role and would be an important tool in the toolbox. The producers that are talking to me are mindful, of course, that in the 2006 CRP, I mean, only two contracts were signed in South Dakota. As we look toward sign ups in the future, how optimistic should they be that CRP is a worthwhile tool that will be available to them?

Mr. FORDYCE. Well, that is a great question, and I would say that farm country, under a lot of those kinds of decisions that are being made, right?

As a farmer, I am always trying to understand what those decisions are, and you mentioned the 2016 sign-up where there were only two contracts taken. If I were to answer that as to why that was, we were very close to bumping up against the cap, and so the level at which we were accepting contracts, the bar was set fairly high. The current sign-up certainly is a competitive sign-up, and we will have to see what kind of offers we get and at what level do we set that bar of accepting contracts.

I do believe, though, that you are absolutely correct, that CRP could be an option for some of these areas that have seen some real weather impacts.

Mr. JOHNSON. Let's talk with some additional specificity about what might change. Of course, the EBI tool you all used to do the evaluation is the same. You know, the cap was raised in the farm bill, but are the prospects dramatically different in the future than they were in the recent past, do you think?

Mr. FORDYCE. Well, I would just answer that by saying that certainly there is an increase in the cap, and we do have a good number of acres that are expiring by the 1st of October of this year, of 2020. There is going to be more room than there was in that 2016 sign-up.

Mr. JOHNSON. If we could talk a little bit, gentlemen, about pheasants. Of course, we all know that many producers across the country are looking more and more to diversified ag. I guess they are looking back again to diversified ag as an important risk mitigation tool, buy down some volatility. And in South Dakota, pheasants, that is an important part of the diversification story.

I am just curious if we can get an update on progress as we move towards some of the working lands conservation, some of the grazing conservation? Where are we at with that?

Mr. LOHR. Certainly, both of our agencies support habitat and certainly pheasants are a major part of that, especially in your neck of the woods. We continue to do work. We have farm bill biologists through Pheasants Forever, a contract position that works with us and our offices that continues to help provide guidance to producers through several of our programs. The Working Lands for Wildlife Program, as you know, also allows farmers to be able to be paid to put habitat practices on their operation that can enhance habitat like for pheasants and quail. Definitely, I know with our agency, that remains a top priority as we go forward in the new farm bill, and being able to help producers be able to be compensated for addressing those habitat concerns for birds like pheasants.

Mr. JOHNSON. Well, I know any time you get a new farm bill, of course there are 100 things that have to be done immediately. But do we have some sense of when producers might be awarded contracts for the CRP Grasslands Program?

Mr. FORDYCE. The CRP Grasslands Program sign-up will run almost right after the general sign-up comes to an end, and that is February 28. CRP grasslands sign-up will start March 16 and run through May 15, and we hope to have folks notified by early summer of their acceptance into the CRP Grasslands Program.

Mr. JOHNSON. Well, I would just add, Madam Chair, for our two witnesses as well as for yourself, if anybody ever wants to come shoot some ring necks, let me know. I will make sure we have a good time. Thank you.

Mr. FORDYCE. Thank you.

The CHAIR. I now recognize Mrs. Axne of Iowa, for 5 minutes.

Mrs. AXNE. Thank you, Madam Chair.

Dusty, I will tell you what. We will have to fight for that, because you know we got a lot of pheasants in Iowa, too.

Anyhow, Madam Chair, Ranking Member, thank you so much for having this hearing on the implementation of the conservation programs. Thank you, Chief Lohr, and Administrator Fordyce, for being here.

My home state, as you are probably fully aware, is the largest recipient of conservation program enrollment in the country, so I appreciate the work that you do to help us with that. Thanks so much.

I am going to talk a little bit about flooding, because I am sure you all know that we are still suffering in Iowa. But I would like to also thank the USDA for the prompt reply to my request from Secretary Perdue for the status update on the flood recovery funding that has been allocated to Iowa. Thank you so much for that.

I am sure you know, as I mentioned, that southwest Iowa had our devastating flood last spring. We are expecting, of course, to see more flooding this spring because of the runoff, and certainly a lot of precipitation on the ground, and we have still have a lot of levees that need repairs.

But, the recovery has been long and arduous. Many expressions from Iowans are that they are really frustrated with the inability to get the funding that they need as quickly as they would like to from the different agencies.

To help with that and to provide some transparency, I started an Iowa Flood Funding Tracker to make sure that the money we appropriated for the Midwest floods is actually getting out to the flooded areas. And I have asked multiple Federal agencies involved to provide specific answers related to that. Thank you for giving us the information we needed. Please help us to continue to keep that updated as you put more funding towards the recovery process in Iowa.

Of course, my first question is related to the disaster that we are still seeing. Many Iowans have taken advantage of the Emergency Conservation Program which provides financial and technical assistance to farmers whose land has been damaged to help restore their land.

But, Administrator Fordyce, what kind of outreach, and I am asking for outreach in particular, not our folks having to go and ask for the support, but outreach does NRCS do on these programs when a natural disaster hits? And then the second question would be how are local communities made aware of the assistance that is available through ECP?

Mr. FORDYCE. I am very aware of your situation. My farm is just 18 miles from the Iowa line, not in the Missouri River flooded areas, but certainly a lot of friends have been impacted by that as well.

Again, as we talk about outreach and we talk about how do we communicate those things that are available, we have—and I will probably mention this quite a bit during the hearing—the opportunity to really commend our staff that are on the ground. Whether it is the executive director within the county, the county executive director or the program technicians that are there, have great relationships with the local producers and landowners. Constantly refer to those farmers and ranchers and landowners in their county as *their* farmers. And so, there is a great deal of outreach and communication at the local level, and certainly from a state level as well, working with stakeholders, whether it is commodity organizations, farm groups, and others, to be able to get the word out about those kind of programs that are available.

Mrs. AXNE. Okay. Basically just through local folks on the ground. Is there any other way that people can get what they need?

Mr. FORDYCE. And partnering with stakeholders. That is another key way that we can communicate those messages out.

Mrs. AXNE. Okay. Is there anything else you think that you could be doing to help with this process?

Mr. FORDYCE. Well, I know we had a couple of calls with you to talk through the ECP and the other programs. You know, as part of the disaster funding, there was a component of on-farm stored grain that is not directly related to ECP, but it was a program that we administered, and I believe Iowa was the largest recipient of that program. Over $3 million went to producers that had grain that was damaged and literally washed away that was, certainly, very meaningful dollars to those producers that lost that grain.

Mrs. AXNE. Well, I appreciate that. I was able to get that statutory language changed to cover that uninsured grain in bin, so we really appreciate your help with that.

Mr. FORDYCE. Thank you.

Mrs. AXNE. We couldn't have made it happen.

I do have some additional questions, but I am running out of time, so I will wait for the second round.

The CHAIR. I now recognize Congresswoman Schrier from Washington, for 5 minutes.

Ms. SCHRIER. Thank you, Madam Chair, and thank you for allowing me to participate in today's Subcommittee hearing. I am not normally part of this Subcommittee.

I wanted to speak about an issue of critical importance in Washington State, and this is the status of the SAFE Program, the State Acres for Wildlife Enhancement.

Sage grouse are currently state listed as threatened, and sharp tail grouse are also state listed, but as endangered. And their popu-

lation estimates in 2019 were only 676, and 834 individuals respectively. Now, most of the habitat that is remaining to support prairie grouse in Washington State is on private land, so these are our farmers. CRP and SAFE in particular is one of the only programs that is available to conserve this habitat at a meaningful scale, and has been successful and probably is keeping these species off the endangered species list.

My question is to you, Administrator Fordyce. Can you speak to the decision to move SAFE acres within CRP general sign-up, rather than on continuous sign-up as has historically been done? And my concern is that by moving it to general sign-up means there is a 10 year maximum contract length instead of 15, lower rental rates, and less allowance for incentive payments. And this makes it less likely that producers, farmers will apply for the SAFE Program, and it puts these species at risk.

Mr. FORDYCE. That is a good question. Moving SAFE to continuous or to the general sign-up, the thought around that was that a lot of the State Acres for Wildlife Enhancement covers are more grass type covers and opportunities for folks that want to participate in SAFE, our general practices have more of an opportunity for larger blocks of land as opposed to more resource concern focused areas.

Moving SAFE to general, the general thought was that this offered literally more opportunities for folks that wanted to engage and participate in SAFE, and also allows for even SAFE practices. SAFE practices can also go in under continuous. SAFE-like practices could go under continuous that would enhance wildlife habitat as well.

Ms. SCHRIER. Can you tell me more about those SAFE-like practices that could be continuous? Because in our state, it turns out that we will exceed the maximum acreage, and so, it is going to put these species at risk. What are the other ways around this?

Mr. FORDYCE. Are you referring to the 25 percent?

Ms. SCHRIER. Yes.

Mr. FORDYCE. I have been communicating a great deal in the last probably 2 weeks, 2½ weeks with the state executive director there about that and what are opportunities for those areas of the state that are going to bump up or go over that 25 percent crop land limit? And so, we have communicated what the process is for them to request a waiver, and that is in progress. As far as I know, we have not received anything at headquarters from them yet, but certainly we have talked about the process for a waiver for them to apply for.

Ms. SCHRIER. That would be phenomenal. They would very much appreciate that, and I would like to stay in touch with you to make sure that I can facilitate that.

Mr. FORDYCE. And I absolutely would offer the opportunity for us to stay in communication on this issue and work with our staff to see kind of what the progress is of that.

Ms. SCHRIER. Okay, thank you.

Also, Madam Chair, I ask unanimous consent to insert a copy of an article from the January 2020 issue of *Wheat Life,* which highlights this change in the implications and the impact on conservation for farmers in Washington State; also a letter sent by our

State Fish and Wildlife Director and the Washington State Conservation Commission Director; and I would like to submit a letter that was sent to me and Congressman Newhouse from the Foster Crate Conservation District.

The CHAIR. So granted. Thank you.

[The documents referred to are located on pp. 31 and 33.]

Ms. SCHRIER. Great, thank you.

Thank you, Administrator Fordyce. I don't believe it was Congress's intent to halt SAFE exemptions when it passed the 2018 bill, and I am happy to hear that there is an opportunity for a waiver that we can pursue. Thank you.

Mr. FORDYCE. Thank you.

The CHAIR. I now recognize Congresswoman Fudge, for 5 minutes.

Ms. FUDGE. Thank you, Madam Chair. Thank you so much for being here.

Chief Lohr, I am sure you are aware that the urban agriculture movement has grown rapidly in northeast Ohio, of course, where I am from. In fact, the City of Cleveland is now recognized as having the second most active successful U.S. urban agriculture movement in the United States. In my area of Cleveland, we have more than 120 seasonal high tunnel homes, which I am sure you are aware.

Mr. LOHR. Yes, ma'am.

Ms. FUDGE. And I want to thank NRCS for programs and services and partnerships like the Federation of Southern Cooperatives, because it does assist us in extending the growing season. And you know, right now it is very cold in Ohio.

But, I will say that I am disappointed that the most recent announcement for Conservation Innovation Grants funding did not include socially-disadvantaged farmers and ranchers, and black farmers in the definition of *historically under-served farmers and ranchers.* Could you tell me why?

Mr. LOHR. I will say first of all, thank you for the efforts you have done and led in your district over the years. You have an amazing number of high tunnels that have been constructed, and certainly serves as a blueprint for other urban areas.

In the past, we did not have a structured process for administering grants to different types of groups, outreach grants. At the urging of the Secretary and the Under Secretary, we wanted to try to make sure we could streamline that process, put a more structured process in place to make it more fair. As part of that, we set $35 million aside that we are going to be administering the opportunity soon, Conservation Collaboration Grants, and $10 million of that is aimed towards historically underserved——

Ms. FUDGE. But how could you be historically under-served if you are not socially-disadvantaged? Please help me.

Mr. LOHR. Well, ma'am, in my opinion, that will certainly be included in that definition of *historically under-served.*

Ms. FUDGE. But it isn't included. The fact is it is not included.

Mr. LOHR. Okay.

Ms. FUDGE. Could you at least take a look at it?

Mr. LOHR. Yes, ma'am.

Ms. FUDGE. I mean, because when you don't include black farmers, I don't know who else you include.

Mr. LOHR. Sure. Well, I can tell you that when I think of historically under-served, I certainly would include African Americans and other minority populations.

Ms. FUDGE. Let me just ask you, how many African Americans do you have in your leadership, either of you? Because I don't see any sitting in this room.

Mr. LOHR. I don't know offhand, but there are several.

Ms. FUDGE. If they are in your leadership, you can just probably count them on your hand right now and tell me.

Mr. LOHR. It depends on definition of *leadership,* but out of a team of 30, we probably have at least ten or twelve, I would say.

Ms. FUDGE. Okay. Could you send it to me?

Mr. LOHR. Sure.

Ms. FUDGE. Thank you.

Mr. LOHR. Thank you.

Ms. FUDGE. It seems to me that the rules or the direction that you are going is really pushing minority farmers and community-based organizations out of conservation programs. I am certainly hopeful that you will take a look at where that is, and my office would be happy to have conversations with you about it. But it is just unfortunate to me that everything that I am seeing out of this particular USDA either hurts poor people or people of color or hungry people, even though your motto says we feed everybody, I don't know who those everybody's are, because I don't see what you do. But I am hopeful that at some point you will recognize the fact that there are many under-served farmers in this country, including in cities like mine. Everybody thinks farming is solely rural. It is not. My children need healthy foods just like everybody else's children do in our schools.

And so, I just would like for you to get back to me with the questions that I have asked you and to at least consider the fact that what you have done has left out an entire group of people that, through the farm bill and everything other thing we have done, we have tried to lift. Now you are pushing them back down.

I yield back.

Mr. LOHR. Yes, ma'am. If I could respond, I would be happy to get you answers to your questions, ma'am, but I will say I can promise you that as Chief of this agency, it is not our intent to limit the opportunity to serve our under-served populations, and through our programs of EQIP, we have an advanced payment option where they can receive 50 percent——

Ms. FUDGE. With all due respect, it probably isn't your intent, but that is, in fact, the effect. Thank you.

Mr. LOHR. Thank you.

The CHAIR. With the first round of questions completed and without objection, we will begin a second round of questions. Members will be recognized for 5 minutes in order of seniority. I now recognize myself for 5 minutes.

Chief Lohr, I understand that CSP had significant unused funding last year, and some of the changes being made to CRP are likely to going to score as saving money, money that should be rein-

vested in CRP. Both of these programs consistently have more producer interest than we have funding to support.

Do you expect to fully spend the CSP carryover money this fiscal year? If so, how, and if not, why?

Mr. LOHR. Yes, ma'am. I will say CSP, one of the major changes from the 2014 Farm Bill to the 2018 Farm Bill is that before it was an acre-based program, and it converted to a dollar-based program. Because of that transition, there were some carryover funds that we ended up ultimately having about $100 million that we had in carryover money. The descriptions in the farm bill actually specify how that money is to be distributed. It actually goes back to the 2014 and 2015 contracts that were based on RCPP. This gets really wonky in the weeds, but the old RCPP was a donor-based program, so there were dollars that were contributed through the various programs. Starting in 2018, going forward, RCPP is a standalone program. But in the previous farm bill, CSP dollars were tied to some of these RCPP projects.

The carryover money that we had from the 2014 Farm Bill will be directed towards funding the CSP through the RCPP programs. Starting in 2018, going forward, since we have a dollar-based program, we will not have an issue with carryover funds anymore. That is part of making the transition. The change in the program will eliminate the carryover situation that we had this past year.

The CHAIR. Specifically, does that mean that we intend to see that money being used?

Mr. LOHR. Absolutely. Yes, ma'am.

The CHAIR. Okay, and just noting my concern is based on the fact that in 2016, CRP general sign-up, in that sign-up, only 22 percent of the acres offered were accepted, and as you well know, if we don't spend this money, we will have less money towards the baseline in the future. And that is our concern that we are depleting this program by not actually allocating those dollars.

Mr. LOHR. I think we are blending programs. I was speaking to CSP, and CRP would be under my counterpart, Mr. Fordyce, here.

The CHAIR. Oh, I am sorry.

Mr. FORDYCE. And I would answer the 22 percent of offers that were accepted in the 2014 Farm Bill, we have had a number of conversations about that with staff, and probably solely due to the fact of how close we were to hitting the acreage ceiling, the cap would be the main reason it was a 22 percent acceptance.

The CHAIR. And do you anticipate that those dollars will be spent as we were discussing on the CSP side with CRP as well?

Mr. FORDYCE. Once the general sign-up deadline is here, we will have all of those offers. They are ranked according to the EBI, and then we will make a determination as to what score we take as far as what is above the line or below the line, and as I had indicated earlier, we do have a lot more room under the cap, and so we will have to wait until the sign-up is over and see what offers we get before I can answer that more closely, I guess.

The CHAIR. Great, thank you. Well, I just can't stress how important it is that producers have access to these vital dollars.

Chief Lohr, our work to improve soil health in Virginia supports the health of the Chesapeake Bay, and NRCS has funded a number of projects related to soil health recently. What else are you doing

in Virginia to support soil health and water quality, and how do you anticipate leveraging the next round of CSP and EQIP to further that work?

Mr. LOHR. Absolutely, and I know we are limited on time, but I will say, first of all, soil health is a top priority. As Chief this year, when I unveiled the top priority, soil health is certainly top of mine, and really, it helps to make sure that we are making sure all of our employees understand the importance of our decisions and the positive impacts they have. Training is a key component of that. We have 27 trainings planned for 2020, both in person and through AG Learn, to make sure that all of our employees understand that soil health is key to every one of the decisions that they make.

One of the cool things of the farm bill was the CIG (Conservation Innovation Grants) On-Farm Trial. As you mentioned, $10 million of that is dedicated towards the research that is done on farms. I am very excited to see the success of what these projects will propose, and how we can take that data, gear it towards specific localities, and make sure that we can incorporate those practices, help us update our conservation practices, and make sure that we are being as current as we can.

And very briefly—well, we are out of time, but there is more I can say, as you know, but we are limited on time.

The CHAIR. Thank you so very much. Soil health is a tremendously important issue for so many of us here on this Committee.

I now recognize my colleague from South Dakota, for 5 minutes.

Mr. JOHNSON. Thank you, Madam Chair.

Last week, the Trump Administration released the final WOTUS rule, which will do a great deal to provide more regulatory certainty for landowners. It won't be any surprise to you, gentlemen, that this Committee and its Members get a lot of contacts from producers who are concerned about wetlands compliance violations. And of course, as you know, those violations can keep people from accessing programs in the future, and sometimes even requires a payback of past assistance provided.

To what extent does USDA provide good guidance to producers who are trying to navigate the ambiguity surrounding *Waters of the U.S.?*

Mr. LOHR. Well, I will say certainly as I have been chief the last year, being able to look at these wetlands compliance issues has been, again, a top priority because in the past, we have maybe had a culture that we were more enforcers instead of informers. And so, my goal has been how can we work with producers, treat them fairly, and address these needs?

But, it all comes down to making sure that our staff are properly trained, and we are communicating that message to work hand-in-hand with our customers. We have implemented several changes, going forward, working with our state conservationists, making sure that we have trainings. We have a dedicated staff in many states where they do a lot of determinations where that is all they do, focusing on wetland determinations. We are in the process of creating a national review cadre that before we would actually administer a ruling of a converted wetland, that this review team will look at over all of the documentation and paperwork to make sure

we have everything correct before issuing that conversion, because we want to make sure we got it right the first time.

And so, really it comes down to being able to have open communication, making sure that our staff is trained, and making sure that we are doing everything we can to treat the farmer fairly, making changes to the NAD (National Appeals Division) process. There have been cases in the past 10 years where farmers—where they would win an appeal and then there would be another appeal and another appeal that we would keep coming back several times. Basically after a second adverse determination, if the producer prevails, then we are going to back away.

I certainly understand that wetland compliance is a very sensitive issue. Our job is to make sure that we are making these determinations in a very fair way. Our staff, they are making proper determinations, and that we are being able to convey that fairly to the producer. Rest assured we will continue making progress in that area.

Mr. JOHNSON. And I apologize to go way back in history, but you know, if memory serves, the 1996 Farm Bill provided for USDA to grant a certain number of—I think they were called limited effect exemptions——

Mr. LOHR. Minimal effect, yes, sir.

Mr. JOHNSON. Yes, minimal effect. And so, to my knowledge, I don't think that rule was ever promulgated. Is that right?

Mr. LOHR. That is correct, sir. When we look at minimal effects, we have actually made some progress to make those determinations, but you are right. That rule was never promulgated.

I will say that we are definitely looking at making that happen this year. When I came on board as Chief back a year ago, we were in the process of updating our interim rule for wetlands compliance and highly erodible land determinations. But the process had already passed as far as being able to make changes to that. That interim rule was released last—gosh, it has been many months ago now, and then we are in the process of posting a final rule. But to try to make a change to that interim rule would require public hearings, and we just can't do it. But we are committed as an agency to looking at being able to pick up the pieces again and try to go forward to rewrite the rules on this to make sure that we can have a chance to actually put that into regulation.

Mr. JOHNSON. Well, I would just, by way of closing, Madam Chair, I thank this department, these agencies, the Administration at large. I mean, clearly we all care about the environment, we care about conservation. We want to make sure that there is substantial and material compliance with the goals and the mission and the objectives of these great programs.

I want to thank you all for really trying to focus on compliance through education and through information, and not focusing quite so much on trying to catch people. I mean, ultimately we are going to get a better environment and we are going to get better conservation practices long-term with the approach you are taking, both through rule and practice.

Thank you.

Mr. LOHR. Thank you very much. I appreciate that.

The CHAIR. I now recognize my colleague from Iowa for an additional 5 minutes.

Mrs. AXNE. Thank you, Madam Chair.

I just want to touch base again about now incentivizing conservation practices. I am pleased to hear that there are some carryover funds, and I am hoping we can get all of those out the door.

I have heard from too many farmers in my district who absolutely want to participate in certain practices like cover crops, but they feel it is too expensive for them to get into. They don't have the support they need to afford it, especially when our overall farm economy is really suffering, and I am sure you are fully aware that Iowa has the greatest farm debt right now. We want folks to get into these practices, but they have a lot of debt. They don't know how they are going to be able to afford it.

What sense do you have of the impact of these increased incentive payments for CSP? Do you think that they will really have an impact on application enrollment?

Mr. LOHR. Incentive payments for EQIP? I am sorry.

Mrs. AXNE. Yes, for CSP. Yes, for EQIP, absolutely.

Mr. LOHR. Okay.

Mrs. AXNE. I mean, I want to know what we can do to get more folks into these programs that they think they can't afford them.

Mr. LOHR. Absolutely. I think you are exactly right. There are lots of things we can do, but certainly the enhanced payments will help. Certainly, for a cover crop, being able to pay 150 percent where we were paying 100 percent, to pay these enhanced payment rates will certainly help.

But, the best thing that we can do really is to continue to tell the story and have farmers share their successes. Farmers listen to farmers, and I have seen so many times across the Midwest where farmers will come and speak at certain events and share the successes they have had and how it has such a positive impact, not only on the environment, but on the bottom line. Definitely, we continue that outreach, continue having farmers tell their story, and at the same time, everything that we can do to help provide cost-share money to producers to make sure they can take advantage of that.

Within our interim farm bill rules that were released with EQIP, states can select a targeted resource area, those areas that affect the biggest environmental threat that they determine, and within that, they can take certain practices and put an incentive payment on that as well. If a certain area within the Chesapeake Bay watershed has been deemed that it is a priority area, they can pay more for some of these practices. We also have what are called EQIP incentive contracts, which are brand new, which are like CSP where farmers can actually be paid to actually experiment, if you will, and actually target some specific resource concerns that they have on a particular area without it being on the entire farm, like traditional CSP works. They are longer contracts than typical EQIP, up to 10 years, and they will be paid both on the improvement practice as well as the existing conservation efforts that they do.

Part of our goal in creating these rules is to streamline the process, but also give more flexibility to states and give more flexibility

to producers to be able to take advantage of the programs we have to meet those resource concerns.

Mrs. AXNE. I appreciate that.

Is there anything else that you think that Congress can be doing to incentivize the use of these programs? What are we missing out on?

Mr. LOHR. Well, it all starts with money, you know. For example, with EQIP, we only are able to approve about 25 percent of all our applicants, so it is $2 billion a year, but there is a greater demand, and so we do the best to deliver the program dollars that are allocated to us through Congress. But certainly, the more opportunities we have with funding, we would be able to help more farmers put that conservation on the ground. I know we are not before the Appropriations Committee, but certainly dollars certainly drive action in many cases.

Mrs. AXNE. Okay. Am I hearing you correctly? We have excess revenue in some areas because we have a carryover, but we have other areas we are not able to fulfill the requests by as many people who would like it? Is there an option for us to be able to move some of these funds?

Mr. LOHR. Well, for example, the carryover funds that we had in CSP, it is actually dictated in the law where that money needs to go. As we shift it to the new dollar-based program, we are not going to have those carryover funds.

Now, rest assured those funds are still being delivered and administered to help producers. It is just limited to the uses that it can go to and the programs that it can fund. But the dollars are still being put on the ground.

Mrs. AXNE. Yes. Okay, all right. Well, if there are any other ways that you can think of, I will continue to push Congress to put more funding overall in the next farm bill, but let us know. We would love to hear it.

Mr. LOHR. Thank you very much.

Mrs. AXNE. I would let you know that a couple of my farmers who I spoke with since we have had this trade war have said that the conservation practices have been very helpful with their bottom line during this downturn with the economy. I didn't ask them did it save you, because that is not the case, but it has absolutely been a key player in helping them weather this downturn.

Mr. LOHR. Thank you very much.

The CHAIR. With the second round of questions completed and without objection, I will do a brief third round, primarily because we were having such a good conversation related to soil health, and I would like to begin by recognizing myself for 5 minutes and allow Chief Lohr to continue his statements that he was making related to my question that had been about soil health, what we have seen in the Chesapeake Bay, and I would like to give you a couple minutes to finish wrapping that up. And Administrator Fordyce, if you would like to add anything, I invite you to do so as well.

Mr. LOHR. Sure, thank you.

What I was going to explain was how the states are now being able to set their own priority areas, and within those areas, they can put incentive payments on certain practices, up to ten practices. I really think that is going to be very beneficial. Again, we

are a locally-led agency, but every state is different. Every state has different resource concerns. This will allow our states, through working with their state technical committees and their conservation districts, to see what needs that they have for that particular state and area. And as I was explaining as well with these incentive contracts, being able to give more flexibility to producers to be able to address soil health issues and concerns that they have. They are CSP-like contracts, but it does not have to cover the entire farming operation. They can be very prescriptive and specific over where they would like these practices to go, plus it gives them the flexibility. Maybe a farmer with cover crops wants to experiment planting cover crops, or a certain mix on this particular land, and then the next year try over here so they can compare the difference. It is not so prescriptive as some of the other contracts have to be.

Just know that we believe strongly with soil health, and we will continue making that a priority, emphasizing that across our agency with our employees, the training that we do. And we have a soil health division within NRCS made up of experts around the country. In the past, they have primarily focused on external partners and producers and being able to go to various shows or workshops and present externally, but they are a great resource of information. I am going to try to steer them back a little more internally as well, and have them do more training for our staff and employees to make sure that we feel like that our staff has the training that they need to be able to help our producers understand the importance of what soil health can mean to their operation.

The CHAIR. Thank you.

Administrator Fordyce?

Mr. FORDYCE. Well, I feel like I need to say something. I think the Chief probably needs to take a drink.

We are very anxious to roll out the pilot, the Soil Health Income Protection Pilot. We are very anxious to see what the results of that will be. Just very briefly, I think the intent of Congress was to roll out a pilot program that you could take lower producing soils, put a cover on them, and shorter contract periods, so 3 to 5 years, and at the end of that, determine if you have improved soil health. Certainly, the Chief has touched on it, and NRCS works in this space every day.

But when we talk to farmers, when I travel the country and talk to farmers about what is important to them, certainly the economics of the ag sector right now is top of mind. But certainly, how can we proactively improve soil health, and once we drive more adoption of soil health practices that improve that soil health and that soil structure, that profitability kind of follows. But it is almost—we have talked about incentives. We have talked about other things. It is almost a chicken or the egg kind of approach because we know—I mean, my farm personally, we have been doing cover crops and investing in soil health, different types of technologies for 7 or 8 years, and we are seeing the results of that.

And so, it is incredibly important that we continue to drive, incentivize, and promote soil health, not only as being the right thing to do, but also drives some economic benefits as well.

I would like to just—one half of a minute, just—we talked about being able to get dollars out the door and will we be able to spend the money in CRP, and I will just remind everyone that CRP has an acreage cap, not a dollar cap, so depending on what—once the offers come in and we set that bar, that will kind of drive what our investment is in CRP, as opposed to having a dollar cap that limits us.

The CHAIR. Thank you very much, Administrator Fordyce, and I am excited about this pilot program. This Subcommittee has held hearings related to soil health, and we have heard the chicken or the egg story from so many producers where they try it on one field and kind of tiptoe their way into the use of cover crops and other technologies.

This is pretty exciting and I look forward to hearing about the success of this pilot.

I now recognize my colleague from South Dakota, for 5 minutes.

Mr. JOHNSON. Thank you, Madam Chair. I thought I was done, but then the discussion we are having prompted another question in my mind.

I mean, clearly very important, I mean, the conservation incentive payments, there is a lot of interest on the field. You mentioned talking to producers, Mr. Administrator. Some of them want to know how they can provide input. I mean, what is the best way—I mean, what should I tell them? I mean, if they want some input into what practices should be accepted, what guidance should I provide to them?

Mr. FORDYCE. Again, we have a network of 2,124 county offices, 51 state offices, and our state executive directors are incredibly engaged on a lot of different issues from engaging in your part of the world with the late or the early fall storms and how we were engaging on services that we would provide. State Executive Directors in South Dakota, North Dakota, Minnesota, kind of that area were heavily engaged in conversations about how can we interact. And this happens literally across the country, and a lot of times, those state executive directors are engaged with longstanding issues that have existed for a long time, or things that have just presented themselves that are driven either by weather or certain things.

But, certainly, great assets across the country in those state executive directors.

Mr. JOHNSON. I mean, I could tell them to just go to their local FSA office and they probably assume that, but are there any kind of working groups at a state-by-state level that are being formed that maybe they could volunteer for?

Mr. FORDYCE. A state technical committee is more probably overseen by NRCS, but certainly a great opportunity from presenting ideas or concepts about how to participate in different types of conservation programs.

Mr. JOHNSON. But there is new mechanism being created specifically for the CIG?

Mr. LOHR. I can't speak for FSA, but on the NRCS side, we work very closely with our local conservation districts. Certainly, we encourage involvement in that. We have local working groups that meet to determine what the local needs are, and that all filters up

to our state technical committee, as the Administrator mentioned, that is made up of all kinds of partners, from FSA to producers to Farm Bureaus and all of those groups that all come together. The state technical committees are led by our state conservationists. They meet quarterly, and they help shape and guide the direction of the states. They are a very important part of that locally-led process. Certainly, with the producers you visit, ask them to visit with their local NRCS/FSA office, ask about their local work groups, and that is what makes the process work.

Mr. JOHNSON. Perfect, and the technical committee would, ultimately, it might be a good venue for them to engage as well.

I mean, are there any efforts being taken to make sure producers understand that their voices are desired in this process?

Mr. LOHR. Absolutely. We, as the Administrator said, at NRCS, we have public affairs specialists in every state that work very actively with all of their district offices through social media, through communication. It is a big part we always stress. Whenever I speak to groups, I stress the effects that every person has with their voice. We need them involved in telling the story, especially our soil health champions. I mean, farmers listen to farmers, so if we can get those folks willing to step up, take the microphone and tell their story, that impacts farmers more than someone working for the government.

But, you are exactly right, being able to let people know what options are out there and help them be able to see what can work on their farm.

Mr. JOHNSON. Well thank you, and you know, please continue with that outreach. As you all know better than I do, there is almost no substitute for engagement to increase compliance and excitement and morale in the country, in the field, about these programs. People will forgive you for the product, but man, they never forgive you for the process. As you continue moving forward, just engage the country as much as you can.

Thank you.

Mr. LOHR. Thank you.

The CHAIR. Thank you very much. Thank you again to our witnesses for being here today. Thank you for joining us. We have heard a lot of great themes related to engagement, engaging directly with the farmers and producers on the ground, ensuring there is ample staff to be able to do that. And I appreciate the update that you have given us on the programs and where they are and where they are going.

As we talk about conservation and on the ground programs and their impact on everything from climate to the overall impact of productivity, we do navigate a lot of preconceived notions about what works and what doesn't, and the one thing that I like most about this Committee is that we do focus on what works, and we hear from you all about the programs that are working and what they mean to the farmers and producers across this country.

The farm bill is full of conservation programs that farmers and land owners can use to achieve their clean air, soil, and water goals, and to optimize the productivity of their land, and they use these programs because they work and because they are based in science, and because they are practical. And that doesn't mean

there isn't room for us to do better, to scale up and to make changes, but we have to first think about what farmers on the ground will implement, and if a program is not put in place well or isn't well communicated, it faces challenges.

And so, in the interest of always working towards achieving these goals, I appreciate your attendance here today and your willingness to talk about how we are communicating some of these great programs out to the farmers and producers who use them. We can and we should aggressively pursue cleaner water, cleaner air, cleaner soils, and a more stable climate, and we have these good voluntary programs that do just that. They benefit soil health. They benefit overall output, and overall profitability for our farmers and producers across the country. And we start by looking exactly at what the great work that farmers are doing through these conservation programs in the farm bill, and I appreciate your time here today. Thank you for participating in this hearing, and it is always good to see you all. We hope to have you back in the coming months.

Under the Rules of the Committee, the record of today's hearing will remain open for 10 calendar days to receive additional material and supplementary written responses from the witnesses to any question posed by a Member.

This hearing of the Subcommittee on Conservation and Forestry is adjourned.

[Whereupon, at 11:22 a.m., the Subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

SUBMITTED ARTICLE BY HON. KIM SCHRIER, A REPRESENTATIVE IN CONGRESS FROM WASHINGTON

WHEAT LIFE
The Official Publication of the Washington Association of Wheat Growers

WHEAT LIFE
https://wheatlife.org/p_0120_CRP.html

FSA opens CRP general signup

Rule changes mean lower rental rates, no sig[n]up for Douglas County
January 2020
By TRISTA CROSSLEY

After several years of 1 year extensions and months of anticipation, the first Conservation Reserve Program (CRP) general sign-up under the 2018 Farm Bill—and the first general sign-up since 2015—has finally arrived.

According to Farm Service Agency (FSA) records, there are nearly 190,000 acres expiring in Washington in 2019, with another 195,000 expiring next year. Rod Hamilton, farm programs chief for the Farm Service Agency's Washington state office, said this is expected to be one of the bigger sign-ups in state history.

The general sign-up began Dec. 9, 2019, and will run through Feb. 28, 2020. Under the 2018 Farm Bill, the acreage cap was raised from 24 million acres to 27 million acres. For most Eastern Washington farmers, the most significant change they will see in this general sign-up is a reduction in rental rates, Hamilton said. To help pay for the increased acreage cap without negatively impacting other conservation programs, the U.S. Department of Agriculture (USDA) reduced rental rates to 85 percent of a county's average rate for the general sign-up. Rates for continuous sign-up were reduced to 90 percent of the county's average. How much of an impact those reduced rental rates will have on Eastern Washington farmers remains to be seen, as Hamilton said they'll have to wait until the offers are processed.

"The other thing that folks would be interested in is SAFE (State Acres for Wildlife Enhancement) acres used to be under continuous sign-up, so if they were in a SAFE area, their land was (automatically) eligible. But now, they will have to meet normal general CRP sign-up requirements and compete just like everybody else," he said.

Under the 2018 Farm Bill, many SAFE acres are no longer exempt from counting towards a county's CRP acreage limit, which is 25 percent of a county's total cropland that is eligible for CRP. In Douglas County, which has slightly more than 187,500 acres in CRP, 63,000 acres of which are in SAFE, their county acreage cap is 143,700 acres, meaning they are roughly 43,800 acres over their cap. According to Hamilton, that means farmers in Douglas County will not be able to participate in this general sign-up. To change how SAFE acres are classified would require Congressional action, and he said that there are folks in Congress who are looking at this.

Michel Ruud, FSA's Douglas County Executive Director, said they've made the Natural Resources Conservation Service (NRCS) aware of the situation. She added that NRCS is equally concerned and is exploring options that might temporarily help producers with expiring contracts. Under current rules, Douglas County won't have a CRP general sign-up until 2022.

While there are other counties throughout the U.S. with the same problem, Douglas County is the only county in Washington state in this predicament. There seems to be a broader trend within this farm bill's CRP rules to move more towards water quality initiatives, something that is seen in a new initiative, the Clean Lakes, Estuaries, and Rivers (CLEAR) initiative. That move is not necessarily in the best interests of parts of Eastern Washington.

"Congress clearly said water quality is an emphasis (in this farm bill). If you are going to have water quality issues, then you have to have water," Hamilton said. "Water is more abundant back east than here in the West. Although we clearly have water quality issues, we also have land miles from any water source."

For the most part, Hamilton said CLEAR is in some degree a new name for water quality practices they've had in the past. One of the big differences is that expiring contracts that are eligible for CLEAR will have the opportunity to re-enroll under a 30 year contract.

"I think we will see, when the handbook comes out, that a riparian buffer is still a riparian buffer, but now it will be considered a CLEAR practice," he explained, adding that the rules are still being ironed out.

Another thing that could impact some wheat growers are changes to the haying and grazing provisions in CRP. Hamilton said while the rules for haying and grazing are "convoluted," there may be more opportunities for grazing CRP as a midcontract management practice with no payment penalty. Under previous rules, if a producer used grazing as a midcontract management practice to help stimulate the plant stand, there was a 25 percent loss of income (except under certain emergency conditions).

"The question becomes, how often will we let people do midcontract management?" Hamilton said. "One of the challenges with the new grazing opportunities provision says whatever we allow, we can't allow grazing that will cause long-term damage to the stand." FSA will be working with producers and NRCS to figure out how much grazing will be allowed.

Hamilton said no changes were made to the state's conservation priority areas (CPA), but he is hopeful that there will be a potential opportunity for revision in 2020 for 2021. In order for land to be eligible for a CRP general sign-up, it either has to be in a CPA, have a calculated erodibility index of 8 or higher or be in a CRP contract expiring that year. In 2015, in order to meet Federal acreage cap requirements, Washington State had to trim the amount of cropland that was in CPAs by more than 600,000 acres, leaving some farmers with less opportunity to enroll during a general sign-up.

Some of the other changes to CRP, as outlined in FSA's press release, include:

- **Grasslands Sign-ups.** CRP Grasslands sign-up helps landowners and operators protect grassland, including rangeland, and pastureland and certain other lands while maintaining the areas as grazing lands. A separate CRP Grasslands sign-up will be offered each year following the general sign-up. The sign-up period for CRP Grasslands in 2020 runs from March 16, 2020, to May 15, 2020.
- **Land Transition.** The CRP Transition Incentives Program (TIP) is an option for producers interested in transitioning land to a beginning farmer or rancher or a member of a socially-disadvantaged group to return land to production for sustainable grazing or crop production. CRP contract holders no longer need to be a retired or retiring owner or operator to transition their land. TIP participants may have a lease less than 5 years with an option to purchase, and they have 2 years before the end of the CRP contract to make conservation and land improvements.
- **Previously Expired Land.** Land enrolled in CRP under a 15 year contract that expired in September 2017, 2018, or 2019, may be eligible for enrollment

if there was no opportunity for re-enrollment and the practice under the expired contract has been maintained.

Despite such a large number of acres expiring, Hamilton said he wasn't concerned about hitting the CRP cap, because everything that is expiring is already under the cap. Currently, in the U.S., there are approximately 22.3 million acres in CRP, and the cap for the 2020 sign-up is 24.5 million acres (each year of the 2018 Farm Bill, the cap will increase incrementally until it hits the overall cap of 27 million acres).

Hamilton urged farmers who are interested in submitting a CRP application to contact their local FSA office sooner, rather than later. He expects local offices to be extremely busy with a number of other deadlines during the first few months of the year, including acreage reporting and Agriculture Risk Coverage and Price Loss Coverage program sign-ups.

SUBMITTED LETTERS BY HON. KIM SCHRIER, A REPRESENTATIVE IN CONGRESS FROM WASHINGTON

LETTER 1

November 26, 2019

Hon. SONNY PERDUE,
Secretary,
U.S. Department of Agriculture,
Washington, D.C.

RE: Support for State Acres for Wildlife Enhancement (SAFE) CRP initiative

Dear Secretary Perdue:

We are writing to express strong support from the Washington Department of Fish and Wildlife (WDFW) and the Washington State Conservation Commission (WSCC) for the State Acres for Wildlife Enhancement (SAFE) initiative under the Conservation Reserve Program (CRP). CRP's purpose is conservation of soil, water, and *wildlife resources.* SAFE addresses state and regional high-priority wildlife objectives by providing habitat for rare and declining species and species of social or economic importance. SAFE also provides an additional incentive for landowners to provide important wildlife habitat while receiving payments that help keep the farmer in business. We appreciate your consideration of the critical role that SAFE plays in the conservation of wildlife species while maintaining viable agriculture production in Washington State.

Washington has five SAFE programs, primarily focused on developing shrub-steppe habitat in the Columbia Basin. The Columbia Basin is a major agricultural hub with prime soils and irrigation provided through the Columbia Basin Project. Historically people viewed shrub-steppe habitat as having little value, leading to conversion of over 50 percent of the state's shrub-steppe wildlife habitat to other uses, primarily agriculture. This conversion has fragmented habitat and created isolated populations of several shrub-steppe-dependent species including greater sage-grouse and sharp-tailed grouse. Abundant at the outset of human settlement, both grouse populations have been in decline for decades. Sage-grouse are currently state-listed as threatened, and sharp-tailed grouse are state-listed as endangered; their population estimates in 2019 were only 676 and 834 individuals, respectively. Most of the habitat remaining to support prairie grouse and other shrub-steppe dependent wildlife is on private lands. CRP, SAFE in particular, is one of the only programs available to conserve this habitat at a meaningful scale. WDFW has years of research documenting the importance of CRP as habitat for both non-game and game species alike.

Since it started in 2008, SAFE has been a component of continuous CRP (CCRP). The continuous sign-up approach and partnership between U.S. Department of Agriculture (USDA) and WDFW has allowed for targeting wildlife conservation benefits where they are most needed. For example, the Sage and Sharp-tailed Grouse SAFE, the largest SAFE program in Washington, is located in Douglas County, the core area for the remaining populations of these two species. Farmers have partnered in conserving grouse habitat by enrolling nearly 73,000 acres in the program. CCRP offers additional financial incentives including Signing Incentive Payments (SIPs) and Practice Incentive Payments (PIPs) that general CRP does not offer.

The Washington SAFE programs require a diverse seed mix of mostly native species to provide maximum habitat benefits to the focal wildlife species. These seed mixes have higher costs than low diversity introduced species seed mixes, but they

provide much higher wildlife habitat value. The majority of the Washington SAFE programs are located in arid landscapes that make it a challenge to establish CRP cover. These projects often take years to establish and can require significant work from farmers controlling weeds to ensure success. The additional incentives from SIPs and PIPs are important to farmers; WDFW and WSCC support providing incentive payments to farmers who invest the time and resources needed to establish successful SAFE projects.

Washington Department of Fish and Wildlife and the State Conservation Commission value the voluntary and incentive-based approach of farm bill conservation programs. WDFW and the WSCC have partnered for years with the Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS) to provide technical assistance to farmers enrolled in farm bill programs including CRP. WDFW Private Lands Biologists provide technical assistance to farmers enrolled in SAFE. SAFE has been a popular program in Washington; during some of the early sign-ups farmers camped outside of county USDA Service Centers to ensure they could sign-up while acres were available. Through October 2017, farmers enrolled over 112,000 acres in SAFE, representing just under ten percent of the 1.19 million acres of CRP in Washington. WDFW sincerely appreciates USDA for its investment in wildlife conservation through SAFE. However, despite popularity and demonstrated success, FSA has not offered an opportunity for farmers to enroll in SAFE since October 2017. The state has 17,297 allocated but unenrolled acres for these programs that could provide important wildlife habitat. WDFW biologists have been fielding questions from farmers interested in enrolling in SAFE for over 2 years but have had to direct farmers to other opportunities—most of which do not provide wildlife conservation benefits or financial incentives comparable to SAFE. The 2+ year freeze on SAFE enrollment has resulted in lost opportunities for both wildlife conservation and farmers.

SAFE is a critical tool for conserving wildlife habitat for multiple state-listed and declining species in Washington. It is imperative that USDA reopen the program for enrollment under the current CCRP structure and provide sufficient financial incentives to compensate farmers who enroll in SAFE. In the interest of furthering wildlife conservation through SAFE and other CRP wildlife practices and offering voluntary incentive-based conservation options to farmers, WDFW and the WSCC request the following:

- USDA prioritize enrollment and implementation of SAFE and other wildlife practices—including Habitat Borders for Upland Birds (CP33) and Pollinator Habitat (CP42) through future CCRP sign-ups;
- USDA offer SIPS and PIPs for SAFE and other CCRP practices as authorized in the Agriculture Improvement Act of 2018 (2018 Farm Bill);
- USDA offer 50 percent cost share of seed costs for SAFE and other CCRP practices as authorized in the 2018 Farm Bill; and
- To the maximum extent practicable, USDA maintain at least the minimum CCRP enrollment levels directed in the 2018 Farm Bill (8 to 8.6 million acres through 2023) including wildlife practices as well as the water quality practices that have been the focus of CCRP sign-ups under the new farm bill thus far.

We appreciate your consideration of these requests. WDFW and the WSCC value our partnerships with farmers and USDA to provide quality wildlife habitat through SAFE and other CRP wildlife practices and we want to continue these efforts in the future. We look forward to working with you and your staff to continue the success of CRP in conserving soil, water, and *wildlife resources.*

Sincerely,

KELLY SUSEWIND,
Director, Washington Department of Fish and Wildlife

Dr. CAROL SMITH
Executive Director, Washington State Conservation Commission

CC:

The Honorable JAY INSLEE, *Governor* of Washington State
The Honorable PATTY MURRAY

The Honorable MARIA CANTWELL
The Honorable SUZAN K. DELBENE
The Honorable RICK LARSEN
The Honorable DENNY HECK
The Honorable CATHY MCMORRIS RODGERS
The Honorable JAIME HERRERA BEUTLER
The Honorable DAN NEWHOUSE
The Honorable PRAMILA JAYAPAL
The Honorable KIM SCHRIER
The Honorable DEREK KILMER
The Honorable ADAM SMITH
CASEY KATIMS, *Executive Director,* Governor Inslee's D.C. Office

LETTER 2

December 20, 2019

Congresswoman KIM SCHRIER,
1123 Longworth HOB,
Washington, D.C.

Dear Congresswoman Schrier,

The Foster Creek Conservation District Board of Supervisors and staff are extremely concerned that, over the next few years, because of the new farm bill rules Douglas County, in central Washington, stands to lose up to 50,000 acres currently in the Conservation Reserve Program (CRP). The problem has come about because areas enrolled in the associated State Acres for Wildlife Enhancement (SAFE) program and previously exempt from the CRP County Cap are no longer eligible for a waiver. SAFE acres were considered continuous CRP, the same as acres in the Conservation Reserve Enhancement Program (CREP), and were not subject to a county cap. In the new farm bill, however, SAFE was not included in the exemption.

The Foster Creek Conservation District works closely with agricultural producers farming in a region with a unique landscape of high elevation, low rainfall shrub-step habitat, bordered on three sides by the Columbia River. The SAFE acres with CRP in Douglas County provide critical habitat for four species of interest: the Columbia basin pygmy rabbit, the Greater sage grouse, Washington ground squirrel, and the Columbia sharp-tail grouse.

Douglas County currently has approximately 191,000 acres in CRP/SAFE. It has taken years to properly establish these acres, and have required considerable maintenance and weed control efforts by participating farmers. The program has remained very popular with the landowners and has proven to be successful for the wildlife targeted. The local sage grouse population is the only one in western United States that is increasing in numbers. The pygmy rabbits that were nearly extinct are being re-introduced from captive breeding colonies into the county. Recently, it was discovered they were also breeding successfully outside of these controlled areas. The Douglas County Voluntary Stewardship Program (VSP) is based on these lands continuing to provide habitat, by protecting and enhancing critical areas "within the area where agricultural activities are conducted". These acres are also necessary for producers to have the ability to enroll in the District's Habitat Conservation Plan (HCP), and receive U.S. Fish and Wildlife's Safe Harbor Agreement protections in order to continue their farming operation.

We urge you to help fix the rule in the new farm bill, amending it to allow SAFE acres to be considered continuous CRP and exempt from the county cap. Over the last decade, the government has made a significant investment in our county to create critical habitat for threatened species while providing agricultural producers with risk management tools such as Safe Harbor. Let's not squander this effort of money and time. We ask you to help us find an exemption for SAFE acres in Douglas County.

Sincerely,

JOHN MCLEAN,
Foster Creek Board chair,

on behalf of the Foster Creek Conservation District Board and staff.

SUBMITTED QUESTIONS

Response from Hon. Matthew J. Lohr, Chief, Natural Resources Conservation Service, U.S. Department of Agriculture

Questions Submitted by Hon. Abigail Davis Spanberger, a Representative in Congress from Virginia

Question 1. Chief Lohr, can you provide a figure for the number of outreach and town hall meetings field staff have conducted? At the national level, how are you informing producers of the various state level sign up timelines, in addition to their county and state email lists?

Answer. Although we do not keep count of each meeting conducted at the state and field levels, we can advise that State Conservationists are required to post program signup information in the state and local media 30 days prior to signup. Public announcements are made at State Technical Committee meetings and information is also distributed to local community-based organizations. At the national level, through our Outreach and Partnerships Division, we distribute, via email, program signup information to over 60 different community-based organizations who then distribute to their respective customer segments.

Question 2. Chief Lohr, you mentioned NRCS's student intern program, the Pathways Program, during the hearing. Can you elaborate on how that program works? How many interns do you typically have in the program each year? How many interns end up working 640 hours, enough to be automatically converted into a full-time employee?

Answer. The Internship Program is one of three components of the overall Pathways Program (interns, Recent College Graduates, and the Presidential Management Fellows Program). The Pathways Programs are limited in nature, intended to provide agencies a supplemental authority to use as part of an overall workforce planning strategy. The Pathways Programs are intended to be more than simple excepted service hiring authorities; they are intended to fulfill a need for developmental programs that will inspire interest in more permanent Federal service. The purpose of the program is to foster a positive experience for participants that will help prepare them for successful careers in government—either immediately or at some future date.

The Internship program is designed to provide students enrolled in a wide variety of educational institutions, from high school to graduate level, with opportunities to work in Federal agencies and explore Federal careers while still in school and while getting paid for the work performed. Students who successfully complete the program may be eligible for conversion to a permanent job in the civil service.

Interns generally work over the course of two to three summers and are in a leave without pay status during the school sessions, at times they can work throughout the school year on a part-time basis if school schedule and location is conducive. To be eligible for conversion, interns must: Complete at least 640 hours of work experience acquired through the Internship Program; Complete their degree or certificate requirements; Meet the qualification standards for the position to which the Intern will be converted; Meet agency-specific requirements as specified in the Participant's Agreement, and Perform their job successfully.

Since 2013 NRCS has hired just over 1,900 interns, an average of nearly 317 new hires per year. Currently NRCS has 416 active interns and is projecting nearly 300 to 400 additional interns from recent recruitment initiatives. Approximately 200 of the current Interns will be completing the program and may be eligible for conversion to permanent appointments during Fiscal Year 2021.

At this time, we do not have the data to say exactly how many interns meet the 640-hour requirement, however from fiscal years 2013–2019 the average number of conversions of those entered into the program has been 51 percent. We are projecting 60 intern conversions from December 2020 graduates and approximately 125 are eligible for conversion after spring graduations.

Question 3. Voluntary conservation programs authorized by the farm bill provide financial and technical assistance for practices that have co-benefits, including increasing soil carbon. Please explain how each of the conservation programs administered by your agency supports greenhouse gas reduction and carbon storage practices? How is NRCS evaluating the effectiveness of these practices to help farmers and ranchers mitigate and adapt to climate change?

Answer. NRCS administers many farm bill programs with the most prominent being the Environmental Quality Incentives Program, Conservation Stewardship Program, Agriculture Conservation Easement Program-Wetland Reserve Easements, and the Regional Conservationist Partnership Program. The common thread running through these programs is the site-application of conservation practice stand-

ards to address a producer's resource concerns. Many of the 170 individual conservation practices offered have the potential to reduce greenhouse gas and increase carbon storage. Please recognize it is difficult to specifically measure either greenhouse gas reductions or carbon storage increases because of the specificity of the farming conditions (soil type, rain fall, growing days, length of practice establishment, *etc.*).

NRCS models the effectiveness of practices through the Conservation Effects Assessment Project (CEAP). Utilizing statistical modeling the CEAP team can calculate at a large scale (river basin) how conservation practices from farm bill programs are affecting carbon storage and greenhouse gas emissions. These reports are used by USDA to inform our conservation planning efforts.

NRCS has a tool to estimate greenhouse gas emissions on farms, COMET-Farm. The estimates produced are calculated at the field or farm operation level and attempt to model farming activities. The tool is not used to document greenhouse gas levels at the farm bill program level as multiple programs may be used on a farm operation. The tool can be used at the field level by our local planners to go over specific results and aid in the tailoring of conservation practices for farmers and ranchers to mitigate and adapt to the local environment.

NRCS is confident that farm bill programs are having positive co-benefits by reducing greenhouse gas emissions and increasing soil carbon. An example would be programs that install cover-crops and no-till practices.

Question 4. CSP sign-ups are continuous and ongoing. Based on the FY 2019 sign-up, please provide an update of interest in the program. How has interest in the FY 2019 sign-up compared to previous years' sign-ups?

Answer. Interest in CSP remained consistent in FY 2019 when compared to FY 2018 and lower than FY 2014 through FY 2017. The largest difference appears in the number of contracts obligated due to changes introduced by 2018 Farm Bill, including the introduction of the Grasslands Conservation Initiative, and the conversion from an acres-based to a cash-based funding cap.

Fiscal Year	Applications Received	Contracts Obligated
2019*	22,464	5,692
2018	22,530	10,596
2017	26,577	12,317
2016	30,404	12,336
2015	28,827	17,174

*In addition to the numbers reflected in the table, CSP-Grasslands received 12,348 applications and 9,507 contracts obligated

Question 5. Overall, what assistance and resources has NRCS made available to landowners to improve soil health? How have the resources been utilized and what additional authorities, if any, are needed to further additional soil conservation across the country?

Answer. Soil health is one of NRCS' top priorities for 2020. Each state is developing a strategy to increase delivery of soil health assistance to farmers. NRCS programs, such as the Environmental Quality Incentives Program (EQIP) and Conservation Stewardship Program, provide technical and financial assistance. A new Soil Health Management Conservation Activity Plan and Soil Testing activity through EQIP expands opportunities for assistance to producers. The plan helps producers evaluate soil health concerns and develop a transitional cropping management plan that follows the four principles of soil health, and the soil testing activity is used to measure the physical, biological, and chemical characteristics of the soil and monitor the effectiveness of agronomic conservation practices. NRCS is also providing soil health training to all its field employees.

The Conservation Innovation Grant Soil Health Demonstration Trials provide additional opportunities to further soil conservation by providing awards for partners to work directly with producers to demonstrate long-term, successful soil health management systems, or production systems being transitioned to a management system that incorporates all the soil health principles.

NRCS is coordinating the Science of Soil Health project with 12 cooperating universities, collecting soil health metrics from a range of soils, crops, and management systems across the country. We will use the information to make recommendations about measuring soil health through scientific methods. We are also assisting with the interpretation of laboratory data, making it useful for landowners and decision makers.

NRCS has adequate authorities to facilitate soil health improvements.

Question 6. How is NRCS working with research organizations (including Federal, state, and nonprofit) to examine and develop soil conserving practices and to assess their impact on production? How has the agency transferred this research and other technology advancements to its field office practices?

Answer. NRCS has robust working relationships with Federal and state agencies, nonprofits, and academia with respect to research.

NRCS is coordinating the Science of Soil Health project with 12 cooperating universities. The project is designed to collect soil health metrics from a range of soils, crops, and management systems across the country. Each project includes a business as usual practice, a soil health practice, and a reference/native condition. The projects have already yielded an increased understanding of sampling and laboratory limitations and updated guidance. The data gathered will be stored in a newly developed interim database. The database model development team is working across USDA, non-profit organizations and state universities and agencies to write guidance documentation for a permanent database for interoperability and data-sharing. This will require some new techniques that allow us to protect private information while getting the most possible good out of all information gathered.

The data gathered and conclusions generated will be supplied to all agency personnel, landowners, non-government institutions and the general public. Agency personnel will use the information to make recommendations about measuring soil health through scientific methods. The results will also inform soil health scoring and assessment software and systems such as the Soil Management Assessment Framework. The agency recently developed a soil testing activity to help quantify the effect of agronomic conservation practices. In addition, the Soil Health Demonstration portion of the Conservation Innovation Grants On-Farm Conservation Trials is a prime example of how new technology advancements are transferred to producers.

Another example is the PLANTS database and website (*plants.usda.gov*) that provides basic information (*e.g.,* scientific names, common names, distributions, nativity, legal status) on plants occurring in the United States to be used in conservation planning. The PLANTS website is one of the Department's most visited websites, the information on this site serves as a national and international standard. In 2019, PLANTS had 2,535,767 users (2,517,508 were new) with 3,968,507 sessions involving 12,666,076 page views. Regarding users, 1,784,272 (69.89%) were from the U.S., including Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. There were 748,576 (30.00%) users from outside the U.S. The National Plant Data Team has dozens of working relationships with researchers, including formal agreements/relationships with the Academy of Natural Sciences at Drexel University. Harvard University, Smithsonian Institution, University of North Carolina-Chapel Hill, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S. Geological Survey.

Question 7. CSP was amended to require contract renewal applicants to compete with new applications. During FY 2019, how many existing CSP contract holders sought to renew or expand their contract? Describe the process by which these contract renewals competed with new applications? How many of those that applied for renewal were ultimately not re-enrolled in the program?

Answer. The Agriculture Improvement Act of 2018, authorized NRCS to extend contracts eligible for renewal for a sixth year so that producers would be able to compete for a contract renewal under the new regulation. As such, the NRCS did not hold a CSP renewal sign-up in Fiscal Year 2019. However, over 3,000 producers elected to extend their contracts for a sixth year, thus making them eligible to compete for a renewal contract in fiscal year 2020.

Question 8. This past November, NRCS announced its 1st round of funding for the On-Farm Conservation Innovation Trials, which includes a new Soil Health Demonstration Trial. How much funding was requested amongst competitive applications this award round? When will you begin learning from the first demonstration projects? When will the next round of funding become available?

Answer. The first On-Farm Conservation Innovation Trials funding announcement, released in May 2019, made available $25 million to partners. Seventy-three proposals were received requesting almost $140 million. Projects began in spring 2020 and we anticipate that it will take some time for results to emerge. Initially, partners need to recruit participating producers and then implement conservation practices and systems on their lands. In most cases, a full understanding of the conservation and financial effects of these projects will not be available until the projects are completed.

The 2020 On-Farm Conservation Innovation Trials funding announcement was made on March 12, 2020.

Question 9. The 2018 Farm Bill established new "Incentive Contracts" under EQIP. Can you please provide specifics for how this program will be implemented?

Answer. Some aspects of these new provisions are still under development. NRCS requested comments on the new EQIP incentive contracts through the public comment solicitation in the preamble of the EQIP interim rule. Specifically, the Agriculture Improvement Act of 2018 did not set a payment limit for incentive contracts so NRCS is requesting feedback on the $200,000 payment limitation set by the agency. NRCS chose this limit to allow producers participation in both EQIP incentive contracts and the Conservation Stewardship Program (CSP) which also has a $200,000 payment limit, as a streamlining and coordination decision between the two similar programs.

The agency created a new subpart D "Incentive Contracts" in the EQIP regulation. This subpart outlines the processes and requirements for high priority areas, incentive contract selection, contract requirements, contract period, and payment rates and restrictions. A brief summary follows:

High priority areas—States will determine high priority areas, in consultation with the State Technical Committee. These areas must encompass every region in the state (to allow participation by all eligible applicants) and may overlap with other high priority areas. States will also identify up to three priority resource concerns within each high priority area, and the incentive practices that will address these resource concerns.

Incentive contract selection—NRCS will give priority to applications that address eligible priority resource concerns, and will evaluate these applications relative to other similar, agriculture and forest operations.

Incentive contract requirements—Participants must agree to complete at least one incentive practice. The minimum contract area is the planning unit (typically the field level) which differs from CSP which requires the producer to enroll the entire area of operation.

Incentive contract period—NRCS will base the contract period on the time needed to achieve the desired conservation benefits. This period will be no less than 5 and up to 10 years.

Incentive contract payment rates and restrictions—Incentive contract payments will be comprised of two types of payments: implementation payments for conservation practices and activities (same as general EQIP conservation practices and activities), and annual payments for operation and maintenance of incentive practices, and income foregone by the participant. NRCS is developing criteria for annual payments.

Incentive contract restrictions—The aggregate payment limitation to a person or legal entity may not exceed $200,000 directly or indirectly. Additionally, the agency will allow an eligible joint operation a contract limit of up to $400,000. This increase in payment and contract limits aligns with CSP.

Question 10. Chief Lohr, you mentioned NRCS wants to focus on hiring for entry-level, farmer-facing positions. When interns are hired full-time, what types of positions are they typically hired for? What percentage of entry-level employees come from the Pathways Program? From the Recent Graduate Program? Are new employees hired from the Pathways Program able to be trained more quickly? What kind of outreach and advertising do you do to find candidates for the Pathways Program?

Answer. The majority of the Pathway Program positions within NRCS that are converted to full time positions are Soil Conservationists, Rangeland Management Specialists, Soil Scientists and Civil/Agriculture Engineers in that order. From Fiscal Years 2013 through 2019, NRCS converted approximately 787 interns to permanent appointments, which is 46 percent of entry-level positions. Pathways interns typically work for the agency prior to conversion, which accelerates their professional development. The Recent Graduate Program allows for hiring applicants that are within 2 years of their graduation date; although the majority of them are hired within the first few months of graduation, there is a small percentage that may have been in the workforce for a period of time before being hired. Many states perform outreach within their area of operations at local universities. Opportunities are posted on the *USAJobs.gov* website.

Question 11. The 2018 Farm Bill provided additional funding for the Conservation Stewardship Program, how much of it has been spent on CSP renewals and how much remains? What are your plans for the remainder of CSP funds?

Answer. The table below shows the distribution of CSP financial assistance (FA) funds in FY 2020. CSP—Grasslands Conservation Initiative (GCI) funds were allocated first. The remaining FA funds have been allocated between classic (new) and renewals at a 60:40 ratio.

Conservation Stewardship Program Allocation of Financial Assistance

October 1, 2019–January 28, 2020

CSP–GCI	$123,734,000
CSP—Classic (New)	$272,533,545
CSP—Renewals	$170,121,000

Source: NRCS Financial Assistance Programs Division.

Question 12. NRCS is currently well below the authorized staffing ceiling for FY 2020 of 10,445. The Committee greatly appreciates the increase in the ceiling approved last fall to help alleviate the workload pressures we continue hear about, but notes that NRCS was already well below their prior ceiling. Please walk the Committee through how the agency plans on addressing this large staffing gap to ensure that landowners receive the customer service that we all strive to provide?

Answer. Fully staffing the NRCS to the levels budgeted continues to be a high priority. Leadership in NRCS is working diligently with the Farm Production and Conservation Business Center to fill vacancies across the nation.

Over the next 9 months, NRCS will focus hiring efforts to bring on entry-level employees. We will maximize the use of direct hire authority which has been given to us by the U.S. Office of Personnel Management as well as special authorities to increase the hiring of veterans and Pathways students. NRCS is committed to continual improvement in our hiring and retention efforts.

Question 13. We have also heard that the Farm Production and Conservation Business Center has been somewhat of an impediment to the hiring process creating an extra "hoop to jump through" rather than providing for the efficiencies as intended. Can you please speak to the business center's role in the hiring process and whether you feel that they are responding in a timely manner to allow NRCS to meet its staffing ceiling.

Answer. The Farm Production and Conservation Business Center Human Resource Division (HRD) works collaboratively with hiring managers in NRCS to provide technical, operational, regulatory, and advisory support throughout the hiring process. The process is very much the same process that existed when HRD was within NRCS. The HRD support role begins when the agency notifies them of a hiring need and continues through each step of the process until the new employee is on board. HRD provides technical and advisory support by developing job descriptions, conducting job analysis, developing assessment tools, job opportunity announcements, evaluating candidate qualification, applying veteran's preference, developing certificates of qualified candidates, making job offers, and on-boarding new employees.

Questions Submitted by Hon. Collin C. Peterson, a Representative in Congress from Minnesota

Question 1. Chief Lohr, we've heard concerns the last several years about changes in tile setbacks that weren't officially shared with landowners or industry and seem to just have started to appear during NRCS' interactions with landowners and contractors. Can you walk us through any changes that have happened over the last decade to the requirements on tile setbacks? In addition to the confusion among those designing water control systems, we're also hearing concerns that you are creating more soil salinity issues, rather than addressing them, with these changes. And have there been changes in some states and not others?

Answer. Since the dramatic increase in demand for wetland determinations and interest in drainage starting in 2009, NRCS has been working to provide consistent and timely information to producers so they can make land management decisions. In 2010, NRCS in the 4-State Prairie Pothole Region (PPR) began collaborating on a consistent methodology for providing setback distances between wetlands and drainage systems. From 2015 through 2018, NRCS implemented a consistent methodology and recalibrated setback distances following Web Soil Survey updates in North Dakota. It is important to note that producers who act in reliance on information provided before a soil survey update will not be found in non-compliance of the wetland conservation provisions of the 1985 Food Security Act if they adhere to that guidance. It should also be noted that due to unique environmental factors, there are certain classes of wetlands that require site-specific analysis in order to ensure that drainage does not cause the conversion of wetlands and that provides unique setback distances for each site.

NRCS is currently working to improve drainage setback methodology in the PPR by freezing soil survey data for this analysis, seeking scientific peer review, and delivering the results to producers through a common self-service web platform, as

well as providing assistance through their local field offices. In addition to these enhancements, the improved process will reduce the number of sites requiring site-specific analysis.

With increased precipitation and rising water tables in the PPR, NRCS is actively working with producers to address soil salinity issues to the maximum extent possible. It is true that water leaving subsurface-drained fields can contain salts that have leached from cropland fields; however, no amount of drainage can effectively "cure" a naturally saline site in times of elevated water tables. Most salinity is not associated with wetlands and producers are using management techniques on a large scale to capture soluble salts when leached in high precipitation years. These techniques are not effective for soils naturally high in sodium. NRCS can assist producers in identifying whether the soils are saline or sodic and can properly prescribe voluntary technical and financial assistance for conservation practices like soil salinity management and drainage water management to help reclaim saline soils and to guard against soils becoming saline.

Question 2. Chief Lohr, as you're aware, we specifically made community colleges eligible for EQIP Conservation Innovation Grants in the 2018 Farm Bill. I encourage you to build a working relationship with the community colleges throughout the country who have their own farms and play a key role in educating and training farmers on the best conservation and agronomic practices for their operations through hands on experiences. I know that the Community College Alliance for Agriculture Advancement are eager to partner with NRCS and use their farming operations and teaching expertise.

Answer. We look forward to working with community colleges, in particular the Community College Alliance for Agriculture Advancement, to explore ways to work collaboratively through CIG.

Questions Submitted by Hon. Marcia L. Fudge, a Representative in Congress from Ohio

Question 1. Chief Lohr, would you be willing to continue our dialogue on conservation collaborative grants and work with my office to ensure all farmers, including socially-disadvantaged farmers, can be served by this opportunity.

Answer. I welcome the opportunity to continue our dialogue on the conservation collaboration grants. NRCS has consistently increased our efforts to assist socially disadvantaged farmers and ranchers. Since Fiscal Year 2015, NRCS has invested $33.2 million in partnership agreements with community-based organizations and other private entities to assist all historically under-served groups. Of this investment, $20.4 million was awarded to Black entities specifically to assist socially disadvantaged farmers and ranchers, primarily black rural and urban farmers. This new conservation collaboration grant process provides us an opportunity to increase our investment and include additional partners to expand our outreach and technical assistance efforts to more historically under-served groups.

Question 2. The Regional Conservation Partnership Program is of great importance to the State of Ohio. The 2018 Farm Bill modernized the program to include new flexibilities for both partners and producers. Chief Lohr, could you walk us through the rollout process of the new rule and outreach steps the agency will take to educate stakeholders of the new changes. Additionally, please walk us through the roll-out timing for the program's next few funding announcements.

Answer. The Regional Conservation Partnership Program Interim Final Rule was published in the *Federal Register* on February 13, 2020. NRCS issued a companion press release inviting public review and comment on the rule. State Conservationists were provided detailed materials that explain the contents to enable them to conduct outreach efforts at the state and local levels. Nationally, a stakeholder meeting to review details of the rule was held on February 14, 2020, in Washington, D.C. The comment period for the Interim Final Rule closed on April 13, 2020. In addition, NRCS updated its website to include links to the Interim Final Rule and related documents for easy access by the public.

In calendar year 2020, NRCS released the Alternative Funding Arrangement funding announcement and the announcement of 2019 RCPP awards; the 2020/2021 RCPP "Classic" funding announcement took place during the summer; and the announcement of 2020 Alternative Funding Arrangement awards took place in the fall. The final rule will not be published until calendar year 2021 though the evaluation and consideration of the public comments on the interim final rule was completed in Fiscal Year 2020.

Question 3. The 2018 Farm Bill included many common-sense changes to RCPP, including increased funding for Critical Conservation Areas or CCAs. Ohio is part of the Great Lakes Region which is designated as a CCA. I thank the Department

for maintaining this region as part of the CCA, as there continue to be critical resource concerns in this area. Chief Lohr, can you please share what steps the agency is taking to ensure adequate funding is going towards these Critical Conservation Areas and ultimately, working to address high-priority concerns for producers in my state?

Answer. The Agriculture Improve Act of 2018, requires that 50 percent of RCPP funding go to CCA projects. The statute also requires USDA to do outreach to CCA partners to encourage proposal submissions.

The RCPP Interim Final Rule requests stakeholder comment on the CCA and priority resource concern designations.

Question Submitted by Hon. Doug LaMalfa, a Representative in Congress from California

Question. Chief Lohr, California has had great success using both EQIP and RCPP for conservation projects targeting the Tricolored Blackbird. Producers are receiving payments through these programs to allow their feed crops for their dairies to serve as habitat for the birds and they are therefore unable to harvest their entire crop. However, AGI caps have limited participation for some landowners in this initiative. Can the AGI waiver authority that was re-instituted in the 2018 Farm bill be applied to these projects?

Answer. The Agricultural Act of 2014 authorized Adjusted Gross Income (AGI) waivers for RCPP, so AGI waivers have always been available for the program. Producers interested in participating in the Tricolored Blackbird RCPP project, as is true for all active RCPP projects, are eligible to apply for an AGI waiver. The RCPP AGI waiver was maintained in the 2018 Farm Bill statute.

Response from Hon. Richard Fordyce, Administrator, Farm Service Agency, U.S. Department of Agriculture

Questions Submitted by Hon. Abigail Davis Spanberger, a Representative in Congress from Virginia

Question 1. The 2018 Farm Bill made a number of changes to the CRP payment structure including, one-time sign-up incentives, reduced annual rental rates, and cost-share payment limits. How are these changes expected to impact continuous and general sign-up interest? What additional incentive payments does FSA plan to make available under CRP?

Answer. The 2018 Farm Bill lowered payment rates and used those savings to increase the acreage caps. USDA will monitor enrollment relative to the acreage caps and will take appropriate actions to educate producers on the financial and environmental benefits of CRP, and will consider using the Secretary's discretion to encourage signup.

Question 2. FSA is required to enroll a minimum number of acres in CRP grassland contracts, achieve minimum enrollment targets for continuous contracts, and allocate available CRP acres to states based on historical enrollment levels. How does FSA plan to meet these enrollment requirements?

Answer. USDA has reviewed historical enrollment and will continue to monitor signup under CRP; we will revisit any administrative latitude as necessary to encourage additional signups where appropriate and possible. Both the national office and our field offices have undergone extensive outreach efforts to encourage producers to consider the financial and environmental benefits of participating in CRP.

Question 3. The 2018 Farm Bill expanded TIP eligibility to all expiring CRP contract holders. How is this change expected to increase TIP participation rates for eligible CRP contract holders? What outreach actions is FSA taking to promote TIP to historically under-served producers (*e.g.,* beginning, socially-disadvantaged, and veteran farmers and ranchers)?

Answer. FSA relies heavily on partner organizations to assist with outreach and education efforts. Through a cooperative agreement with the National Sustainable Agriculture Coalition and Center for Rural Affairs, FSA was able to identify barriers for Transition Incentives Program (TIP) participation by beginning, socially disadvantaged, and veteran farmers and ranchers. Efforts to improve outreach include notifying landowners earlier and more frequently about enrolling in TIP, increasing targeted outreach to landowners, and improving communications and outreach with landowners who utilize third parties to manage their CRP contracts. Plans are underway to develop employee training, utilize USDA's Beginning Farmer and Rancher Development network, and coordinate with State Departments of Agriculture and state-based land link programs to gain buy-in on being a listed resource for TIP to offer landowners support on land transition issues.

Question 4. How is the inclusion of nongovernmental organizations, from the 2018 Farm Bill, expected to impact CREP?

Answer. USDA will work with nongovernmental organizations interested in becoming a partner in a CREP project under the new statutory provisions. USDA does not expect any significant impact to CREP resulting from the 2018 Farm Bill allowing nongovernmental organizations as CREP partner.

Question 5. Forested riparian buffers are a key component of the Chesapeake Bay states' clean-up plans. Virginia's goal is to plant 48,354 acres and, and yet, as of 2018, the state only had 4,372 acres on the ground. CREP is key to achieving these goals. Please provide additional information regarding implementation of riparian buffers payments and how is this expected to expand the number of CREP applications.

Answer. USDA will work with CREP partners to best implement the new CREP provisions under the 2018 Farm Bill to further appropriate goals regarding riparian buffer acres in the Chesapeake Bay Watershed. The payment for riparian buffers under a CREP is just one of the changes specified in the 2018 Farm Bill that could impact the number of offers submitted. In addition, each CREP is based on the terms and conditions negotiated with the CREP partner (*e.g.,* the state). The combination of these factors, and others such as commodity prices and land values which vary over time, will impact whether the number of offers to enroll land increase.

Question 6. How does FSA plan to include the new provisions from the 2018 Farm Bill and other changes into existing CREP agreements? How long will it take? Can the Agency provide standard language for amendments and expedite the process? Are there any new CREP agreements forthcoming? Are there states seeking to amend existing agreements?

Answer. The 2018 Farm Bill "grandfathered" existing CREP agreements. Any state that wants to keep the provisions of the existing agreement unchanged may do so and any state that wants to revise their agreement may contact FSA. We will work with the state to make sure they understand the new CREP provisions under the 2018 Farm Bill. The timeline to reach a new agreement is predicated on the extent of the changes. FSA will work with states as they request to amend existing CREP agreements.

Question 7. In addition to CRP, FSA is also implementing a disaster program, ARC–PLC and dairy program sign-ups. We've already heard about field staff shortages. Given that, how is staff managing that workload? It's important producers have access to and enough time with FSA staff.

Answer. FSA has allocated more than $3 million in overtime funds to County Office staff to assist in the implementation of programs. In addition to this, FSA has also provided over 569 staff years in temporary allotments to states to help bolster service to farmers across the nation. FSA has worked closely with State Executive Directors to develop action plans for the completion of program signups and to determine if additional resources are needed to ensure producers are efficiently and effectively served.

Question 8. Is FSA able to measure the amount of carbon stored in the soil through CRP?

Answer. Here are the most recent estimates for carbon. We are working on the updates for 2018 and 2019.

Greenhouse Gas Reduction (CO_2 Equivalent per Year) **

Year	CO_2 Sequestered (in millions of metric tons)
2012	42
2013	38
2014	37
2015	35
2016	34
2017	34

** Annual estimate.

Question 9. Administrator Fordyce, can you provide a figure for the number of outreach and town halls meetings field staff have conducted? At the national level,

how are you informing producers of the various state level sign up timelines, in addition to their county and state email lists?

Answer. As of November 25, 2020, FSA offices have conducted an estimated 2,585 outreach activities nationwide specific to CRP. This includes meetings, participation in conferences, webinars, workshops, newsletters, and text messages. FSA relies heavily on partner organizations and community-based organizations to assist in publicizing signups and deadlines. We often post stakeholder toolkits on our online stakeholder page so partners may include program messages in their publications, social media platforms, and newsletters to members.

Question 10. Administrator Fordyce, can you comment on concerns that by moving SAFE to the general sign up that has a lower rental rate and less allowance for incentive payments that it is less likely producers will apply for the SAFE program?

Answer. General CRP Signup 54 had over 95 percent of offers submitted under State Acres for Wildlife Enhancement (*SAFE*) that were accepted. USDA will continue to monitor signup under CRP and revisit any administrative latitude as necessary to encourage additional signup where appropriate and possible. Stakeholders had an opportunity to submit new and modified proposals for SAFE that would allow for potential increases in SAFE acres. States have been notified of approvals and disapprovals of those submissions. Newly approved SAFE projects will be deployed in Continuous Signup 55 and the upcoming General Signup 56.

Question 11. Can you explain why FSA chose to only offer practice incentive payments at 5% of the total cost of the practice rather than your statutory authority of up to 50%?

Answer. As we make administrative decisions related to implementing programs like CRP, our guiding principle is to ensure that we meet the conservation goals of the programs and ensure that we are implementing in a way that will not compete for land against new farmers and ranchers who are critical to the future of American agriculture. Our decisions are facts-based and data-driven, with a decision-making mindset that is customer-focused. We have set incentive levels with the goals of the program in mind and an understanding of the current demand for CRP. We will be carefully monitoring enrollment and adapting our decisions under the law to ensure we meet program goals and best serve producers.

Questions Submitted by Hon. Collin C. Peterson, a Representative in Congress from Minnesota

Question 1. Administrator Fordyce, what is the status of SHIPP (3–5 year contracts) and when can we expect the Department to announce a signup period? What's the rental rate that you will paying on these? I am also hearing that SHIPP may be limited to the Prairie Pothole Region, rather than the Prairie Pothole States as expressly authorized in the farm bill. Can you clarify what the plans are?

Answer. On February 24, USDA issued a news release announcing the Soil Health and Income Protection Program (SHIPP), a new pilot program under the Conservation Reserve Program that enables farmers in the Prairie Pothole region to receive payments for planting cover crops on their land. SHIPP was made available to producers in Iowa, Minnesota, Montana, North Dakota, and South Dakota within the Prairie Pothole Region during a signup that started March 30, 2020 and end November 20, 2020.* Through SHIPP, producers have the option of 3, 4, or 5 year CRP contracts to establish perennial cover crops on less productive cropland in exchange for payments. This pilot enables producers to plant cover crops that, among other benefits, will improve soil health and water quality while having the option to harvest, hay and graze during certain times of the year. Rental rates vary by county and are established using NASS's Cash Rent Survey. For SHIPP, the 15% or 10% rental rate reduction generally applied to CRP contracts is not applied, however, all payments under a SHIPP contract have a reduction of 50%, with the exception of limited resource, beginning farmer and ranchers and socially disadvantaged farmers, who have a 25% reduction. Up to 50,000 acres can be enrolled.

Question 2. Administrator Fordyce, we hear that some FSA offices are open only 1 day a week, sometimes by appointment only. Can you tell us how many county offices are only open 1 day a week? How many are open 2 days a week? How many are open less than 5 days a week? What does this mean for CRP enrollment?

Answer. FSA currently has 98 of our 2,124 county offices open on a part-time basis, less than 40 hours per week. Producers are provided contact numbers for county offices and FSA has implemented a process that affords all interested pro-

*Decision to extend signup was made in August 2020. Signup ended November 20, 2020, preliminary results of this signup are 228 offers submitted for a total of 3,323.7 acres resulting in estimated annual rental payments in the amount of $156,051.

ducers the opportunity to schedule an appointment. Office hours are also publicized and provided on the building for producer information. Program signups are ongoing and widely publicized so that producers and FSA staff can plan and execute the needed paperwork by signup deadlines.

Questions Submitted by Hon. Kim Schrier, a Representative in Congress from Washington

Question 1. Administrator Fordyce, thank you for clarifying that waivers are available for counties who find themselves above the 25% acreage cap and wish to enroll in SAFE. Has guidance regarding this waiver process been communicated to field offices? If not, when can local FSA offices expect to hear from headquarters on this?

Answer. FSA State and County offices were provided with the 25 percent cropland limit waiver process through a notice issued on December 6, 2019. The handbook for CRP was issued on December 9, 2019. Staff also have been reminded of the process in conference calls during general signup.

Question 2. The 2018 Farm Bill adds a requirement that FSA maintain at least 8.6 million acres in continuous CRP (CCRP) enrollment by the end of FY 2023. Currently 1.95 million acres are enrolled in SAFE out of the 7.82 million acres total in CCRP. How would FSA plan to meet this minimum acreage requirement for CCRP if the majority of future enrollments in SAFE, which makes up nearly 25% of CCRP acres, is moved to general signup?

Answer. The existing SAFE acres will continue to be categorized as continuous enrollment and will be included in the total number of acres enrolled through continuous CRP signup. We will continue to conduct extensive outreach to ensure producers are aware of the financial and environmental benefits of continuous enrollment. USDA will continue to monitor signup under CRP and revisit any administrative latitude as necessary to encourage additional producers to sign up where appropriate and possible.

Question 3. Administrator Fordyce, you mentioned that "SAFE-like" practices were available for continuous enrollment. What are these practices and how they might provide the same benefits as existing SAFE practices?

Answer. A number of SAFE practices which specifically target water quality are still available under Continuous CRP. These practices include riparian buffers, filter strips, grassed waterways, contour grass strips, prairie strips and wetland restoration practices.

Response from U.S. Department of Agriculture

Question Submitted by Hon. Abigail Davis Spanberger, a Representative in Congress from Virginia

Question. Can you tell us how your agencies collaborate with other USDA agencies like ERS, ARS, and climate hubs?

Answer. FSA has collaborated with ARS and ERS on numerous analyses, many of which are ongoing. FSA is currently working with ARS to estimate water quality impacts of CRP/CLEAR practices, buffer effectiveness in tile-drained agriculture land, and increasing conservation cover establishment success. ERS collaborations include nudge and reverse auction experiments to increase CRP efficiency. FSA has also collaborated with climate hubs, most recently on expansion of the AgRisk Viewer decision support tool.

The National Ecological Site Team is located in the ARS Jornada Experimental Range Facility on campus at New Mexico State University. NRCS, ARS and NMSU staff and faculty have collaborated on the development and implementation of Ecological Site principles and protocols, which are essential for conservation planning, and have worked together to develop an online information system that contains ecological site information and is connected to other NRCS databases and information systems.

An NRCS staff person is co-director of the Southwest Climate Hub located at Las Cruces, New Mexico and the Southwest Climate Hub has hosted three NRCS liaisons developing tools for drought management, wind erosion assessment, and forage supply forecasting.

Question Submitted by Hon. Collin C. Peterson, a Representative in Congress from Minnesota

Question. Administrator Fordyce and Chief Lohr, is there still an effort to co-locate offices in the field? Do you have the flexibility to make that work and, how do you make it work in situations where you may have a conservation district that is willing to house your employees?

Answer. The Farm Service Agency and the Natural Resources Conservation Service are co-located in approximately 2,100 offices across the country. Forty-six FSA offices are not co-located and 67 NRCS offices are not co-located. Together we are working to ensure Secretary Perdue's vision to be efficient, effective and offer the best customer service in the Federal Government. Therefore, the agencies continue to explore co-location opportunities when it is in the best interest of producers and is economically feasible. FSA, NRCS, and conservation districts are co-located in over 1,900 offices nationally.

Questions Submitted by Hon. Marcia L. Fudge, a Representative in Congress from Ohio

Question 1. FSA and NRCS have established minimum staffing targets—that is—a minimum of 90 percent of the workforce in field positions (GS Scale 12 and below) shall be employed at all times. Are the agencies currently meeting that goal? If not, when will you be?

Answer. For FSA, 94 percent of current employees are in field office positions GS–12 and below. NRCS allocates 90 percent of staff to state and field offices and 10 percent to agency headquarters. Total NRCS staff on board as of February 15, 2020 was 8,631. Headquarters accounts for 836 (9 percent) of these with the remaining 7,854 (91 percent) allocated to state and field offices. As of PP23, NRCS has 9,495 onboard.

Question 2. I know that your agencies have set optimal staffing levels at the state-level and at headquarters, can you tell me the number of current vacancies compared to those optimal staffing levels?

Answer. NRCS had an approved ceiling for Fiscal Year 2020 of 10,445. The total permanent staff on board as of February 15, 2020, was 8,631. This total is comprised of 777 in Headquarters and Technical Centers, and 7,854 in States. NRCS currently has 1,305 vacancies to reach the FY21 hiring ceiling of 10,800 total staff.

FSA had an approved ceiling for Fiscal Year 2020 of 10,293. FSA's estimated staffing need of 11,644 is based on staffing data analytics but is unable to incorporate forecasted, future workload. FSA had about 705 vacancies as of Feb. 15, 2020 and currently has 346 as of PP23.

Question 3. Chief Lohr and Administrator Fordyce, how many African Americans do you have in senior leadership at national headquarters?

Answer. As of February 15, 2020, NRCS African American leadership included three (3) members of the Senior Executive Service (SES) in its Headquarters and 14 in states as State Conservationists. FSA African American leadership included one (1) employee in a state leadership position as a State Executive Director.

	NRCS Headquarters	FSA Headquarters	NRCS State Conservationists	FSA State Executive Directors
States Leadership	0	0	14	1
SES	3	0	0	0

Questions Submitted by Hon. Chellie Pingree, a Representative in Congress from Maine

Question 1. The Farm Production and Conservation Business Center was meant to streamline the agencies and increase efficiency, but I have heard it has actually slowed down the hiring process. What is the Business Center's role in the hiring process—including at the county level—and how has the Business Center impacted the agencies' ability to meet its staffing ceiling?

Answer. The Farm Production and Conservation Business Center (Business Center) Human Resource Division (HRD) works collaboratively with hiring managers in both NRCS and FSA to provide technical, operational, regulatory and advisory support throughout the hiring process. The HRD support role begins when the agency notifies them of a hiring need and continues through each step of the process until the new employee is on board. HRD provides technical and advisory support by developing job descriptions, conducting job analysis, developing assessment tools, job opportunity announcements, evaluating candidate qualification, applying veteran's preference, developing certificates of qualified candidates, making job offers, and onboarding new employees.

Since the standup of the Business Center in October of 2018, HRD has developed and implemented a number of process improvements to streamline the recruitment process. This includes automated SF–52s, standardized position descriptions, job analysis tools, assessment questions and job opportunity announcements. As of PP23, FPAC on-board strength has improved since the stand up with a gain of 751

employees for total on-board strength of 21,374. [FSA—213; NRCS—477; RMA—0; FPAC BC—61]

For county office (non-Federal) hiring actions, the process remains largely the same as it did prior to Business Center standup. FSA has established a team of administrative specialists from across the nation to focus primarily on non-Federal hiring and assist State Offices throughout the process. This team assists with non-Federal job announcements, hiring actions and works with county leaders and FPAC–HRD to fill non-federal roles in a more streamlined manner as authorized in Title VII.

Question 2. In the last year, on average, how long has it taken NRCS and FSA to hire new employees, from when the job application closes to when an applicant is offered the job?

Answer. From February 15, 2019, to February 14, 2020, the average number of days from when a job application closes to when an applicant is offered the position was 33 days for FSA county office positions, and 28 days for NRCS and FSA General Schedule field positions.

Question 3. How many people are currently employed by NRCS and FSA? How has that number changed over the last 5 years and 10 years?

Answer. There are currently 9,495 permanent employees (not including interns and temporary staff) employed at NRCS; and 9,588 permanent employees were employed at FSA. Over the past 5 to 10 years, NRCS and FSA have had significant decreases in their on-board staffing levels. FSA has about 9 percent fewer staff than 5 years ago, and about 22 percent fewer than 10 years ago. NRCS has about 7 percent fewer staff on-board than five years ago, and about 12 percent fewer than 10 years ago.

Question Submitted by Hon. Doug LaMalfa, a Representative in Congress from California

Question. As you may know, USA Rice and Ducks Unlimited formed the Stewardship Partnership. One of the benefits of that working relationship has been joint projects through the Regional Conservation Partnership Program (RCPP). These projects not only protect our natural resources but also provide financial assistance to producers for installing important conservation practices. Can you talk about the importance of these types of relationships and can you give us an update on RCPP and the role RCPP can have in our conservation toolbox?

Answer. The Rice Stewardship project has been a standout RCPP project. It exemplifies the goal of RCPP for NRCS to work collaboratively with partners on natural resource challenges of mutual interest. In addition, the resources that USA Rice, Ducks Unlimited and other partners have brought to the project have expanded our collective ability to have a positive conservation impact on rice farms in multiple States.

The Agriculture Improvement Act of 2018 established RCPP as a standalone program with its own authorized funding. Unique among NRCS's farm bill programs, RCPP provides partners with opportunities to direct NRCS funding toward solving critical natural resource challenges. In addition, the Act puts a new emphasis on the reporting of conservation outcomes for RCPP projects, and includes provisions highlighting the potential for innovation through RCPP. In many ways, RCPP and our partners will be breaking new ground and informing conservation activities across NRCS's farm bill programs.

Questions Submitted by Hon. K. Michael Conaway, a Representative in Congress from Texas

Question 1. Section 2504 of the 2018 Farm Bill gave USDA interim authority to operate the conservation programs under the 2014 Farm Bill regulations for the remainder of the last fiscal year. The purpose was to continue conservation delivery while working towards implementation of the 2018 Farm Bill changes. Can either of you further comment on the importance of this authority?

Answer. We appreciate the flexibility from Section 2504, which allowed FSA and NRCS to implement programs immediately following enactment of Farm Bill programs while developing regulations. For the Conservation Reserve Program (CRP), FSA was able to continue to enroll environmentally sensitive lands in CRP, while promulgating the CRP regulations. NRCS was able to continue servicing producers through its farm bill programs, including its major programs, the Environmental Quality Incentives Program, the Conservation Stewardship Program, the Agricultural Conservation Easement Program and the Regional Conservation Partnership Program in FY 2019 while developing applicable regulations.

Question 2. The Committee has heard concerns FSA might need to extend the current deadline for CRP general signup past February 28. With concurrent sign-ups

for ARC and PLC, does FSA need an extension in order to meet the demand from landowners for these various programs?

Answer. FSA is utilizing data analytics to monitor ARC/PLC enrollment, as well as CRP enrollment. In addition, each State Executive Director was instructed to create a plan of operation to meet all enrollment deadlines. This included specifying resource needs relating to hiring additional temporary employees and overtime. General CRP Signup 54 was not extended, however, States were able to utilize registers for any producer that the county office was not able to service by the last day of signup. Producers listed on registers were able to complete the offer process after the February 28 deadline and were ranked with all other offers submitted during the signup period.

Question 3. The 2018 Farm Bill states that USDA may provide EQIP payments for water conservation scheduling. The accompanying report goes on to state that USDA should recognize remote telemetry data systems for irrigation scheduling as a best management practice. I sincerely hope that NRCS' irrigation efficiency conservation practice standard is updated to incorporate this important water and energy saving tool.

What is NRCS' timeframe for updating its conservation practice standards?

Answer. On March 11, 2019, NRCS published a notice in the *Federal Register* announcing its review of the conservation practice standards found in the *National Handbook of Conservation Practices* and provided a 45-day comment period to receive input from the public about how best to improve these conservation practice standards. NRCS has considered this public input as it revised its conservation practice standards and provides notice of such revisions in the *Federal Register.* More particularly, NRCS has updated its Conservation Practice Standard code 449 Irrigation Water Management Practice, as part of this comprehensive review of all NRCS Practice Standards and language has been added that explicitly recognizes remote telemetry data systems inclusion. Language was added that explicitly recognized remote telemetry data systems with cloud-based irrigation scheduling capabilities as a best management practice. On October 23, 2019 the practice standard was published in the *Federal Register* for a 30-day public review and comment period. Following the review and response period, the updated code 449 was published on September 30, 2020, in the NRCS *National Handbook of Conservation Practices* for implementation. The September 30, 2020 edition of code 449 reflects the aforementioned computerized irrigation scheduling method within the standard.

Question 3a. How does NRCS plan to educate states and growers about changes to its conservation practice standards and about the benefits of technology such as cloud-based remote telemetry data systems for irrigation scheduling?

Answer. As NRCS conservation practice standards are updated, new fact sheets explaining the additions, are created and posted on our web sites. Training sessions at the State Office level and aided by our National Technology Support Centers are created and implemented across the country. Often new updates are the subject of professional meeting presentations to ensure we keep the field office staff as well as farmers and ranchers up to date on our best science and conservation efforts.

Question 3b. Is NRCS working to incorporate water conservation scheduling payments for technology such as cloud-based irrigation scheduling tools into its EQIP regulations?

Answer. NRCS incorporated the statutory changes about water conservation projects that include water conservation scheduling, water distribution efficiency, and soil moisture monitoring practices as part of the updates to the EQIP regulation. NRCS typically does not include specific details on how practices will be implemented in the program regulations so as to not inadvertently limit actions that would otherwise assist in treating a resource concern. Therefore, the EQIP regulation defers to the practice standards for the requirements participants must implement in order to receive a program payment.

Questions Submitted by Hon. Trent Kelly, a Representative in Congress from Mississippi

Question 1. What percentage of EQIP and CSP funding is being used for Technical Assistance (TA)? How does this compare to recent years?

Answer. Technical assistance has been 27.1 percent of EQIP funding and 20.4 percent of CSP funding for each year since 2017.

Question 2. Can you speak to the potential of public-private partnerships and how they can complement your agency's delivery system? Congress made changes to the Technical Service Provider program to streamline and provide more flexibility to work with the private sector especially in such areas as precision agriculture. How is this effort going?

Answer. NRCS has historically utilized public-private partnerships to deliver conservation to the nation's farmers and ranchers. Provisions like the Technical Service Provider (TSP) and the Regional Conservation Partnership Program enable NRCS to expand the reach of technical resources.

We have a two phased plan to streamline the TSP program. For phase 1, we will be taking immediate actions to streamline the program within the abilities of the current management software (techreg). For phase 2, we are in the process of migrating to a new system (TSP registry) which will open up additional streamlining options. We are putting together a TSP advisory committee to help us review and implement additional streamlining opportunities.

At the same time, we intend to put out a solicitation for third party review of alternative certification opportunities and how best to incorporate them into the TSP program. A draft solicitation is working through the clearance process.

Questions Submitted by Hon. Dusty Johnson, a Representative in Congress from South Dakota

Question 1. What was the reasoning behind the decision to limit practice incentive payments to 5% of the cost of the practice rather than the statutory authority of up to 50%. It seems Congress gave you a guide in authorizing the 50% cap. Comparatively, the 5% seems awfully low.

Answer. As we make administrative decisions related to implementing programs like CRP, our guiding principle is to ensure that we meet the conservation goals of the programs and ensure that we are implementing in a way that will not compete for land against new farmers and ranchers who are critical to the future of American [a]griculture. Our decisions are facts-based and data-driven, with a decision-making mindset that is customer-focused. We have set incentive levels with the goals of the program in mind and an understanding of the current demand for CRP. We will be carefully monitoring enrollment and adapting our decisions as possible under the law to ensure we meet program goals and best serve producers.

Question 1a. The 2018 Farm Bill created a new authority in EQIP known as "Conservation Incentive Payments." This simplified contracting authority is intended to target natural resource concerns in specific regions of a state and serve as a more flexible and scalable alternative to CSP. I have had many inquiries from constituents on how they can provide input on the resource concerns and the practices that should be applied.

Can you provide any guidance on how best to provide locally-led input for this new authority?

Answer. NRCS relies on input from State Technical Committees, and from local Soil and Water Conservation groups, grassroots, locally led processes, for determining state priority areas, resource concerns to be addressed, practices and activities to be offered, and any other technical or financial assistance available to producers in the state.

Typically, local soil and water conservation districts will hold an annual, locally led working group meeting to discuss resource issues and priorities at the local (often the county) level. All soil and water conservation district meetings are posted to the state public notices website (as a minimum) and all are open to the public. Constituents may provide feedback through their local soil and water conservation districts. Additionally, constituents can write or contact their NRCS State Conservationist if they are unable to meet with their local soil and water conservation district.

Question 1b. Additionally, how is NRCS educating producers on the availability of this new authority?

Answer. We are still working through a number of issues associated with this new authority. Additionally, NRCS business tools are under development to ensure EQIP participants under incentive contracts are held to incentive contract rules and not general EQIP rules regarding contract and payment limitations and minimum contract length provisions. NRCS will begin approving incentive contracts in calendar year 2021. NRCS will conduct outreach efforts at the local and state levels to ensure producers will understand how the provisions will be implemented at the local level.

Question 1c. The EQIP regulation requires the Chief to identify "high priority areas" for Incentive Contracts. Will this limit eligible producers and land from being enrolled?

Answer. The EQIP regulation requires that every region of a state be included in a high priority area. This may consist of a single area encompassing the entire state, or the state may be split into different regions. This will allow all eligible producers to apply for EQIP incentive contracts. Producers also maintain the option to apply for other available EQIP opportunities.

Question 2. Congress authorized language in the 2018 Farm Bill that emphasized the protection of sources of drinking water throughout the conservation title. The language also illustrated the potential of USDA and drinking water utilities working collaboratively to protect something that is a basic human need, clean drinking water. Can you update us on how the Department is implementing this farm bill language and talk a little bit about the potential for this collaborative relationship?

Answer. The Natural Resources Conservation Service (NRCS) has been working diligently with the American Water Works Association, the Source Water Collaborative, the Environmental Protection Agency, local drinking water utilities, and State Technical Committees to address this issue. To date, NRCS has identified high priority geographic areas of consideration for accelerated conservation investments in 48 states. NRCS has also provided guidance to State Conservationists on identifying critical conservation practices within these targeted watersheds for elevated payment rates. State Conservationists are working with their State Technical Committees to identify which conservation practices, within their respective states, are best suited to address the potential pollutants of concern. To emphasize the importance of this issue, Chief Lohr hosted partnership representatives of the Source Water Collaborative at a recent National Leadership Team meeting to help facilitate relationships that will help make this focus a success.

Question 3. The 2018 Farm Bill included very clear language requiring USDA to allocate 60 percent of available acres each year in accordance with historical state enrollment rates. Can you tell us more about FSA's plans to implement this provision, and how you will ensure states with high levels of historical CRP acreage are not adversely impacted by changes to ranking criteria and other policy changes?

Answer. The 2007–2016 state enrollment rates have been calculated and used to identify the historic proportion of acres in each state. In any given year, the current distribution of acres will depend on how many acres are expiring relative to how many new enrollments are offered in a particular state. While FSA cannot control how many offers will be made, we keep track of the total available acres for enrollment each year. In general, we expect that the distribution of general signup offers will follow historical enrollment patterns, and that many of the contracts expiring this year will be re-enrolled. FSA assesses the current year allocations, considering the balance between both general and continuous signup enrollments. FSA closely monitors enrollments to ensure that 60 percent of available acres stay within the historical enrollment rates to the maximum extent practicable.

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