

115TH CONGRESS
2D SESSION

H. R. 4751

To reauthorize the Soil and Water Resources Conservation Act of 1977,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2018

Mr. FASO (for himself and Ms. FUDGE) introduced the following bill; which
was referred to the Committee on Agriculture

A BILL

To reauthorize the Soil and Water Resources Conservation
Act of 1977, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Healthy Fields and
5 Farm Economies Act”.

6 **SEC. 2. AMENDMENTS TO THE SOIL AND WATER RE-**
7 **SOURCES CONSERVATION ACT OF 1977.**

8 The Soil and Water Resources Conservation Act of
9 1977 (16 U.S.C. 2001 et seq.) is amended—

1 (1) in section 5(e), by striking “and December
2 31, 2015” and inserting “December 31, 2015, and
3 December 31, 2022”;

4 (2) in section 6(d), by striking “, respectively”
5 and inserting “, and a program update shall be com-
6 pleted by December 31, 2023”;

7 (3) in section 7—

8 (A) in subsection (a), by striking “and
9 2016” and inserting “, 2016, and 2022”; and

10 (B) in subsection (b), in the matter pre-
11 ceding paragraph (1), by striking “and 2017”
12 and inserting “, 2017, and 2023”;

13 (4) in section 10, by striking “2018” and in-
14 serting “2023”;

15 (5) by redesignating sections 8 through 10 as
16 sections 9 through 11, respectively; and

17 (6) by inserting after section 7 the following:

18 **“SEC. 8. CONSERVATION PROGRAMS ASSESSMENT.**

19 “(a) IN GENERAL.—In coordination with the ap-
20 praisal of soil, water, and related resources and with the
21 national soil and water conservation program established
22 under this Act, the Secretary may carry out a conservation
23 effects assessment project to quantify the environmental
24 and economic effects of conservation practices, develop the
25 science base for managing the agricultural landscape for

1 environmental quality and sustainable productive capacity,
 2 and improve the efficacy of conservation practices and pro-
 3 grams by evaluating conservation effects.

4 “(b) SCOPE.—The project under this subsection may
 5 be carried out at national, regional, and watershed scales,
 6 and may include cropland, grazing lands, wetlands, for-
 7 ests, and such other lands as the Secretary may determine
 8 appropriate.

9 “(c) ACTIVITIES.—The project under this subsection
 10 may include research, literature reviews and bibliog-
 11 raphies, modeling, assessment, monitoring and data collec-
 12 tion, outreach, extension education, and such other activi-
 13 ties as the Secretary may determine appropriate.

14 **“SEC. 9. GOALS AND ASSESSMENT PROCESS FOR CON-**
 15 **SERVATION PROGRAMS.**

16 “(a) NATURAL RESOURCE AND ENVIRONMENTAL
 17 OBJECTIVES AND OUTCOMES.—

18 “(1) IN GENERAL.—In coordination with the
 19 appraisal of soil, water, and related resources, the
 20 soil and water conservation program, and the con-
 21 servation effects assessment project established by
 22 this Act, the Secretary shall identify, and periodi-
 23 cally revise, specific natural resource and environ-
 24 mental objectives and anticipated conservation out-
 25 comes and results, by resource concern, for the con-

1 servation programs established under subtitles D
2 and H of title XII of the Food Security Act of 1985
3 and the landscape conservation initiatives developed
4 by the Secretary.

5 “(2) ASSESSMENTS.—To help measure out-
6 comes and results, the Secretary shall, to the max-
7 imum extent practicable, make assessments of
8 changes in the status and conditions of natural re-
9 sources and the environment that result from the
10 application of conservation activities supported di-
11 rectly by such conservation programs and initiatives.

12 “(3) MONITORING AND PROGRAM EVALUA-
13 TION.—The Secretary shall establish a coordinated
14 monitoring and evaluation process for programs and
15 initiatives to assess progress toward the identified
16 objectives, to gather information to improve program
17 and initiative implementation in accordance with de-
18 sired program and initiative outcomes and results,
19 and to assess the need for modifications to program
20 or initiative rules or statutes.

21 “(b) MONITORING AND PROGRAM EVALUATION.—

22 “(1) IN GENERAL.—The Secretary shall use not
23 more than one percent of the total annual funding
24 from the funds of the Commodity Credit Corpora-
25 tion made available for new annual enrollments for

1 the conservation programs established under sub-
2 titles D and H of title XII of the Food Security Act
3 of 1985 to establish a comprehensive monitoring and
4 program evaluation process to assess progress in
5 reaching natural resource and environmental objec-
6 tives identified in accordance with subsection (a) and
7 the contribution of individual programs and initia-
8 tives, as well as the programs and initiatives collec-
9 tively, to that progress.

10 “(2) IMPLEMENTATION.—In implementing the
11 monitoring and program evaluation process under
12 paragraph (1), the Secretary may consider and in-
13 corporate resource concern inventories, quality cri-
14 teria, conservation practices and enhancements, and
15 such other information as the Secretary determines
16 relevant for applying the monitoring and program
17 evaluation process across each of the major land
18 uses identified by the Secretary.

19 “(3) MONITORING AND EVALUATION PROC-
20 ESS.—

21 “(A) IN GENERAL.—Not later than two
22 years after the date of enactment of this sec-
23 tion, the Secretary shall issue a design for the
24 comprehensive monitoring and evaluation proc-
25 ess, a schedule for implementing the process,

1 and a plan for coordinating the process with the
2 national soil and water conservation program
3 and conservation effects assessment project es-
4 tablished under this Act.

5 “(B) METHODOLOGY.—The design for the
6 monitoring and evaluation process shall—

7 “(i) include detailed information con-
8 cerning the requisite frequency of the mon-
9 itoring process at the field, water body,
10 habitat, or other level and the manner in
11 which the data will be aggregated at the
12 landscape or watershed level, county or
13 local level, State level, national level, and
14 any other level the Secretary determines
15 necessary; and

16 “(ii) take into account the cumulative
17 nature of conservation over time, the inter-
18 actions and sequencing effects between
19 conservation activities, the differing times
20 for conservation effects to be realized, and
21 other related measurement challenges.

22 “(C) PUBLIC RESEARCH.—Notwith-
23 standing any other provision of law, in order to
24 facilitate implementation of the monitoring and
25 evaluation process, the Secretary shall make

1 available conservation activity and program
2 data to cooperators and researchers engaged in
3 public research and evaluation activities to im-
4 prove conservation outcomes under this sub-
5 section, provided that—

6 “(i) adequate assurances are provided
7 to the Secretary that any resulting re-
8 search or information will be made publicly
9 available and in a form that protects per-
10 sonally identifiable information; and

11 “(ii) the National Technical Com-
12 mittee finds that any such research is like-
13 ly to generate information that furthers
14 the purpose of this section.

15 “(4) COOPERATIVE AGREEMENTS.—The Sec-
16 retary may implement the monitoring evaluation
17 process in part through cooperative or contribution
18 agreements with Federal, State, and local agencies,
19 universities and colleges, nongovernmental organiza-
20 tions with requisite expertise, as determined by the
21 Secretary in consultation with the National Tech-
22 nical Committee.

23 “(5) NATIONAL TECHNICAL COMMITTEE.—

24 “(A) COMPOSITION.—The monitoring and
25 evaluation process shall be administered by the

1 Natural Resources Conservation Service with
2 assistance from a national technical committee
3 appointed by the Secretary and composed of in-
4 dividuals with relevant technical and scientific
5 expertise representing—

6 “(i) the Agricultural Research Service
7 of the Department of Agriculture;

8 “(ii) the Economic Research Service
9 of the Department of Agriculture;

10 “(iii) the Farm Service Agency of the
11 Department of Agriculture;

12 “(iv) the United States Fish and
13 Wildlife Service;

14 “(v) the Forest Service;

15 “(vi) the National Institute for Food
16 and Agriculture;

17 “(vii) the United States Geological
18 Survey;

19 “(viii) the Environmental Protection
20 Agency;

21 “(ix) State and tribal agencies;

22 “(x) land grant university natural re-
23 source research programs;

24 “(xi) nongovernmental organizations
25 with expertise in the full array of conserva-

1 tion issues and measurement and evalua-
2 tion of conservation outcomes; and

3 “(xii) such other agencies, institu-
4 tions, or organizations as the Secretary
5 may determine appropriate.

6 “(B) FACA EXEMPTION.—The national
7 technical committee shall be exempt from the
8 Federal Advisory Committee Act (5 U.S.C.
9 App.).

10 “(C) TRANSPARENCY.—The Secretary
11 shall ensure the proceedings and recommenda-
12 tions of the national technical committee are
13 available to the public.

14 “(6) VOLUNTARY PARTICIPATION.—In carrying
15 out this subsection, the Secretary shall ensure that
16 any on-farm monitoring activities that may be in-
17 cluded as part of the monitoring and program eval-
18 uation process are voluntary on the part of the pro-
19 ducer, and may include appropriate compensation,
20 as determined by the Secretary.

21 “(c) REPORTING.—

22 “(1) REPORT ON OBJECTIVES AND METHODS.—
23 Beginning in the fiscal year that is 3 years after the
24 date of enactment of this subsection, and periodi-
25 cally thereafter, as determined by the Secretary, the

1 Secretary shall submit to Congress, and make pub-
2 licly available, a report that includes—

3 “(A) a description of conservation outcome
4 objectives that are, to the maximum extent
5 practicable, quantitative, measurable, and time-
6 bound for each program established under sub-
7 title D or H of the Food Security Act of 1985
8 and the landscape conservation initiatives devel-
9 oped by the Secretary;

10 “(B) a description of the approaches, tools,
11 and methods used to measure or model the con-
12 servation outcomes and results and to estimate
13 the cost-effectiveness of each such program; and

14 “(C) guidance to the conservation project
15 partners working to implement conservation
16 programs within a landscape-level project that
17 provides a description of the approaches, tools,
18 and methods the partners might consider using
19 to measure and model the conservation out-
20 comes and results of their projects.

21 “(2) REPORT ON OUTCOMES.—In conjunction
22 with each of the reports to Congress pursuant to
23 section 7, the Secretary shall submit to Congress,
24 and make publicly available, a report that includes—

1 “(A) an assessment of progress made to-
2 wards achieving conservation program objec-
3 tives and anticipated outcomes and results for
4 each conservation program established under
5 subtitle D or H of title XII of the Food Secu-
6 rity Act of 1985, as well as for such programs
7 collectively, and the landscape conservation ini-
8 tiatives developed by the Secretary;

9 “(B) an evaluation of the cost-effectiveness
10 of each such conservation program and initia-
11 tive; and

12 “(C) recommendations, in light of the as-
13 sessment and evaluation, to improve program
14 implementation and improve the scientific and
15 economic tools (including any new or revised
16 conservation practices, conservation enhance-
17 ments, or conservation planning tools) used to
18 achieve stated natural resource conservation
19 and environmental objectives.

20 “(3) COORDINATION.—The Secretary may co-
21 ordinate the reports required under paragraphs (1)
22 and (2) with any reports developed as part of the
23 conservation effects assessment project authorized

- 1 by section 8, whenever such coordination is feasible
- 2 and warranted, as determined by the Secretary.”.

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