

CRS Report for Congress

Conservation and the 2007 Farm Bill

Updated May 6, 2008

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Prepared for Members and
Committees of Congress

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Summary

Conservation is playing a prominent role in the development of a farm bill by the 110th Congress. Major conservation topics include determining the priorities for the conservation effort; deciding whether any existing programs or activities should be modified or eliminated; deciding whether new programs or activities should be added to the effort; and determining funding levels for the overall conservation effort and for each program.

The House completed action on its version of the farm bill (H.R. 2419) on July 27, 2007, passing it by a vote of 231 to 191. Many options for conservation had been offered as the legislation moved through the House, but the conservation title was passed as reported by the committee and modified by a chairman's mark. In summary, this legislation would increase funding for many conservation programs and add a number of small new programs to the conservation portfolio, and halt new enrollment into the Conservation Security Program.

The Senate Agriculture Committee reported its version of the farm bill (S. 2302) on October 25, 2007 (S.Rept. 110-220). Beyond the adoption of a chairman's mark, the conservation title was altered little in committee. During floor action, the Senate adopted an amended version of the committee bill combined with a revenue bill (S. 2242) as a substitute (S.Amdt. 3500 to H.R. 2419). The Senate passed its version of the farm bill on December 14 (H.R. 2419, amended) by a vote of 79 to 14 after adopting a wide-ranging manager's amendment (S.Amdt. 3855). In summary, this legislation would create a new program that combines the Conservation Security and Environmental Quality Incentives Programs, provide level funding for most existing conservation programs, and create new sub-programs within existing programs.

Congressional agriculture leaders and the Administration are currently negotiating the size of an overall funding increase for agriculture under the new farm bill. The House, working with the Administration, is proposing an increase of about \$6 billion above a CBO estimate of approximately \$597 billion over 10 years, while the Senate is proposing an increase of \$12.3 billion. After an overall number is agreed to, the funds must then be allocated among all areas of agriculture, and the portion provided for conservation must be allocated among the many programs. Congress is under great pressure to complete the farm bill because producers want to know the policy changes as they make planting decisions, and because the farm bill expires on March 15 and would revert to law enacted in 1949 if not extended. For conservation, inaction would terminate almost all programs.

This report introduces some of the issues that are influencing the development of a conservation title. It then reviews major provisions passed by both chambers, followed by some of the alternative conservation proposals that were offered. An appendix compares current law with the conservation provisions, as passed by both chambers, in more detail. This report is limited to the conservation title. However, conservation topics are also addressed elsewhere in the farm bill, including the energy, forestry, and research titles; those provisions may be discussed in CRS reports about those titles.

Contents

Introduction	2
Issues Shaping the Conservation Debate	3
Conservation Funding	3
Energy and Agriculture Conservation	4
Green Payments	4
Payment Limits	5
Program Simplification	5
Program Delivery Capacity	6
New Conservation Farm Bill Issues	6
Market-Based Approaches for Conservation	6
Conservation at Larger Scales	7
Partnership Opportunities	7
Measuring Conservation Accomplishments	7
Congressional Activities	8
House Farm Bill (H.R. 2419)	8
Senate Farm Bill (H.R. 2419, amended)	12
Conference Committee	15
Other Conservation Proposals	16
The Administration's Proposal	16
Other Selected Legislative Proposals	17
Appendix A. Comparison of the Conservation Titles in the House and Senate	
Farm Bills (H.R. 2419)	21
Conservation Reserve Program (CRP)	21
Wetlands Reserve Program (WRP)	22
Conservation Security Program (CSP)	24
Environmental Quality Incentives Program (EQIP)	25
Conservation Program Funding	29
Other Conservation Programs	30
New Conservation Programs Authorized in One or Both Bills	36

Conservation and the 2007 Farm Bill

Most Recent Developments¹

The House and Senate completed action on their respective versions of a new farm bill in 2007 (H.R. 2419). However, conference action was initially delayed in part because of differences between committee leadership and the Administration over the inclusion of tax provisions in the bill, and the Administration's demand for additional reform of commodity programs. Consequently, Congress temporarily extended portions of the expiring 2002 farm bill until March 15, 2008, as part of the Consolidated Appropriations Act for FY2008 (P.L. 110-161). Since March, Congress has approved a one-month extension, followed by three consecutive short-term extensions lasting through May 16.² Both the House and Senate have named conferees. Conferees began official meetings in April 2008, and have been working to resolve approaches to finance new spending above baseline using tax provisions not usually associated with farm bills.

The House and Senate versions of the pending omnibus farm bill differ in numerous ways that will have to be resolved by the conference committee. In conservation, the most significant difference is that the House version allows no new signups in the Conservation Security Program (CSP) until FY2012, while the Senate version replaces the CSP with a new Conservation Stewardship Program that combines features of the existing CSP and Environmental Quality Incentives Program, requiring that more than 13 million acres be enrolled annually. The Senate bill provides level funding for most existing conservation programs while increasing overall conservation funding by almost \$4.8 billion between FY2008 and FY2012, and creates several new programs (mostly within existing programs). The House bill increases overall funding for conservation by more than \$4.5 billion between FY2008 and FY2012 and add several small new programs to the conservation portfolio, while eliminating very little of the current effort beyond delaying further enrollment in the CSP until FY2012.

Congress completed action on FY2008 funding for agriculture when it passed the Consolidated Appropriations Act, 2008 (H.R. 2764). The President signed this bill on December 26, 2007. It makes several adjustments to funding for conservation programs (for example, limiting funding for the Environmental Quality Incentives Program to \$1.0 billion and providing \$30 million for Watershed Operations), extends funding through March 15, 2008, for three farm bill programs that expired at the end of FY2007, and includes a 0.7% across-the-board rescission.

¹ This report is an updated and revised version of a report originally written by former CRS specialist Jeffrey A. Zinn.

² March 12 (P.L. 110-196), April 17 (P.L. 110-200), April 24 (P.L. 110-205), and May 1 (P.L. 110-208).

Introduction

The 110th Congress is developing an omnibus farm bill to replace the current 2002 farm bill, which generally expired at the end of FY2007. Conservation is playing a prominent role in this effort. The House completed action on its version of the farm bill, passing it by a vote of 231 to 191 on July 27, 2007.³ Numerous options for conservation provisions had been put forth as the legislation moved through the House; perhaps the most prominent were found in H.R. 1551, introduced by Representative Kind on March 15, 2007, and H.R. 1600, introduced by Representative Cardoza on March 20, 2007. Each of these bills had more than 100 cosponsors. However, the House enacted the conservation title as reported by the Agriculture Committee and modified by a chairman's mark without further amendment. In summary, this legislation would increase funding for many conservation programs and add a number of small new programs to the conservation portfolio, halt new enrollment into the Conservation Security Program, and eliminate little else from the current effort.

The Senate Agriculture Committee completed action on its version of the farm bill (S. 2302) on October 25, 2007, and reported it for full Senate consideration (S.Rept. 110-220). Beyond the adoption of a chairman's mark, the conservation title was altered little in committee. Senate floor action began in early November. The Senate adopted an amended version of the committee bill combined with a revenue bill (S. 2242) as a substitute (S.Amdt. 3500 to H.R. 2419). The Senate passed its version of the farm bill on December 14 (H.R. 2419, amended) by a vote of 79 to 14 after adopting a wide-ranging manager's amendment (S.Amdt 3855). In summary, this legislation would create a new program that combines the Conservation Security and Environmental Quality Incentives Programs, provide level funding for most existing conservation programs, and create several new sub-programs within existing programs.

Agriculture committees in both chambers have drawn on information gathered at numerous hearings, recommendations and proposals offered by many interested parties (including the Bush Administration), and legislative proposals introduced by other Members. Recommendations range from general principles to very specific changes and legislative language, and from changes limited to a specific farm bill program or title to those involving multiple farm bill titles. Conservation has been among the most actively addressed farm bill issue areas, attracting recommendations from many interests who represent widely varying perspectives.⁴ Coalitions have formed and articulated their priorities and positions on many of these topics. One conservation group, the American Farmland Trust, in particular, was very active early

³ For an overview of provisions in H.R. 2419, see CRS Report RL34113, *The House-Passed 2007 Farm Bill (H.R. 2419) at a Glance*, coordinated by Renee Johnson.

⁴ For a brief introduction identifying a large sampling of these proposals, see CRS Report RL33934, *Farm Bill Proposals and Legislative Action in the 110th Congress*, by coordinated Renee Johnson.

on in soliciting input from a large and diverse set of interests and developing a wide-ranging set of general proposals, which it released early in the summer of 2006.⁵

This report covers the issues shaping the debate and tracks the conservation title of the new farm bill from committee action to enactment. It is limited to the contents of the conservation title, which is summarized in the text and presented in greater detail in an appendix. This title is not as wide-ranging as the topic of conservation, which encompasses policies and programs that protect or restore natural resources and the environment in conjunction with the production of food or fiber. Aspects of conservation have been increasingly addressed in other titles in recent farm bills, as elements of the conservation effort are being integrated with multiple aspects of agricultural policy. This trend continues with the versions of the farm bill passed by both chambers, where conservation provisions also are in the energy, forestry, and research titles, among others.⁶

Issues Shaping the Conservation Debate

Many issues could influence congressional decisions about conservation. Some of these issues, such as funding and program complexity, are broad and central to congressional considerations and to farm bill participants. Other issues, however, are of great concern to only a portion of farm bill participants. Even if all participants could agree on a particular issue, such as funding, how it might be addressed — that is, how large total funding for conservation should be and how those funds should be allocated among conservation programs — still generates considerable additional debate. This section broadly identifies and introduces the issues, but does not provide detailed analysis about them, either individually or in relation to each other. The introduction of each issue concludes with a series of policy questions. The House- and Senate-passed bills address many of these issues in different ways that will have to be resolved by the conference committee.

Conservation Funding. The tight federal budget makes funding for farm bill programs a contentious topic. Agriculture leaders in both chambers and the Administration are currently negotiating exactly how much additional funding over the current baseline will be made available for agriculture; after leaders agree on that number, they will start the process of making funding decisions about specific programs. The smaller the increase, the more contentious the allocation discussions will be. Agricultural interests sought increased funding by fully funding a \$20 billion five-year deficit-neutral reserve fund approved in the FY2008 budget resolution, or by finding offsetting savings. The current discussions revolve around competing proposals; the House and the Administration have agreed to increasing funding by about \$6 billion over the current baseline of \$596.6 billion over 10 years, while the Senate is suggesting the increase should be \$12.3 billion.

⁵ Information on these proposals can be accessed through the American Farmland Trust website at [<http://www.farmland.org>].

⁶ For more background information about the evolution of conservation programs, more detailed data about some of the larger conservation programs, and funding in recent years, see CRS Report RL33556, *Soil and Water Conservation: An Overview*, by Jeffrey A. Zinn.

After the issue of total funding for agriculture is resolved, the agriculture committees would then decide what portion of the agriculture funds would go to conservation programs, and then, how the funding for conservation would be allocated among the many programs.⁷ After the program funding levels are determined, numerous related questions might be addressed, such as (1) whether certain locations (states, regions, or watersheds), types of producers, or resource concerns should receive higher priority for access to any programs, and (2) what levels of funding will mean for the current backlogs of interest in program participation that cannot be met.

Energy and Agriculture Conservation. Energy is a major topic for this farm bill, both because of the tremendous potential contribution of biofuel production to the farm economy, and because of the high costs of petroleum and petroleum-based products. At the center of this issue is finding ways to craft energy policies that encourage or allow for expanded crop cultivation for biofuels in ways that are compatible with land retirement and other established conservation goals. Among the questions that have been raised are (1) should lands retired for multiple years under federal conservation programs that would be returned to production to grow energy crops be treated differently than other lands that seek to exit land retirement programs; (2) should no land, only a few types of lands, or most lands in multi-year retirement programs be allowed to exit those programs without financial penalty if they are to be converted to energy crop production; (3) what, if any, stipulations to protect the public benefits that have resulted from land retirement (not allowing activity during the nesting season or limiting the harvest frequency, for example) should be a part of options to return the land to crop production; and (4) how do subsidies for ethanol and other bioenergy products affect production patterns on agricultural lands and conservation on those lands? Future energy policies are now clearer with enactment of Energy Independence and Security Act of 2007 (P.L. 110-140), signed into law on December 19, 2007, and may provide useful guidance for the farm bill conference committee.

Green Payments. Strong interest continues, especially in the conservation and environmental communities, for a major conservation program for working lands, generally referred to as a green payments program. A current land stewardship program, the Conservation Security Program (CSP), is one possibility. It is viewed by supporters as both compatible with World Trade Organization priorities (should trade talks be successfully concluded), and as a complement to the many land retirement conservation programs.⁸ Among the many policy questions this issue raises are (1) how should a green payments program be used to integrate commodity and conservation policies; (2) will any WTO requirements constrain the design of a

⁷ For additional information about authorized funding levels and actual funding, by year, for all the mandatory conservation programs from 2003 to the present, see CRS Report RS22243, *Mandatory Funding for Agriculture Conservation Programs* by Jeffrey A. Zinn.

⁸ For background information on alternative perspectives about the green payment approach, see CRS Report RL32624, *Green Payments in US and European Union Agricultural Policy*, Charles E. Hanrahan and Jeffrey A. Zinn, and CRS Report RL34010, *WTO Compliance Status of the Conservation Security Program and the Conservation Reserve Program*, by Randy Schnepf.

green payments program; (3) does the CSP need to be fully funded and implemented everywhere to be successful; (4) how might CSP be amended based on implementation experiences since enactment; and (5) are there ways in which CSP is not a good model of a green payments program?

Payment Limits. Limiting commodity support payments has been a major issue for many years, and now that same issue is being raised about conservation payments.⁹ Limiting conservation payments, either by not making them available to very small farms (measured by acres or earnings) or to very large farms (measured by earnings), or by capping them in some fashion, has been raised as an approach that could provide additional conservation assistance available to full-time commercial operators (or to other farm bill programs). The U.S. Department of Agriculture's (USDA's) Economic Research Service determined that conservation payments tend to go to smaller and mid-sized producers, while commodity payments are more concentrated among the larger producers. Payment limits are already a part of a few conservation programs, including the Environmental Quality Incentives Program (a maximum of \$450,000 during any six-year period) and the Conservation Security Program (\$45,000 a year). Among the questions that have been raised are (1) should payment limits be program-specific, or for some combination of multiple conservation programs; (2) how might payment limits change patterns of participation and accomplishment for conservation programs; (3) how much money might be saved using different payment limit options; (4) where should any savings be allocated; and (5) if payment limits are authorized, should each conservation program have the same limit?

Program Simplification. The number of conservation programs, each with its own structure and participation requirements, has proliferated. USDA's Natural Resources Conservation Service (NRCS) alone administers about 20 programs and subprograms. One pressure to condense and coordinate the plethora of programs comes from potential participants, who may be discouraged from participating by the complexities they encounter over which program they wish to join and what exactly will be required from them. A second pressure comes from USDA, which sees a potential to gain administrative efficiencies and realize financial savings through program simplification. In addition, the NRCS field staff may believe that it would be easier to market programs to potential participants if requirements are easier to explain. Of the Bush Administration's ten conservation proposals for this farm bill (see "The Administration's Proposal," below), four would combine similar programs, such as the easement programs or many of the cost-sharing programs. Among the questions that have been raised are (1) which programs might be combined; (2) what changes would be required to make these program more compatible (revising the definitions of eligible land to make them consistent, for example); (3) will combining programs decrease or increase the number of people or amount of land that is eligible (and should such changes be a goal of program simplification); (4) can the program application process be simplified; and (5) what are the potential savings in program administration costs that could be realized if any of the simplification proposals were adopted?

⁹ For additional information on commodity program payments, see CRS Report RS21493, *Payment Limits for Farm Commodity Programs: Issues and Proposals*, by Jim Monke.

Program Delivery Capacity. Both the number of issues addressed by conservation and the funding available to address those problems have expanded rapidly over the past two decades. During the same time, the number of employees at the administering agencies has been constant or has shrunk. This delivery capacity question has generally been raised in relation to technical assistance, which provides the planning and engineering advice needed to implement conservation programs. The capacity to provide technical assistance has been augmented by a system of qualified third party providers, authorized in the 2002 farm bill. Among the questions that have been raised are (1) does the conservation delivery capacity of USDA agencies need to be further supplemented through partnerships, relationships with other organizations, or expansion of the technical assistance provider system; (2) what opportunities and problems would result if a large portion of staff in the responsible agencies retired in a short time period; (3) does USDA have the staff needed to administer conservation programs today if they were all fully funded; and (4) will the pending farm bill consider how workforce capacity issues might be addressed to minimize problems in the future?

New Conservation Farm Bill Issues. As in every recent farm bill, new conservation issues have emerged that might receive increased attention. A sampling of the issues that might be addressed because they are new or of growing importance include (1) expanding the number of acres in production to produce biofuels; (2) protecting threatened and endangered species; (3) eradicating invasive species; (4) participating in efforts to mitigate the forces behind global climate change; (5) dealing more aggressively with water scarcity; (6) providing additional conservation assistance to beginning and limited resource producers; (7) providing additional assistance to producers of fruits and vegetables; and (8) addressing air quality issues. In addition, new approaches continue to be added to the conservation tool kit, such as pending proposals to create the groundwork that could lead to use of market-based approaches in the future (discussed below). Among the questions that have been raised are (1) whether new programs are needed to address new issues or can established programs just be expanded; (2) what expertise and funding that is not available will be needed to address these new issues; (3) should any new issues receive a higher priority among all conservation efforts than some of the older ones; and (4) will legislation establish reasonable expectations for dealing with these issues?

Market-Based Approaches for Conservation. Pressure has been growing to foster the use of market-based approaches in conservation. These approaches, which are based on establishing financial measures for services that can be provided and developing markets to sell or trade services, are viewed by some as offering landowners both a new way to be paid for environmental services that benefit society and a new way to protect and promote services that landowners have not been compensated for in the past. This approach has long found support in academic circles, but in recent years, support has spread more widely, especially in the forestry and conservation communities. Much of that interest has been stimulated by an increased desire to sequester carbon as a response to global climate change; earlier interest was concentrated in water quality trading. Among the questions that have been raised are (1) what opportunities are there to use more market-based approaches — establishing ecosystem markets or selling carbon credits, for example — in conservation; (2) what baseline work to establish values for these service and

markets is needed to foster their development and operation; (3) what roles can agriculture play in addressing global climate change through the use of markets; (4) what is the federal role in the development and operation of markets generally; and (5) how should markets be monitored to make sure that the services that benefit to society are being provided.¹⁰

Conservation at Larger Scales. Conservation has traditionally been applied at the scale of either the individual farm or smaller (a field or even a portion of a field). Since conservation problems, such as excessive soil erosion, tend to be concentrated in portions of watersheds, interest has grown in considering larger areas, such as watersheds or ecosystems, where problem sites can be identified and conservation most efficiently applied. The result, advocates of this approach say, would be programs that are more efficient in resolving conservation problems. Research in several watersheds has shown that, commonly, about 80% of the conservation problems originate in about 20% of a watershed. Since all participation in conservation programs is voluntary, these programs often are not implemented where problems are most severe or concentrated, especially when implemented on a farm or field basis. Among the questions that have been raised are (1) can the locations where conservation problems are most concentrated be identified; (2) how much more efficient might conservation programs be if they could address problems at the watershed scale; (3) would other related changes need to be made in the conservation approach (such as not encouraging participation by those who do not have the most severe problems on their land); (4) are there some programs for which this approach should not be used; and (5) what role should land retirement programs play at a watershed or ecosystem scale?

Partnership Opportunities. One premise behind the federal conservation effort is the extensive use of partnerships involving multiple public and private organizations. This approach has proven increasingly important as the conservation mission has rapidly expanded over the past two decades to include new topics and responsibilities, while the agencies dealing with that expanded mission have found it challenging to change as quickly. The third party provider system established in the 2002 farm bill may provide lessons about both the potential and limitations of partnerships. Some conservation advocates believe that there are additional opportunities to expand the use of partnerships. Among the questions that have been raised are (1) how extensively can partnerships supplement staff capacity and capability; (2) what are some of the factors that might limit or inhibit the use of partnerships; (3) should the current third party system be altered in any way; (4) who are the possible leaders of conservation partnerships; (5) what benefits do partners bring to the conservation effort, and are there any significant offsetting costs; and (6) what role(s) might voluntary partnerships, such as the Bush Administration's Cooperative Conservation Initiative, play in future conservation policy.¹¹

Measuring Conservation Accomplishments. Critics and some conservation advocates have raised questions about what the overall conservation

¹⁰ For more information on this topic, see CRS Report RL34042, *Environmental Services Markets: Farm Bill Proposals*, by Renee Johnson.

¹¹ More information on this Initiative can be found at [<http://cooperativeconservation.gov>].

effort actually accomplishes as the level of activity and federal spending have both grown. The Department of Agriculture has initiated the Conservation Effects Assessment Program (CEAP) to develop some insights that might help address this question. In addition, the Resource Conservation Act (RCA), enacted 1978 and expiring at the end of 2007, requires that the Department conduct a periodic assessment of natural resource conditions and prepare a national plan to respond to what was learned. Among the questions that have been raised are (1) should the RCA be reauthorized, and, if so, should it be amended; (2) should Congress identify its expectations for what should result from the CEAP effort; (3) how should measures of accomplishments be integrated with conservation programs; (4) should the evaluation efforts explore such questions as how efficient and effective are each conservation program, how enduring are their benefits, and do these programs serve equally various sectors of agriculture and various regions of the country; and (5) what mechanisms are incorporated into each program to monitor and measure accomplishments.

Congressional Activities

House Farm Bill (H.R. 2419). The House passed its version of the farm bill on July 27, 2007, reauthorizing programs through FY2012. The legislative process started when the House Agriculture Committee's Subcommittee on Conservation, Credit, Energy, and Research marked up a "discussion draft" of the conservation title on May 23, 2007. The subcommittee adopted the draft with six amendments. The discussion draft was prepared before key decisions about funding had been made, and as a result, it included two options for funding levels for several programs.

Committee Chairman Peterson released a chairman's mark, dated July 13, which made numerous changes to the language approved by the subcommittee and served as the basis for the full committee markup.¹² The full committee marked up the farm bill between July 17 and July 19, 2007, and reported it on July 23, 2007 (H.Rept. 110-256, pt. 1). While several amendments to the conservation title were offered, and a portion of these were adopted, these amendments could probably be characterized more as fine-tuning than as major changes to this title.

The full House adopted a manager's amendment and an en bloc reserve fund amendment, which altered many aspects of the conservation title, as reported. However, most of the 31 amendments that were allowed to be debated on the floor were defeated or withdrawn. Among these amendments, the House rejected three that would have altered the conservation title, most notably the Kind Amendment, which would have made numerous changes enhancing funding and adding a new forestry program. It was defeated in a roll call vote, 117 to 309.

As passed by the House, Title II, Conservation, contains the following provisions. All programs are authorized through FY2012, unless otherwise noted, and spending for four programs amended in other sections is authorized in Section

¹² A copy of the conservation (and other) titles and a short summary of major provisions can be found at the committee's farm bill home page, at [<http://agriculture.house.gov/inside/Legislation/110/ConservationSBS.pdf>].

2401. House provisions are compared to current law and Senate-passed provisions in much greater detail in the appendix.

- ***Section 2101 would reauthorize the Conservation Reserve Program (CRP).*** The CRP, a multi-year land retirement program, would be reauthorized at the current enrollment level of 39.2 million acres. Other provisions would make eligible multi-year rotations of grasses and legumes; extend the wetland subprogram; address invasive species; allow managed grazing at a reduced rental rate; allow dryland crop production and grazing on certain lands enrolled in the Conservation Reserve Enhancement Program; facilitate the transfer of land from retiring to beginning and socially-disadvantaged producers; and allow contracts to be terminated at any time if they are at least five years old and not enrolled under the continuous enrollment.
- ***Section 2102 would reauthorize the Wetlands Reserve Program (WRP).*** The WRP protects agricultural wetlands and buffers using multi-year agreements and easements. The WRP would be reauthorized at 3.605 million acres, with an annual enrollment goal of 250,000 acres. Other provisions would allow up to 10,000 acres of the acres enrolled annually to be in eligible flood plains; add provisions on eligible and ineligible lands, compensation for easements, and considering offers; and authorize a new enhancement program (like the CRP Program).
- ***Section 2103 would amend the Conservation Security Program (CSP).*** The CSP is a land stewardship program to apply conservation on so-called working lands. The CSP would be changed so that all contracts would be for five years, with one extension for an additional five years in return for providing additional conservation benefits in addressing at least one priority resource of concern. Provisions specify the contents of a CSP contract; permit contract changes and allow contracts to be terminated under limited circumstances; eliminate penalties for non-compliance caused by factors that are beyond the producer's control; specify how offers are to be evaluated; coordinate participation with the organic production program; require the identification of up to five priority resources of concern in areas within a state; provide stewardship enhancement payments; limit CSP payments under a contract to \$150,000 over five years; limit technical assistance to 15% of CSP spending each year; and honor preexisting contracts while prohibiting new contracts between September 30, 2007, and October 1, 2011. (See Section 2401 for funding provisions, which eliminate enrollment between FY2008 and FY2012.)
- ***Section 2104 would reauthorize the Grasslands Reserve Program (GRP).*** The GRP retires and restores grasslands under long-term agreements and easements. The GRP would be authorized to enroll an additional 1.34 million acres, and up to 10% of the enrollment each year could be certain lands that had been enrolled in the CRP. It would also authorize an enhancement program similar to the Conservation Reserve Enhancement Program, specify how fair market value is to be determined, and require the Secretary to transfer easements to states or qualified private organizations.
- ***Section 2105 would reauthorize the Environmental Quality Incentives Program (EQIP).*** EQIP, the central conservation cost-sharing program, would be amended to add forest management and energy to the program purposes (and other subsections); permit coordinated implementation by multiple landowners; increase the cost-share to 90% for beginning and

socially disadvantaged producers, and for gasifier technology; allow incentive payments to use third party providers, to develop comprehensive nutrient management plans, or to implement certain energy-related improvements; provide at least 5% of the funds each year to beginning producers and at least 5% to socially disadvantaged and limited resource producers; set priorities for evaluating applications; and require water conservation practices to lead to a net water savings. (Funding levels would be authorized in Section 2401.) It would also provide funding for the Conservation Innovation Grants subprogram, which would consist of (1) innovative grants, (2) a new comprehensive planning program (specifies a pilot project for in the Chesapeake Bay watershed), (3) grants to organic and specialty crop producers, and (4) a new air quality program to help meet regulatory requirements.

- ***Section 2106 would create a new Regional Ground and Surface Water Enhancement Program.*** This program, within EQIP, would coordinate water supply and water quality activities on agricultural lands using competitive grants of up to five years. It would replace the Ground and Surface Water Conservation Program. Five identified priority areas would receive up to 50% of the funds each year. Elements to be used in grant applications and criteria for selecting proposals are specified. Funding would be \$60 million annually, with administrative expenses limited to 3%.
- ***Section 2107 would reauthorize the Grassroots Source Water Protection Program,*** increasing annual funding levels million to \$20 million through FY2012.
- ***Section 2108 would reauthorize, without amendment, the Conservation of Private Grazing Lands Program.***
- ***Section 2109 would reauthorize, without amendment, the Great Lakes Basin Program for Soil Erosion and Sediment Control.***
- ***Section 2110 would reauthorize the Farmland Protection Program (FPP).*** The FPP uses long-term agreements and easements to protect agricultural lands meeting certain qualifications from conversion to non-agricultural uses. It would be renamed the Farm and Ranchland Protection Program. Program priorities would be to protect productive soils that are at risk of non-agricultural development, and to support implementation of state and local policies. A detailed certification process for eligible participants is spelled out, with certification to be reviewed every three years; a conservation plan would be required if highly erodible land is protected; and the federal share could not exceed 50% of the easement's fair market value. (Funding levels would be authorized in Section 2401.)
- ***Section 2111 would reauthorize, without amendment, the Farm Viability Program.***
- ***Section 2112 would reauthorize the Wildlife Habitat Incentive Program (WHIP).*** WHIP protects and promotes wildlife and fish species and their habitat. The cost-share for long-term agreements would be increased from 15% to 25%. (Funding levels would be authorized in Section 2401.)
- ***Section 2201 would reauthorize the Agricultural Management Assistance Program.*** This program provides cost-sharing assistance to address risk-related problems in 15 specified states where crop insurance enrollment has been historically low. Hawaii and Virginia would be made eligible. Of the funds made available, 50% would go to conservation activities, 10% would go to the Agriculture Marketing Service, and 40% would go to the Risk Management Agency.
- ***Section 2202 would amend the Resource Conservation and Development Program (RC&D).*** RC&D, a multi-country program to promote

conservation programs in rural areas, would be amended to emphasize locally led planning, and to authorize a coordinator for each council to provide technical assistance.

- **Section 2203 would reauthorize the Small Watershed Rehabilitation Program.** It would provide \$65 million annually in discretionary funding for FY2008 through FY2012 and \$50 million annually in mandatory funding for FY2009 through FY2012.
- **Section 2301 would authorize a new Chesapeake Bay Program for Nutrient Reduction and Sediment Control.** Provisions would require that the Secretary of Agriculture develop a comprehensive restoration plan within two years of enactment and specifies topics the plan should address. It would provide mandatory funding starting at \$10 million in FY2008 and growing each year to \$55 million in FY2012 for restoration and enhancement projects. Other provisions would limit federal spending on any project to \$5 million, specify a minimum non-federal cost-sharing level of 35%, and make operation and maintenance non-federal responsibilities.
- **Section 2302 would authorize a new Voluntary Public Access and Habitat Incentive Program.** This program would provide grants to encourage producers to provide public access for wildlife-related purposes. Annual appropriations of \$20 million for FY2008 through FY2012 would be authorized.
- **Section 2303 would authorize a new Muck Soils Conservation Program.** This program would make payments of between \$300 and \$500 per acre to conserve and improve muck soils, as defined. Annual appropriations of \$50 million for FY2008 through FY2012 are authorized.
- **Section 2401 would authorize funding levels for many of the mandatory conservation programs.** It would authorize funding for the Conservation Security Program (\$1,454 million between FY2007 and FY2012 and \$1,927 million between FY2007 and FY2017 for contracts signed before 10/1/07, and \$5.1 billion between FY2012 and FY2017 for contracts signed after 10/1/11); the Farm and Ranchland Protection Program (\$125 million in FY2007, growing each year to \$280 million in FY2012); the Environmental Quality Incentives Program (\$1.25 billion in FY2008, growing each year to \$2.0 billion in FY2012); and the Wildlife Habitat Incentives Program (extends authorization at \$85 million annually through FY2012).
- **Section 2402 would improve technical assistance for producers.** It would make it easier for producers to use an approved third party, require payments for technical services to be at least at market rates, require each state to review and approve its technical assistance specifications, ensure that technical assistance addresses the needs of specialty crop producers, and permit agreements and contracts with non-federal entities to provide technical assistance.
- **Section 2403 would authorize a new Cooperative Conservation Partnership Initiative.** This initiative would be established using 10% of funds from three specified conservation programs (CSP, EQIP, and WHIP), with 90% of those funds allocated to states and awarded by state conservationists. This initiative would provide two- to five-year competitive grants to carry out projects involving multiple producers and cooperators. Criteria for considering grants and priorities for selection are specified. The federal cost share would be at least 75%, and incentive and bonus payments could be made for specified purposes.

- ***Section 2404 would reauthorize the regional equity provision.*** It would increase the authorized amount for each eligible state to \$15 million per year.
- ***Section 2405 would simplify and streamline access to conservation programs.*** It authorizes a simplified and single application process for individuals who wish to participate in conservation programs, and the Secretary would report on how it has implemented this provision.
- ***Section 2406 would authorize an annual report on conservation program participation by specialty crop producers.*** The first report is to be submitted within 180 days of enactment.
- ***Section 2407 would authorize the development of performance standards that would be used for market-based approaches.*** It would require an Environmental Services Standards Board to be established to set standards that could be used to promote market-based approaches to conservation and environmental benefits produced by agriculture for which there are no existing markets. Appropriations of \$50 million would be authorized, to remain available until expended.
- ***Section 2408 would amend provisions authorizing state technical committees.*** Changes would include specified representation by agricultural interests; authorizing subcommittees, and shortening and generalizing provisions that describe their responsibilities.
- ***Section 2409 would add new provisions on payment limits.*** Payment limits would be set at \$60,000 per year for any single program authorized by the farm bill, or \$125,000 for multiple programs. Three conservation would be excluded: WRP, FRPP, and GRP.
- ***Section 2501 would amend the adjusted gross income limit.***
- ***Section 2502 would encourage the Secretary to develop sustainable practices guidelines for specialty crop producers and processors when administering the conservation title.***
- ***Section 2503 would require the Secretary to designate at least one farmland information center.*** The center(s), funded by a portion of the FRPP, would distribute information on farmland protection topics.
- ***Section 2504 would authorize a pilot four-year crop rotation program for peanuts.*** The contract would be with a producer and provide mandatory funding not to exceed \$10 million per year.

Senate Farm Bill (H.R. 2419, amended). The Senate Agriculture Committee marked up and reported its version of the farm bill, S. 2302, on October 25, 2007 (S.Rept. 110-220). Other than the adoption of a chairman's mark, the conservation title was altered little in conference. The following week, the Senate adopted a manager's amendment (S.Amdt. 3500) that combined S. 2302 with a revenue bill, S. 2242, and is a substitute to H.R. 2419. The Senate passed its version of the farm bill on December 14, by a vote of 79 to 14, after adopting a wide-ranging manager's amendment (S.Amdt. 3855). All programs in the bill are authorized from FY2008 through FY2012, unless noted. The provisions are summarized below, and presented in much greater detail in the side-by-side description of current law, the House-passed bill and the Senate-passed bill in the appendix.

- ***Section 2001 would add definitions for beginning farmer and rancher, Indian tribe, socially disadvantaged farmer, non-industrial private forest land, and technical assistance.***
- ***Sections 2101 and 2201 would amend the compliance provisions for highly erodible lands and wetlands,*** respectively, to provide a second level of review for compliance violations.

- **Section 2301 would move programs in the conservation title** by combining the Healthy Forests Reserve Program with other land retirement programs in the Comprehensive Conservation Enhancement Program, and placing EQIP within the new Comprehensive Stewardship Incentives Program.
- **Section 2311 would reauthorize the Conservation Reserve Program** at the current enrollment level of 39.2 million acres, and make numerous other changes, including expanding eligible lands, adding topics that may be considered when choosing contract offers, extending the wetland program, and adding wildlife provisions.
- **Section 2312 would create a new Flooded Farmland Program within the CRP** for closed basins in the Northern Great Plains. Eligible land must exceed 5 acres and have been flooded the preceding three crop years.
- **Section 2313 would authorize a new Wildlife Habitat Program** within the CRP to improve habitat on enrolled lands where softwood pine stands have been established under contracts of up to five years.
- **Section 2321 would reauthorize the Wetlands Reserve Program**, allowing up to 250,000 acres to be enrolled each fiscal year. It would authorize a new Wetland Reserve Enhancement Program and clarify how compensation is to be calculated.
- **Section 2331 would place the Healthy Forest Reserve Program** in the conservation title, and allow it to use permanent easements.
- **Section 2341 would create a new Comprehensive Stewardship Incentives Program** covering EQIP and a new Conservation Stewardship Program (CSP) that would replace the current CSP. It lists program purposes, requires EQIP and the new CSP to be administered in a coordinated manner and so as to avoid duplication between the two programs, defines “resource of concern,” limits the number of concerns that can be identified in a single portion of a state, and requires implementing regulations to be issued within 180 days of enactment. The new CSP requires more than 13 million acres to be enrolled into the program annually in five-year contracts, at an average cost of \$19 per acre, and sets limits on how many acres can participate in a state each year.
- **Section 2356 would reauthorize the Environmental Quality Incentives Program** and make numerous amendments, such as adding provisions to address forestry and forest fire topics, making invasive species management, pollinator habitat, and predator deterrence practices eligible for incentive payments, providing technical assistance and payments to producers for water conservation and irrigation practices, providing additional assistance to beginning and socially-disadvantaged producers, and prohibiting duplicate payments for the same practices from other programs.
- **Section 2358 would reauthorize Conservation Innovation Grants under EQIP**, clarify that grants are to be used to develop and transfer innovative conservation technologies, and encourage participation by specialty crop producers.
- **Section 2359 would reauthorize the Ground and Surface Water Conservation Program under EQIP** at the current funding level, authorize the program to work at a regional scale, and create a pilot program for the Eastern Snake Aquifer.
- **Section 2360 would authorize a new effort under EQIP to assist producers who choose to convert to organic agriculture**, including providing technical and financial assistance; financial assistance is limited to a total of \$80,000.

- **Section 2361 would authorize \$165 million for a new Chesapeake Bay Watershed Conservation Program within EQIP**, funded at a total of \$165 million.
- **Section 2371 would reauthorize the Farmland Protection Program** and clarify who is eligible, delete the need for land to be a subject of a pending offer to be eligible, add provisions clarifying aspects of cooperative agreements, and require appraisals to follow accepted practices.
- **Section 2381 would reauthorize the Grasslands Reserve Program** and redefine eligible land, identify priority lands and permitted and prohibited uses, specify considerations in evaluating offers, and allow certain lands already enrolled in the CRP to be transferred into this program.
- **Section 2391 would authorize the new Conservation Stewardship Program**, which would replace the Conservation Security Program. Participants would be enter into a contract in which they agree to meet stewardship thresholds for resource concerns they agree to address on eligible lands.
- **Section 2392 would extend the Conservation of Private Grazing Land Program** through FY2012.
- **Section 2393 would extend the Wildlife Habitat Incentives Program**, increasing the percentage of funds that can be used for long-term projects from 15% to 25%, and give priority to projects that support the goals of fish and wildlife conservation plans.
- **Section 2394 would extend the Grassroots Source Water Protection Program** through FY2012.
- **Section 2395 would extend the Great Lakes Basin Program for Soil Erosion and Sediment Control** through FY2012.
- **Section 2396 would extend the Farm Viability Program** through FY2012.
- **Section 2397 would create the Discover Watershed Demonstration Project** in the Upper Mississippi River basin to demonstrate approaches to reducing the loss of nutrients into surface waters in at least 30 small watersheds, and includes criteria by which those watersheds would be selected.
- **Section 2398 would create an Emergency Landscape Restoration Program** replacing two current emergency programs to rehabilitate agricultural lands after natural catastrophic events; it specifies remedial actions and authorizes the purchase of flood plain easements.
- **Section 2399 would authorize a new Voluntary Public Access and Habitat Incentive Program** at \$20 million annually to provide grants to encourage public access for wildlife-dependent recreation.
- **Section 2401 would provide funding** for the Conservation Security Program (\$2.317 billion to administer contracts entered into before the date of enactment of this farm bill); the Conservation Stewardship Program (no amount specified); the Farmland Protection Program (\$97 million annually through FY2012); the Grasslands Reserve Program (a total of \$240 million through FY2012); and EQIP (\$1.27 billion in FY2008 and FY2009, and \$1.3 billion in FY2010 through FY2012).
- **Section 2402 would reauthorize the regional equity provisions**, increasing the aggregate minimum amount each state is to receive annually from \$12 million to \$15 million per year for six specified programs.
- **Section 2403 would improve access to conservation programs** by providing that 10% of conservation funds be used to assist beginning and socially disadvantaged producers; by expanding the use of conservation innovation grants; by requiring the Secretary to offer higher levels of technical assistance to beginning and socially disadvantaged producers,

where possible; and by allowing the Secretary to implement cooperative agreements with entities who assist beginning and socially disadvantaged producers.

- *Section 2404 would address the delivery of technical assistance and the use of third party providers.*
- *Section 2405 would alter the administrative requirements for conservation programs*, making changes that include requiring the Secretary to develop a streamlined application process, encouraging partnerships and cooperative efforts using at least 5% of conservation program funds, and requiring monitoring of program performance by applying the Soil and Water Resources Conservation Act.
- *Section 2406 would recognize environmental service markets* by requiring the Secretary to develop a framework to facilitate participation in these markets and requiring three reports to Congress on implementation by specified dates.
- *Section 2501 would provide direction on state technical committee operations* by requiring the Secretary to develop standardized operating procedures and updating a list of eligible agencies.
- *Section 2601 would reauthorize the Agricultural Management Assistance Program* through FY2012 and makes Idaho an eligible state.
- *Section 2602 would authorize a new Experienced Services Program* under which the Secretary can enter into agreements to hire older qualified individuals to help administer conservation programs under certain circumstances.
- *Section 2603 would update and clarify the provision of technical assistance*, and reauthorize and amend the Soil and Water Resources Conservation Act.
- *Section 2604 would reauthorize the Small Watershed Rehabilitation Program*, providing such sums as are necessary.
- *Section 2605 would amend the Resource Conservation and Development Program*, requiring the Secretary designate a coordinator for each council.
- *Section 2606 would amend provisions related to the National Natural Resources Conservation Foundation.*
- *Section 2607 would reauthorize the Desert Terminal Lakes Program* through FY2012.
- *Section 2608 would deny crop insurance benefits* on land parcels greater than 5 acres converted to cropland from *native sod* after the date of enactment, and requires an annual report to Congress on the extent of conversions.
- *Section 2609 would retain program eligibility* for producers who participated in a study of aquifer recharge potential in the Texas high plains.
- *Section 2610 would require the Department of State to cover certain expenses incurred by EPA employees* working on international treaties.
- *Section 2611 would allow certain salinity control activities* to be carried out by the Bureau of Reclamation in the Colorado River Basin.
- *Section 2612 would fund the Great Lakes Program for Soil Erosion and Sediment Control* by authorizing \$5 million annually from FY2007 through FY2012.

Conference Committee. Multiple meetings have held by staff to resolve some of the many differences between the two bills in anticipation of decisions about funding levels. The conference committee is anticipated to begin more formal deliberations as soon as a funding agreement is reached. Many of these differences

are a part of the issues shaping the conservation debate that were identified above. These include the following:

- **Conservation Funding.** Both bills, as passed, would provide similar total amounts for conservation between FY2008 and FY2012 (an additional \$4.5 billion for the House and \$5.1 billion for the Senate) but allocate it in very different ways; the allocation questions may become more contentious if a smaller amount is available.
- **Energy and Agriculture.** Both bills address energy topics in ways that could have significant effects on conservation efforts, but not in the conservation title.
- **Green Payments.** The Senate bill would create a major new green payment program with an enrollment goal of more than 13 million acres per year, while the House bill would not provide funding for the current program until FY2012.
- **Payment Limits.** The two bills differ in how they address payment limits for conservation programs; the House bill would set some general limits and both bills would set some program-specific limits.
- **Program Simplification.** The House bill would not simplify programs by combining them, while the Senate bill would combine some programs; both bills would simplify producer access to programs.
- **Program Delivery Capacity.** The House bill would improve producer access to technical assistance, while the Senate bill would allow retired qualified individuals to be hired; the Senate bill would provide more conservation funding to beginning and socially disadvantaged producers than the House bill.
- **New Issues.** Both bills would address numerous new issues or change emphasis among issues that programs already address; some of these issues are addressed in both bills, and others are not.
- **Market-Based Approaches.** Both bills contain a section encouraging the development of market-based approaches, but many of the provisions differ.
- **Conservation at Larger Scales.** Provisions in both bills would encourage conservation at a larger scale
- **Partnership Opportunities.** Both bills contain provisions to foster partnerships; the House provisions are extensive and the Senate provisions are in the manager's amendment.
- **Measuring Accomplishments.** Both bills would require additional efforts to measure accomplishments, and the Senate bill would reauthorize the Soil and Water Resources Conservation Act.

Other Conservation Proposals

In developing their bills, both the House and Senate Agriculture Committees drew from other proposals and suggestions, and alternatives were developed in both chambers and offered for consideration by the House. Some of these other proposals are summarized below, and offer additional perspective on the range of options that received congressional attention.

The Administration's Proposal. The Administration offered its set of 10 conservation farm bill proposals to Congress on February 2, 2007, then submitted implementing legislative language in late April. These proposals came out of a process that started with more than 50 listening sessions, followed by issuing four broad theme papers. The theme paper on conservation and the environment, issued

in June 2006, identified four “generalized alternatives”: (1) improve existing conservation programs; (2) provide “green payments” for land in production to enhance environmental benefits and provide income support; (3) encourage private sector markets for environmental services; and (4) expand conservation compliance or establish a standard of care.¹³ The Administration estimated that its ten conservation proposals would cost \$7.8 billion above current conservation costs. The proposals (and additional costs) are as follows:

- ***Consolidate six financial assistance programs*** that provide conservation cost-sharing funds and technical assistance in a revised Environmental Quality Incentives Program, and create a new sub-program to deal with water quality and quantity issues on a regional basis (\$4.25 billion over the current 10-year baseline).
- ***Amend the Conservation Security Program*** to emphasize higher levels of conservation, and expand enrollment from the current 15 million acres to 96 million acres in 10 years, while simplifying the program (\$500 million above the current 10-year baseline).
- ***Consolidate the three easement programs*** for working lands into a single program (\$900 million above the current 10-year baseline).
- ***Increase the focus of the Conservation Reserve Program on environmentally sensitive lands***, with priority for whole fields enrolled on which biomass crops for energy are produced.
- ***Increase the Wetlands Reserve Program enrollment cap*** to 3.5 million acres, and consolidate this Reserve with the floodplain easement program (\$2.125 billion increase above the 10-year baseline).
- ***Expand conservation compliance*** to include “sod saver” to discourage conversion of grasslands into cropland.
- Designate 10% of financial assistance for each conservation program to ***socially disadvantaged and beginning producers***.
- Encourage the development of ***private environmental markets*** to supplement and complement conservation programs (\$50 million).
- ***Repeal regional equity*** provisions requiring a minimum amount of conservation funds go to each state, in order to increase allocations for the most meritorious program areas.
- ***Consolidate the two emergency conservation programs***.

Other Selected Legislative Proposals. Several bills containing conservation proposals for the next farm bill have been introduced. Two bills — H.R. 1551 (Kind)/S. 919 (Menendez) and H.R. 1600 (Cardoza) — received more attention because of their broad scope, and also because each had more than 100 cosponsors. Both bills would have provided a greater increase conservation spending and expanded the conservation effort in other ways. They appear to represent much of the range of policy and program changes sought by the conservation and environmental communities. Provisions in both of the larger bills are outlined below. These bills are a sampling from a larger group of legislative proposals.

H.R. 1551 (Representative Kind)/S. 919 (Senator Menendez). H.R. 1551, the Healthy Farms, Foods, and Fuels Act of 2007, was introduced on March

¹³ For more information on the green payment concept, as well as a comparison of views about it from the United States and Europe, see CRS Report RL32624, *Green Payments in U.S. and European Union Agricultural Policy* by Jeffrey A. Zinn.

15, 2007, and S. 919, an identical bill, was introduced on March 20, 2007. H.R. 1551 had more than 100 cosponsors while S. 919 also has several cosponsors. The bill has four titles, and about 70% of the bill (by length) is the conservation title. All reauthorizations are through FY2013, unless otherwise noted. Topics addressed in this bill also are addressed in H.R. 1600, unless they are identified as not being in both bills. The conservation title of H.R. 1551/S. 919 includes the following provisions:

- Section 101 would reauthorize the ***Conservation Reserve Program*** and make numerous amendments, such as greater consideration of animals and forests, and greater focus on environmental benefits.
- Section 102 would reauthorize the ***Wetlands Reserve Program***, increasing the total enrollment goal to 5 million acres and specifying annual maximums. It would make other amendments, such as making the protection of rare and endangered species a priority.
- Section 103 would reauthorize the ***Conservation Security Program***, making changes in the structure, eliminating maintenance payments, changing some enrollment procedures, and limiting technical assistance expenditures to 15% of a contract's value.
- Section 104 would reauthorize the ***Grasslands Reserve Program***, increasing total enrollment to 10 million acres and setting several enrollment goals. It would add provisions for biodiversity, pasture-based operations, and an enhancement subprogram where states contribute a portion of the funds (similar to the Conservation Reserve Enhancement Program in the CRP).
- Section 105 would reauthorize the ***Environmental Quality Incentives Program***, at \$2.0 billion annually. Among other changes, it would add new provisions for forest stewardship, enhanced manure and nutrient management, and state performance incentives; and increase funding for two subprograms, Conservation Innovation Grants and Ground and Surface Water Conservation.
- Section 106 would reauthorize the ***Wildlife Habitat Incentives Program***, increasing funding to \$300 million annually in FY2012 and FY2013. It would also expand the use of long-term agreements, add priorities, and promote fish habitat.
- Section 107 would authorize a new ***Cooperative Conservation Partnership Initiative*** using two- to five-year grants involving multiple producers. It lists numerous evaluation criteria for applications, eight program priorities, and funding criteria. It would provide funding by using 20% of the annual allocation for several specified conservation programs.
- Section 108 would reauthorize the ***regional equity*** provisions and increase the minimum amount each state would receive to \$15 million annually.
- Section 109 would exclude conservation payments from the cap on ***adjusted gross income*** that is used to exclude from farm programs, potential participants with very high annual incomes.
- Section 110 would increase annual funding for the ***Agricultural Management Assistance Program*** to \$40 million and specifies the allocations among the three component subprograms. (*Provision not included in H.R. 1600.*)
- Section 111 would authorize \$50 million a year for a new ***Community Forests and Open Space Program*** to help protect forests in and near communities in states designated by the Secretary. (*Provision not included in H.R. 1600.*)

- Section 112 would authorize the *Farmland Protection Program* through FY2012 at \$300 million annually.
- Section 113 would authorize mandatory funding, with no amount specified, for the *Healthy Forests Reserve Program*. (*Provision not included in H.R. 1600.*)
- Section 114 would authorize an *Integrated Pest Management Initiative* in priority areas identified by the Secretary that would be integrated with EQIP and use a portion of the funds provided for EQIP and CSP.
- Section 115 would authorize a new initiative for *socially disadvantaged farmers and ranchers*, funded using up to 10% of the money provided to several conservation programs. (*Provision not included in H.R. 1600.*)
- Section 116 would establish a *Conservation Loan Guarantee Program*. It specifies loans qualifications and provides an unspecified amount of mandatory funds for implementation.
- Section 117 would authorize \$40 million annually in mandatory funding to establish a pilot program for *Comprehensive Conservation Planning* in five specified locations (the Chesapeake Bay watershed, for example, is one of them). (*Provision not included in H.R. 1600.*)
- Section 118 would address *technical assistance* by clarifying the role of third-party providers and establishing a financial-aid program to assist students in exchange for a commitment to work for NRCS.

H.R. 1600 (Representative Cardoza). H.R. 1600, the Equitable Agriculture Today for a Healthy America or the EAT Healthy America Act, was introduced on March 20, 2007. This legislation had more than 100 cosponsors, including several members of the House Agriculture Committee. This bill encompasses more farm bill topics than H.R. 1551, with eight titles. Some have referred to it as the California farm bill because provisions center on topic of greatest interest to California producers. The conservation title is more than 40% of the total bill (by length). All programs in this bill are authorized through FY2012. Sections that are identical or nearly identical to similar provisions in H.R. 1551 are identified as such. The conservation title includes the following sections.

- Section 201 would reauthorize the *Conservation Security Program* by adding eight findings about importance and potential benefits.
- Section 202 would reauthorize the *Conservation Reserve Program* and make numerous amendments, such as greater recognition of rare and endangered species and habitat, and limiting the portion of land in the program that can be enrolled through a general signup.
- Section 203 would reauthorize the *Wetland Reserve Program*. It is similar to Section 102 of H.R. 1551.
- Section 204 would reauthorize the *Farmland Protection Program*, and is identical to Section 112 of H.R. 1551.
- Section 205 would reauthorize the *Grasslands Reserve Program* and establish annual enrollment levels increasing to 3 million acres in 2012 and annually thereafter. Other changes would include allowing land in the CRP to be transferred into this program; adding considerable detail about who can hold easements, and adding an enhancement subprogram where states contribute a portion of the funds (similar to the CREP in CRP).
- Section 206 would reauthorize the *Wildlife Habitat Incentives Program*, and is similar to Section 106 of H.R. 1551. It would give more emphasis to rare and endangered species and their habitat, and require coordination with state wildlife plans.

- Section 207 would reauthorize the *Environmental Quality Incentives Program*, gradually increasing the annual authorization to \$2 billion in FY2012. It would amend the existing statute in several ways, such as modifying incentive payment rates. It would increase funding for Ground and Surface Water and Innovative Grants subprograms, and add a new section on air quality.
- Section 208, which would authorize a new *Cooperative Conservation Partnership Initiative*, is nearly identical to Section 107 of H.R. 1551.
- Section 209 would reauthorize the *regional equity* provisions, providing a minimum of \$12 million annually to each state.
- Section 210 would authorize an *Integrated Pest Management Initiative* that is nearly identical to Section 114 of H.R. 1551.
- Section 211 would address *technical assistance* and is similar to Section 118 of H.R. 1551. In addition, it would require development of technical assistance for specialty crop producers.
- Section 212 would establish a *Conservation Loan Guarantee Program*, and is nearly identical to Section 116 of H.R. 1551.
- Section 213 would amend the *Emergency Conservation Program* to add providing assistance to clean up debris in nurseries affected by natural disasters. (*Provision not included in H.R. 1551.*)
- Section 214 would exclude conservation payments from the cap on *adjusted gross income*, and is identical to Section 109 of H.R. 1551.
- Section 215 would encourage the Secretary to develop guidelines for *voluntary sustainable practices* for specialty crop producers. (*Provision not included in H.R. 1551.*)
- Section 216 would require the Secretary “whenever practicable” to assist specialty crop producers in addressing the adverse impacts of *long-term climate change*. (*Provision not included in H.R. 1551.*)

Appendix A. Comparison of the Conservation Titles in the House and Senate Farm Bills (H.R. 2419)

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
Conservation Reserve Program (CRP)		
Sec. 1231(a-d) of the FSA authorizes the CRP through calendar year 2007 at 39.2 million acres. (16 U.S.C. 3831(a-d))	Extends authorization through calendar year 2012; retains current acreage enrollment limit. <i>[Sec. 2101(a-b)]</i>	In addition to extending authorization through calendar year 2012 and retaining current acreage enrollment limit, adds pollinator habitat to the general purposes (and elsewhere), and expands eligible land to include some types of marginal pastureland and land enrolled in a new flooded farmland program. <i>[Sec. 2311(a-c)]</i>
Sec. 1231(f) of the FSA lists the Chesapeake Bay region (PA, MD, and VA), the Great Lakes Region, and Long Island Sound as priority areas (16 U.S.C. 3831f)	Deletes states but retains Chesapeake Bay region <i>[Sec. 2101(b)]</i>	Makes same change as House, and adds the prairie pothole region, the Grand Lake St Mary's Watershed, and the Eastern Snake Plain Aquifer as priority areas. <i>[2311(d)]</i>
Sec. 1231(h) of the FSA authorizes a 1 million acre pilot program within the CRP for wetlands and buffer areas (16 U.S.C. 3831h)	Extends program through calendar year 2012. <i>[Sec. 2101(e)]</i>	Extends program through calendar year 2012; expands eligibility to include other types of land, such as certain shallow water areas and certain agricultural drainage water treatment collection areas. <i>[2311(e)]</i>
Sec. 1232(a)(7) of the FSA specifies a duty of participants is limiting commercial uses; limits haying and grazing on enrolled lands; allows managed haying and grazing under certain circumstances (16 U.S.C. 3832a(7))	Allows managed haying and grazing to control invasive species, and adds detail on allowed uses, enrolled lands, and adjustments to annual contract payments. <i>[Sec. 2101(f)]</i>	Allows managed haying and grazing to control invasive species and permits managed haying and grazing that is a part of a conservation plan. <i>[Sec. 2311(h)]</i>
Sec. 1234(c) of the FSA establishes a framework for calculating annual rental payments (16 U.S.C. 3834c)	Adds a requirement that National Agriculture Statistical Service conduct and release an annual survey of dryland and irrigated cropland cash rental rates in counties with more than 20,000 acres of crop and pasture land. <i>[Sec. 2101(g)]</i>	Identical to House provisions, and also requires the Secretary to give preference to local owners or operators when considering competing offers providing equivalent benefits, and adds pollinators and fish habitat to the contract selection criteria. <i>[Sec. 2311(j)]</i>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
No comparable provisions on incentives for land transfers in current law.	Amends sec. 1235 (Contracts) by adding a new subsection to facilitate the transfer of CRP land from a retiring owner to a beginning or socially-disadvantaged producer to return land to production, and allows new owner to begin land improvements or start organic certification process one year before CRP contract expires; provides payments to the retiring owner for 2 years after the contract expires. <i>[Sec. 2101(h)]</i>	No comparable provisions.
Sec. 1235(e) of the FSA allows the Secretary to terminate CRP contracts after 5 years if contract was in effect before 1/1/95 (16 U.S.C. 3835e)	Allows the Secretary to terminate any contract after 5 years, and prohibits the Secretary from terminating contracts for land enrolled under a continuous signup. <i>[Sec. 2101(i) and (j)]</i>	In addition to current law, allows the Secretary to terminate a contract if a retired or disabled producer suffers a financial hardship from taxes on rental payments. <i>[Sec. 2311(k)]</i>
No comparable provision in current law.	No comparable provision.	Creates Flooded Farmland Program for the Northern Great Plains within the CRP as a new sec. 1235B; allows continuous enrollment; eligible land parcels must exceed 5 acres, have been incapable of production the preceding 3 crop years, have a cropping history, and have no natural outlet. <i>[Sec. 2312]</i>
No comparable provision in current law.	No comparable provision.	Creates Wildlife Habitat Program for CRP participants who have established softwood pine stands as a new Sec. 1235C under contracts of up to 5 years to use management practices that benefit wildlife; program ends Sept. 30, 2011. <i>[Sec. 2313]</i>
Wetlands Reserve Program (WRP)		
Sec. 1237(a) of the FSA states that the purposes of WRP are to restore and protect wetlands. (16 U.S.C. 3837a)	Adds to the purposes to create and to enhance wetlands, and to purchase floodplain easements. <i>[Sec. 2102(a)]</i>	No comparable provision.
Sec. 1237(b) of the FSA sets maximum enrollment at 2.275 million acres, with an annual calendar year enrollment goal of	Maximum enrollment set at 3.605 million acres. Sets an annual fiscal year enrollment goal of 250,000 acres, of which not more than 10,000	Sets annual fiscal year enrollment goal of 250,000 acres, with no enrollment after FY2012. <i>[Sec. 2321(1)]</i>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
250,000 acres. (16 U.S.C. 3837b)	acres may be flood plain easements. <i>[Sec. 2102(b)]</i>	
Sec. 1237(c) of the FSA establishes requirements for eligible lands through 2007. (16 U.S.C. 3837c)	Also makes eligible; riparian areas, floodplain land flooded in the past year or at least twice in the past 10 years, and land that would contribute to flood water storage, flow, or erosion control. <i>[Sec. 2102(c)]</i>	Replaces 2007 calendar year with FY2012. <i>[Sec. 2321(2)]</i>
Sec. 1237(e) of the FSA identifies ineligible land to include lands already planted to timber or pasture in the CRP. (16 U.S.C. 3837e)	Expands ineligible lands to include floodplains where restoration practices would not be productive or the land is already protected adequately. <i>[Sec. 2102(d)]</i>	No comparable provision.
Sec. 1237A(f) of the FSA states compensation to be paid in cash (in 5 to 30 payments) and not to exceed the fair market value, as reduced by the easement. (16 U.S.C. 3837a(f))	Compensation shall be the lowest of 4 options; fair market value percentage, market value percentage determined by a survey, geographic cap, or landowner's offer. Also, the Secretary may use non-federal contributions to administer this program <i>[Sec. 2102(e)]</i>	Compensation shall be limited to lowest of 3 options; an amount necessary to encourage enrollment, a limit for a geographic area, or a landowner's offer. Compensation may be in 1 to 30 payments. <i>[Sec. 2322(b)(3-4)]</i>
Sec. 1237C(c) of the FSA lists three considerations the Secretary is to use when considering offers are listed. (16 U.S.C. 3837c(c))	New subsection lists 3 additional criteria for ranking offers (conservation benefits, cost-effectiveness, and offer of a financial contribution), and conservation benefits of floodplain lands. <i>[Sec. 2102(f)]</i>	No comparable provision.
Sec. 1237D(c)(4) of the FSA waives limits for public entities receiving payments through the wetland and environmental enhancement programs. (16 U.S.C. d(c)(4))	Provision replaced with a new Wetland Reserve Enhancement Program, where state contribution are used to increase payments. <i>[Sec. 2102(g)]</i>	Adds provision at the end of sec. 1237A creating a new Wetlands Reserve Enhancement Program <i>[Sec. 2322(c)]</i>
No comparable provision in current law.	New sec. 1237G authorizes the WRP from FY2008 through FY2012. <i>[Sec. 2402(h)]</i>	No comparable provision.
No comparable provision in current law.	No comparable provision.	New subsection requires a report to both agriculture committees by 1/1/2010 on the implications of long-term easements on USDA resources. <i>[Sec. 2322(d)]</i>

<p>PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)</p>	<p>HOUSE BILL (H.R. 2419)</p>	<p>SENATE AMENDMENT (H.R. 2419)</p>
<p>Conservation Security Program (CSP)</p>		
<p>Sec. 1238 of the FSA defines 15 terms; including “base payment”, conservation security contract”, “contract security plan”, “contract security program”, “enhanced payment”, “nondegradation standard”, “resource-conserving crop rotation”, “resource management system”, “tier I conservation security contract”, “tier II conservation security contract”, and “tier III conservation security contract.” (16 U.S.C. 3838)</p>	<p>Twelve terms are defined and definitions that are new terms or different from current law include; “conservation plan”, “conservation practice”, “management intensity”, “nondegradation standard”, “priority resource of concern”, “producer”, “resource-specific index”, “socially-disadvantaged farmer or rancher”, and “structural practice”. [Sec. 2103(a)]</p>	<p>For all future contracts, the CSP would be replaced by a new Conservation Stewardship Program (CSP), placed within a new Comprehensive Stewardship Incentives Program. The new incentives program, placed in sec. 1240T of the FSA, is discussed below in the new programs subsection and is sec. 2341 in this bill. The new CSP, also in sec. 2341, is discussed in this section. The new CSP defines 15 terms in sec. 1240V. [Sec. 2341]</p>
<p>Secs. 1238A(a-b)) establishes CSP between FY2003 and FY2011. Defines eligible producers and eligible lands (and excluded lands (land enrolled in multi year land retirement programs and land not in crop production at least 4 of the preceding 6 years)). (16 U.S.C. 3838a(a-b))</p>	<p>Establishes CSP from FY2012 through FY2017. To be eligible, producers must submit an acceptable offer that addresses “at least one priority resource of concern to a minimum level of management intensity.” Eligible land would not include incidental forest land. [Sec. 2103(a)]</p>	<p>Defines and lists purposes for new CSP in sec. 1240U and establishes program through FY2012 in sec. 1240W. [Sec. 2341] (Note: Establishes new CSP as a conforming amendment in sec. 2391, adds a new Sec. 1238D which provides \$2.317 billion to administer existing CSP contracts, to remain available until spent. Prohibits new or renewed contracts under old CSP after farm bill is enacted.)</p>
<p>Secs 1238A(d-3) specifies terms for 3 tiers of conservation contracts. Identifies topics that may be addressed in contracts. Contracts are 5 years under tier 1, and 5 to 10 years under tiers 2 and 3. Circumstances and requirements for modifying, terminating, and renewing contracts are specified. Contracts may be renewed for 5 to 10 years (16 U.S.C. 3838a(d-e))</p>	<p>Limits program to 1 type of contract of 5 years and describes 5 elements to be in all contracts, but eliminates list of topics to be addressed. Contracts could no longer be terminated, without penalty, by a producer who is required to modify a contract. Contracts may be renewed for 1 additional 5 year period. New provisions on evaluation of offers and coordination with organic certification are added. [Sec. 2103(a)]</p>	<p>In sec. 1240X, defines eligible land and eligible producers; land must have been planted to crops 4 of the preceding 6 years. Contents of contracts are specified, and are for 5 years, with a 5 year renewal if certain conditions are met. Considerations in evaluating contract offers are specified. Additional provisions discuss terminating and changing contracts. Terms of enhancement and supplemental payments are specified. Duties of the producer are specified. [Sec. 2341]</p>
<p>Sec. 1238C specifies that duties of the Secretary include making payments early in each fiscal year, the components of payments</p>	<p>Duties are altered to include identification of priority resources of concern at the state level, with a limit of no more than 5 concerns in any</p>	<p>Duties listed in sec. 1240X include making the program available on a continuous enrollment basis, providing assistance to producers, and maintaining</p>

<p>PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)</p>	<p>HOUSE BILL (H.R. 2419)</p>	<p>SENATE AMENDMENT (H.R. 2419)</p>
<p>for each tier, annual payment limits for each tier (\$20,000 for tier 1, \$35,000 for tier 2, and \$45,000 for tier 3), minimum requirements for practices, and requirements for implementing regulations, (16 U.S.C. 3838c)</p>	<p>geographic area of a state, limits total payments under a contract to \$150,000 over 5 years, and the environmental needs associated with agriculture are to be considered in allocations to states. A new subsection requires the Secretary to compile data on specified program contract and payment topics. <i>[Sec. 2103 (a)]</i></p>	<p>contract and payment information that will support program monitoring and evaluation, and enable specialty crop producers to participate. <i>[Sec. 2341]</i></p>
<p>No comparable provisions in current law.</p>	<p>New subsections specify that all contracts in effect on the date of enactment and signed before 10/1/2007 will remain in effect, and no new or renewed contracts can be entered into under the 2002 program after 9/30/2007. <i>[Sec. 2103 (b) and (c)]</i></p>	<p>No comparable provisions.</p>
<p>No comparable provisions in current law.</p>	<p>No comparable provisions.</p>	<p>Between the date of enactment and 10/30/2017, the program shall; enroll up to 79.628 million acres and attempt to enroll 13.273 million acres per year, be available nationwide, be run at a average annual cost of \$19 per acre, provide for participation by small farms, and allocate to each state each year the lesser of 20,000 acres or 2.2% of the eligible land. <i>[Sec. 2341]</i></p>
<p>No comparable provisions in current law.</p>	<p>No comparable provisions.</p>	<p>Sec. 1240Y requires regulations to be issued within 180 days of enactment. <i>[Sec. 2341]</i></p>
<p>Environmental Quality Incentives Program (EQIP)</p>		
<p>Sec. 1240 of the FSA lists the purposes of the program as promoting production and environmental quality as compatible goals, and optimizing environmental benefits by working in 5 specified areas. (16 U.S.C. 3839aa)</p>	<p>Forest management and organic transition are added to the program purposes. Descriptions of 2 of the 5 purposes are revised to recognize energy conservation and conservation on forest lands. <i>[Sec. 2105(a)]</i></p>	<p>Forest management is added to the statement of program purposes, and pollinators and fuels management are recognized in the amplifying statements. <i>[Sec. 2351]</i></p>
<p>Sec. 1240A of the FSA defines 6 terms; “beginning farmer or rancher”, “eligible land”,</p>	<p>Adds forestry, forest management practices, and coordinated implementation to the “land</p>	<p>Adds aquaculture to the “Eligible land” definition; adds forestry to the “land management practice”</p>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
“land management practice”, “livestock, practice”, and “structural practice.” (16 U.S.C. 3839aa-1)	management practice” definition, adds alpacas and bison to the “livestock” definition, and adds definitions of “integrated pest management” and “socially disadvantaged farmer or rancher”. <i>[Sec. 2105(b)]</i>	definition; adds conservation planning practices to “practices;” defines “producer” to include custom feeding businesses and contract growers; and adds firebreaks to “structural practice”. <i>[Sec. 2352]</i>
Sec. 1240B(a-c) of the FSA authorizes EQIP through FY2010. Eligible practices are defined. Contracts are 1 to 10 years. Bidding down is prohibited. (16 U.S.C. 3839aa-2(a-c))	Authorizes EQIP through FY2012. The definition of eligible practices is amended to include organic certification, using technical services from approved third party providers, and improving energy efficiency and renewable energy systems. <i>[Sec. 2105(c)]</i>	Authorizes EQIP through FY2012. Expands permitted practices to include conservation planning. Limits contracts to a maximum of 5 years. Deletes subsection 1240B(c), which prohibits bidding down. <i>[Sec. 2353(a-c)]</i>
Sec. 1240B(d)(2) of the FSA allows limited resource and beginning producers to receive not more than a 90% federal cost share. (16 U.S.C. 3839aa-2(d))	Adds socially disadvantaged producers, and sets the federal cost share at 90%, and provides an increased federal cost-share of 90% for using gasifier technology for certain purposes. <i>[Sec. 2105(d-e)]</i>	Gives up to 90% in financial assistance to socially-disadvantaged and beginning producers, and allows for advanced payments to purchase materials and contracting. <i>[Sec. 2353(c)]</i>
Sec. 1240B(e) of the FSA provides incentive payments to perform land management practices, with special emphasis given to practices that promote specified goals. (16 U.S.C. 3839aa-2(e))	Identifies 3 additional purposes for incentive payments (receiving technical services from approved third party providers, developing a comprehensive nutrient management plan, and implementing energy efficiency and renewable energy projects), and adds pollinator habitat to list of purposes receiving special emphasis. <i>[Sec. 2105(f)]</i>	Predator species protected under the Endangered species Act, gray wolves, grizzly bears, and black bears are to the list of purposes receiving special emphasis. <i>[Sec. 2353(c)(3)]</i>
Sec. 1240B(g) of the FSA requires that 60% of payments go to practices related to livestock production through FY2007. (16 U.S.C. 3839aa-2(g))	Extends the 60% of payments to livestock production requirement through FY2012. <i>[Sec. 2105(g)(2)]</i>	Same as House. <i>[Sec. 2353(c)(4)]</i>
No comparable provision in current law.	Requires the Secretary to reserve at least 5% of program funds each for beginning producers, and for socially disadvantaged producers for at least 90 days after the program funds have been made	No comparable provision.

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
	available. <i>[Sec. 2105(g)]</i>	
No comparable provision in current law.	No comparable provision.	Adds new subsections to give priority to improve water conservation, and improve air quality where certain conditions, such as being in a nonattainment area, exist. Requires participants to have (or expect) at least \$15,000 in gross sales from a farming operation. <i>[Sec. 2353(c)(6)]</i>
No comparable provision in current law.	Makes market agencies and custom feeding businesses eligible to participate. <i>[Sec. 2105(h)]</i>	See definition of “producer,” in Sec. 2352, above.
Sec. 1240C of the FSA gives higher priority for participation in EQIP to producers using cost-effective conservation practices and practices that address national conservation priorities. (16 U.S.C. 3839aa-3)	Identifies 5 priorities for applications and specifies a streamlined evaluation process for operations with “substantial and sound environmental management systems” using a limited number of practices. <i>[Sec. 2105(i)]</i>	Adds a higher priority for improving conservation practices or systems in place at the time of the contract offer. <i>[Sec. 2354]</i>
Sec. 1240E of the FSA defines the general contents of a producer’s EQIP plan, and calls on the Secretary to avoid duplication with other conservation plans. (16 U.S.C. 3839aa-5)	Requires the planning requirements to be consistent with forest plans, and adds to the avoidance of duplication provisions a subsection to consider an air or water quality permit that meets regulatory requirements as an acceptable plan. <i>[Sec. 2105 (k)]</i>	Forestry language identical to House bill. <i>[Sec. 2356]</i>
Sec. 1240F of the FSA calls on the Secretary to assist the producer in developing and implementing their plans by providing funding, information, and training. (16 U.S.C. 3839aa-6)	Adds a new subsection listing 3 criteria that must be met before the Secretary can provide assistance for practices with a primary purpose of water conservation. <i>[Sec. 2105 (l)]</i>	No comparable provision.
Sec. 1240H of the FSA provides for a competitive grants program within EQIP, on a matching basis, to implement innovative conservation practices; 2 examples are listed (using market systems in pollution reduction and using innovative practices, such as storing	Adds detail on qualities of eligible projects while deleting the 2 examples, establishes a pilot program for conservation planning in the Chesapeake Bay watershed, and adds a new subsection to assist producers who are meeting state and local regulatory air quality requirements.	Adds nonindustrial private forest lands to the list of potential recipients of innovative technologies. Adds two items to the list of examples; transfer innovative technologies to nonindustrial private forest land in production, and assist in specialty crop production. <i>[Sec. 2358]</i>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
carbon in soil); no funding is specified. (16 U.S.C. 3839aa-8)	Provides funding from EQIP as follows: in total, \$30 million in FY2008 growing each year to \$75 million in FY2012; with air quality receiving \$10 million in FY2008 and growing to \$55 million in FY2012, \$5 million going to organic and specialty crop producers annually, and \$5 million going to the pilot program annually. <i>[Sec. 2105(m)]</i>	
Sec. 1240I of the FSA creates a Ground and Surface Water Conservation Program (GSWCP) within EQIP for activities that will result in a net savings of ground or surface water; lists 6 types of eligible activities (improve irrigation systems, for example), and provides mandatory funding of \$25 million in FY2002, growing to \$60 million annually in FY2004 through FY2007. (16 U.S.C. 3839-aa-9)	Replaces GSWCP with a Regional Water Enhancement Program to also address water quality, to make eligible governmental entities (including irrigation and water districts) and Indian tribes, and to implement the program on a regional scale through cooperative agreements of from 1 to 5 years; expands the list of eligible activities; requires the Secretary to identify priority areas. Lists 5 priority areas, which together may receive no more than 50% of the available funds. Establishes a process for soliciting and selecting proposals and developing implementation agreements, requires that all landowners and producers in a region be given an opportunity to participate, and that the program be funded at \$60 million per year in mandatory funding through FY2012 and limits administrative expenses to no more than 3% of the total provided. <i>[Sec. 2106]</i>	Amends the funding provisions to provide \$65 million annually for FY2008 through FY2012, and \$60 million annually thereafter; insures that future funding will be based on past funding levels and that states with aquifers encompassing multiple states and exceeding a minimum withdrawal rate will receive funding; and provides at least \$20 million for the Eastern Snake Plain Aquifer. <i>[Sec. 2359]</i>
Sec. 1240I(c)(2) of the FSA provides \$50 million to carry out water conservation activities in the Klamath River basin (Oregon and California) as soon as possible (16 U.S.C. 3839aa-9(c)(2))	Klamath River basin is one of the 5 listed priority areas under the new Regional Water Enhancement Program. <i>[Sec. 2106 (b)(2)]</i>	No comparable provision. (<i>Note:</i> The Klamath Basin is listed as 1 of 14 priority areas in the Partnerships and Cooperation Program, discussed in the “Other Conservation Programs” section, below.
No comparable provision in current law.	No comparable provision.	Adds program in new sec. 1240J at end of EQIP to assist farmers who are converting to organic production using contracts of between 3 and 4 years.

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
		Payments are limited to \$20,000 per year, and contracts may be terminated if the producer is not pursuing organic certification; to be implemented within 180 days of enactment. <i>[Sec. 2360]</i>
No comparable provision in current law.	No comparable provision.	Adds a new sec. 1240K to provide \$165 million between FY2008 and FY2012 for a new Chesapeake Bay Watershed Conservation Program. <i>[Sec. 2361]</i>
Conservation Program Funding		
Sec. 1241(a) of the FSA authorizes mandatory funding through FY2007 to carry out numerous conservation programs. (16 U.S.C. 3841)	Extends authorization through FY2012. <i>[Sec. 2401(a)]</i>	Identical to House bill. <i>[Sec. 2401(a)]</i>
Sec. 1241(a)(3) of the FSA authorizes funding for the CSP at \$1.954 billion from FY2006 through FY2010 and \$5.65 billion from FY2006 through FY2015. (16 U.S.C. 3841(a)(3))	Authorizes \$1,454 million from FY2007 through FY2012, and \$1,927 million from FY2012 through FY2017. In addition, for contracts signed after Oct 1, 2011, provides \$501 million in FY2012 and \$4,646 million for FY2012 through FY2017. <i>[Sec. 2401(b)]</i>	Authorizes \$2,317 million for contracts entered into before the date of enactment, to remain available until spent, and an unspecified amount for the new Conservation Stewardship Program. (<i>Note:</i> Enrollment in the new program, like the CRP and WRP, is measured in acres rather than dollars.) <i>[Sec. 2401(a)(3-4)]</i>
Sec. 1241(a)(4) of the FSA authorizes funding for the FPP at; \$50 million in FY2002, \$100 million in FY2003, \$125 million in FY2004 and FY2005, \$100 million in FY2006, and \$97 million in FY2007. (16 U.S.C. 3841(a)(4))	Funding for the renamed Farm and Ranchland Protection Program is authorized at; \$125 million in FY2008, \$150 million in FY2009, \$200 million in FY2010, \$240 million in FY2011, and \$280 million in FY2012. <i>[Sec. 2401(c)]</i>	Funding for the FPP is authorized at \$97 million annually from FY2008 through FY2012. <i>[Sec. 2401(a)(5)]</i>
Sec. 1241(a)(5) of the FSA limits funding for the GRP to a total of \$254 million from FY2003 through FY2007. (16 U.S.C. 3841(a)(5))	No provision. (<i>Note:</i> Bill sets acreage enrollment limit in GRP provisions, but no funding limit.)	Funding for the GRP is limited to a total of \$240 million for FY2008 through FY2012. (<i>Note:</i> Bill has no acreage enrollment limit.) <i>[Sec. 2401(a)(6)]</i>
Sec. 1241(a)(6) of the FSA authorizes funding for EQIP at; \$400 million in FY2002, \$700 million in FY2003, \$1,000 million in FY2004, \$1,200 million annually in FY2005 and	Funding for EQIP is authorized at; \$1,250 million in FY2008, \$1,600 million in FY2009, \$1,700 million in FY2010, \$1,800 million in FY2011, and \$2,000 million in FY2012. <i>[Sec. 2401(d)]</i>	Funding for EQIP is authorized at; \$1,270 million in FY2008 and FY2009, and \$1,300 million in FY2010-FY2012. <i>[Sec. 2401(a)(7)]</i>

<p>PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)</p>	<p>HOUSE BILL (H.R. 2419)</p>	<p>SENATE AMENDMENT (H.R. 2419)</p>
<p>FY2006, \$1,270 million annually in FY2007-FY2009, and \$1,300 million in FY2010. (16 U.S.C. 3841(a)(6))</p>		
<p>Sec. 1241(a)(7) of the FSA authorizes funding for WHIP at; \$15 million in FY2002, \$30 million in FY2003, \$60 million in FY2004, and \$85 million annually in FY2005-FY2007. (16 U.S.C. 3841(a)(7))</p>	<p>Funding for WHIP is authorized at \$85 million annually through FY2012. <i>[Sec. 2401(e)]</i></p>	<p>Identical to House bill. <i>[Sec. 2401(a)(8)]</i></p>
<p>Other Conservation Programs</p>		
<p>Sec. 1201 of the Food Security Act of 1985 (FSA) defines 18 terms that apply throughout the conservation title . (16 U.S.C. 3801)</p>	<p>No provisions. (<i>Note:</i> some of the terms added by the Senate bill in this section are defined for specific conservation programs, as noted elsewhere.)</p>	<p>Adds definitions of “beginning farmer or rancher”, “Indian tribe”, “nonindustrial private forest land”, “socially disadvantaged farmer or rancher”, and “technical assistance.” <i>[Sec. 2001]</i></p>
<p>Sec. 1211 of the FSA makes violators of the conservation compliance program ineligible for certain program benefits, and sec. 1212 lists exceptions from full loss of eligibility. (16 U.S.C. 3811-3812a) One exception, in sec. 1212(f), is to reduce the penalty for producers who act in good faith or commit violations that are minor or due to uncontrollable circumstances. (16 U.S.C. 3812f)</p>	<p>No comparable provision.</p>	<p>Amends sec. 1212(f) to add a second level of review by the state or district director, with technical concurrence from the Natural Resources Conservation Service if the Secretary has determined that this exception should apply. <i>[Sec. 2101]</i></p>
<p>Sec. 1221 of the FSA makes violators of swampbuster ineligible for certain program benefits, and sec. 1222 lists exceptions from full loss of eligibility are specified. (16 U.S.C. 3821-3824) One exception, in sec. 1222(h), is to reduce the penalty for producers who act in good faith or commit violations that are minor or due to uncontrollable circumstances. (16 U.S.C.</p>	<p>No comparable provision.</p>	<p>Amends sec. 1222(h) to add a second level of review by the state or district director, with technical concurrence from the Natural Resources Conservation Service if the Secretary has determined that this exemption should apply. <i>[Sec. 2201]</i></p>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
3822h)		
<p>Sec. 1230 of the FSA establishes the Comprehensive Conservation Enhancement Program (CCEP) through calendar year 2002. CCEP , which includes the CRP, WRP, and EQIP, promotes long-term protection for environmentally sensitive lands by using easements and providing technical and financial assistance. (16 U.S.C. 3830) (<i>Note:</i> Administration of CCEP, the subject of sec. 1243, is described below in the “other conservation programs” subsection)</p>	<p>No comparable provision. (<i>Note:</i> Amendments to Sec. 1243 described below in the “other conservation programs” subsection .)</p>	<p>Deletes sec. 1243 in current law, and moves some of these provisions, amended, into this (and other) sections. Extends CCEP through FY2012. Expands CCEP to also provide for; reducing administrative burdens, streamlining the application process, and creating opportunities for partnerships. Deletes EQIP from CCEP (moving it to the new Comprehensive Stewardship Incentives Program), and adds Healthy Forests Reserve Program. Changes include adding a new exception under which the Secretary may exceed the enrollment limitation when a state or local regulation prohibits agricultural water use. In these instances, the Secretary must enroll the land within 180 days of receiving a request, and must pay the rental rate that in effect prior to implementing the regulation. [<i>Sec. 2301</i>]</p>
<p>Sec. 1238H of the FSA defines “eligible entity”, “eligible land”, “Indian tribe”, and “program.” for the Farmland Protection Program (FPP). (16 U.S.C. 3838h)</p>	<p>Expands eligible land definition to include historic and archaeological resources. [<i>Sec. 2110</i>]</p>	<p>Modifies definition of eligible forest land, and makes eligible other land that is needed for efficient administration of an easement. [<i>Sec. 2371(a)</i>]</p>
<p>Sec. 1238I of the FSA establishes FPP to purchase conservation easements to protect topsoil by limiting nonagricultural uses on land that is subject to a pending offer; the federal cost may not exceed 50% of the value of the easement, and the value of a charitable donation by the seller may not exceed 25% of the value of the easement; if multiple applications are comparable, the Secretary may not use cost alone to determine which one will be funded. (16 U.S.C. 3838i)</p>	<p>Changes program name to Farm and Ranchland Protection Program (FRPP); states will be certified (certifications to be reviewed every 3 years) to participate and receive program funds based on 4 listed requirements, and states may spend up to 10% of those funds for administrative costs. Terms and conditions for agreements with eligible entities (agreements to be reviewed every 3 years) are listed. The Secretary may require in an easement a contingent right to enforce the easement. [<i>Sec. 2110</i>]</p>	<p>Changes the purpose of the program from protecting topsoil to “protecting agricultural use and related conservation values.” Adds three new subsections; defining requirements for cooperative agreements with participants, restating cost-sharing requirements, and stating that the federal investment will be protected while specifying that these easements are not a federal acquisition of property. [<i>Sec. 2317(b)</i>]</p>
<p>Sec. 1238N of the FSA sets the maximum</p>	<p>The enrollment ceiling is an additional 1.34</p>	<p>Adds definitions of “eligible entity,” “eligible land,”</p>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
enrollment at 2.0 million acres for the Grasslands Reserve Program (GRP) (see Sec. 1241(a)(5) for maximum funding), with all enrolled parcels to be at least 40 contiguous acres. Requires 40% of the land to be enrolled in 10-20 year rental agreements and 60% in 30 year rental agreements and easements. (16 U.S.C. 3838n)	million acres, with at least 60% of these acres to be enrolled using 30 year rental agreements and easements. (<i>Note</i> : does not contain a maximum funding limit.) [<i>Sec. 2104(a) and (b)</i>]	and “permanent conservation easement;” enrollment options are a 30 year contract, 30 year easement, and permanent easement. (<i>Note</i> : Limits the program by setting a maximum funding level but sets no maximum acreage limit (see “conservation funding section” below.) [<i>Sec. 2381</i>]
No comparable provision in the GRP in current law.	The Secretary may transfer certain land currently in the CRP into the GRP, but limits the total in any calendar year to no more than 10% of the acres enrolled in the GRP. Requires the Secretary to pay the lowest of 4 specified ways to calculate fair market value. [<i>Sec. 2104(c)</i>]	Allows the Secretary to transfer certain land currently in the CRP to a permanent easement under GRP, but limits the total transferred in any calendar year to 10% of the total funding available for the GRP in that year. [<i>Sec. 2381</i>]
Sec. 1238O of the FSA specifies the duties and requirements of landowners in the GRP , terms of easements and agreements, and how applications are to be evaluated. (16 U.S.C. 3838o)	No comparable provision.	Sec. 1238P specifies duties of landowners, specifies considerations for the Secretary in evaluating offers, specifies how levels of compensation are to be calculated, and provides technical assistance. [<i>Sec. 2381</i>]
No comparable provision in the GRP in current law.	No comparable provision.	A new sec. 1238Q specifies the terms and conditions that apply to contracts and easements in the GRP, including permitted and prohibited uses, minimum requirements for a cooperative agreement, and that the federal investment is protected while specifying that these easements are not a federal acquisition of property. [<i>Sec. 2381</i>]
No comparable provision in the GRP in current law.	Authorizes a Grasslands Reserve Enhancement Program. [<i>Sec. 2104 (d)</i>]	No comparable provision.
Sec. 1238Q(a) of the FSA allows the Secretary to transfer the title of an easement in the GRP to a organizations or a state. (16 U.S.C. 3838q(a))	Requires the Secretary to transfer the title of an easement to a private organizations or a state. [<i>Sec. 2104 (e)</i>]	No comparable provision.

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
The Healthy Forest Reserve Program (HFRP) was authorized in forest legislation (P.L. 108-148, Title V(16 U.S.C. 6571-6578)) and not placed in the conservation title.	No comparable provisions.	HFRP moves to new secs. 1237M-T. It improves forest ecosystems to support endangered species recovery, biodiversity, and carbon sequestration using agreements and easements; federal financial cost share is specified; and technical assistance is provided. Authorizes such sums as necessary annually from FY2008 through FY2012. <i>[Sec. 2331]</i>
Sec. 1238J of the FSA authorizes grants and appropriates “such sums as are necessary” in discretionary funding through FY2007 to implement a Farm Viability Program . (16 U.S.C. 3838j)	Authorizes discretionary funding for program through FY2012. <i>[Sec. 2111]</i>	Identical to provisions in House bill. <i>[Sec. 2396]</i>
Sec. 1240M(e) of the FSA authorizes the Conservation of Private Grazing Land Program and provides discretionary funding of \$60 million per year through FY2007. (16 U.S.C. 3839bb(e))	Extends the authorization of appropriations through FY2012. <i>[Sec. 2108]</i>	Identical to House bill <i>[Sec. 2392]</i>
Sec. 1240N of the FSA authorizes Wildlife Habitat Incentives Program (WHIP) to provide cost sharing payments to landowners who improve habitat, with up to 15% of the total made available in any years for agreements that are longer than 15 years. (16 U.S.C. 3839bb-1)	A new subsection extends program authorization through FY2012, allows additional funds to also be used to meet regulatory requirements that “reduces the economic scope of the producer’s operation”, and increases the portion of funds for long term agreements from 15% to 25%. <i>[Sec. 2112]</i>	Reauthorizes WHIP through FY2012, increases the portion of funds for long term agreements from 15% to 25%, and requires the Secretary to give priority to projects that would foster the goals of state, regional, and national fish and wildlife conservation plans. <i>[Sec. 2393]</i>
Sec. 1240O of the FSA authorizes a Grassroots Source Water Protection Program to assist state rural water associations that operate wellhead and groundwater protection programs, and authorizes \$5 million annually through FY2007 in discretionary funding. (16 U.S.C. 3839bb-2)	Authorizes \$20 million annually in discretionary funding from FY2008 through FY2012 and one-time funding of \$10 million in mandatory funding to remain available until spent. <i>[Sec. 2107]</i>	Authorizes \$20 million annually in discretionary funding from FY2008 through FY2012. <i>[Sec. 2394]</i>
Sec. 1240P of the FSA authorizes a Great	Extends the authorization of appropriations	Extends the authorization of appropriations through

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
Lakes Program for Soil Erosion and Sediment Control , and provides \$5 million annually in discretionary funding through FY2007. (16 U.S.C. 3839bb-3)	through FY2012. <i>[Sec. 2109]</i>	FY2012; specifies that program is to assist in implementing the recommendations of a collaborative restoration strategy, and gives priority to projects with 3 specified goals. <i>[Sec. 2395]</i> .
Sec. 524(b)(1) of the Federal Crop Insurance Act authorizes an Agricultural Management Assistance Program for listed states that have historic low participation rates in the federal Crop Insurance Program. (7 U.S.C. 1524(b))	Adds Hawaii and Virginia to the list of eligible states, and allocates 50% of the funds to NRCS, 10% to the Agricultural Marketing Service to provide organic certification assistance, and 40% to the Risk Management Agency. <i>[Sec. 2201]</i>	Adds Idaho to the list of eligible states and reauthorizes the program through FY2012. <i>[Sec. 2601]</i>
Sec. 1528-1537 of the Agriculture and Food Act of 1981 authorizes the Resource Conservation and Development Program to assist multi county areas develop and implement a regional plan which may address land conservation, water management, community development or land management. (16 U.S.C. 1528-1527)	Amends the Resource Conservation and Development Program to provide a designated coordinator to assist each approved area, and delete Sec. 1534, which requires a program evaluation to the agriculture committees before June 30, 2005 <i>[Sec. 2202]</i>	Almost identical to House bill provisions. <i>[Sec. 2605]</i>
Sec. 14(h) of the Watershed Protection and Flood Prevention Act authorizes discretionary and mandatory funding to implement a Small Watershed Rehabilitation Program . (16 U.S.C. 1012)	Authorizes \$50 million annually in mandatory funding for FY20089 through FY2012 and extends the FY2007 discretionary funding level through FY2012. <i>[Sec. 2203]</i>	Authorizes such sums as necessary in discretionary funding annually from FY2008 through FY2012. <i>[Sec. 2604]</i>
Sec. 1241(d) of the FSA authorizes a program to promote regional equity , by giving every state a priority to receive a total of at least \$12 million annually from specified mandatory funded programs. (16 U.S.C. 3841d)	Annual funding for regional equity is raised to at least \$15 million <i>[Sec. 2404]</i>	Annual funding for regional equity is raised to at least \$15 million, and crop insurance payments are added to this calculation. The Secretary is to review and update the conservation program state allocation formulas by 1/1/2012. <i>[Sec. 2402]</i>
Sec. 1242 of the FSA authorizes Delivery of Technical Assistance directly or using a 3 rd party provider and specifies how 3 rd party providers are to be approved by the Secretary. Authorizes cooperative agreements with non-	Expands use of 3 rd parties using contracts. Adds new subsections to pay providers at least prevailing market rates when federal employees are not available to provide these services, to review and update all relevant technical assistance	Expands use of 3 rd parties using contracts, calls on the Secretary to develop national certification criteria and approve any unique standards established at the state level. Provides funds through each conservation program, specifies minimum and maximum contract

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
federal entities to provide technical assistance. (16 U.S.C. 3842)	specifications, and to address the needs of specialty crop producers in the technical specifications. <i>[Sec. 2402]</i>	terms, and requires the Secretary to review and adjust certification requirements within 1 year of enactment. Also requires the Secretary to review and revise conservation practice standards. Specialty crop provisions are generally identical to the House bill. <i>[Sec. 2404]</i>
Sec. 1243 of the FSA authorizes Administration of the Comprehensive Conservation Enhancement Program (CCEP) (includes CRP, WRP, and EQIP and is authorized in Sec. 1230, discussed above). Provisions include; avoiding duplication of required conservation plans, limiting enrollment under CRP and WRP to 25% of the cropland in a county, protecting the interests of share croppers and tenants, allowing approved sources to provide technical assistance, and using up to 5% of the funds from the mandatory funded conservation programs to foster cooperation through partnerships. (16 U.S.C. 3844)	Amends administration provisions by moving subsections on acreage enrollment limitations, tenant protection, obtaining technical assistance from other approved sources to the end of sec. 1244; replaces the subsection on avoiding duplication of plans with a subsection establishing a new Cooperative Conservation Partnership Initiative to carry out projects and initiatives that address conservation topics on a scale larger than an individual farm using competitive grants of 2 to 5 years. Specifies 14 criteria to be used in reviewing applications and 9 priorities that projects should address. Specifies duties of participant and duties of the Secretary. Program to be funded with 10% of the funding for CSP, EQIP, and WHIP, and to be reallocated back to those programs if not spent by April 1 of that year; the federal share for each project will be at least 75% of the cost. 90% of the funds to be allocated at the state level. Incentive and bonus payments may be used for 2 specified purposes. Administrative costs are to be limited to 5% of any grant. <i>[Sec. 2403]</i>	Deletes sec. 1243 and moves retained provisions to sec. 1230; see discussion of sec. 1230, above. New sec. 1243(a) contains streamlined application process provisions, and new sec. 1243(b) contains endangered species provisions: both are discussed below in “new programs” subsection. Establishes Partnerships and Cooperation to undertake special projects with multiple producers and working with eligible partners to address conservation issues recommended by the state conservationist. Uses all the mandatory funded conservation programs except CRP and WRP. Five project purposes are specified. Application contents are listed. Duties of the Secretary provisions include using 5 priorities when selecting projects, using more detailed special rules when considering regional water enhancement projects, identifying 14 priority water project areas. Project agreements may be up to 5 years. Funding is 10% of the mandatory funds allocated to each state (excluding CRP, CSP, the new Conservation Stewardship Program, and WRP), with 75% of the total for intrastate projects and 25% for multi-state projects. Requires monitoring and evaluation. <i>[Sec. 2405]</i>
Sec. 1244(a) of the FSA authorizes the Secretary to provide beginning farmers and ranchers and Indian tribes incentives to participate in conservation programs. (16	Expands access to incentives to include socially disadvantaged and limited resource farmers and ranchers. <i>[Sec. 2405(a)]</i>	No comparable provision. (<i>Note:</i> provisions to assist socially disadvantaged and limited resource farmers and ranchers are in other sections of the bill.)

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
U.S.C. 3844(a))		
Sec. 1261 authorizes state technical committees (STC), and includes provisions listing members and interests to be represented, outlining STC duties, and specifying that the committees are advisory only and have no implementation or enforcement authority. (16 U.S.C. 3861-3862)	Provisions added include having at least 12 producers representing agriculture, and deleting persons knowledgeable about conservation; and new provisions creating subcommittees and listing topics to be addressed. Responsibilities are described more generally than under current law. <i>[Sec. 2408]</i>	Adds nonindustrial private forest land owners to the list of groups represented on the STC. <i>[Sec. 2501]</i>
Sec. 351 of the 1996 farm bill authorizes a National Natural Resources Conservation Foundation to raise private funds that will be used to promote conservation. Program has never been implemented. (16 U.S.C. 5801-5809)	No comparable provision.	Amends numerous provisions authorizing the Foundation. <i>[Sec. 2606]</i>
Sec. 2507 of the FSA authorizes the Secretary to transfer \$200 million from the CCC to the Bureau of Reclamation to ‘provide water to at-risk natural desert terminal lakes.’ (43 U.S.C. 2211note)	No comparable provision.	Amends the desert terminal lakes provision to allow funds to be used to lease water or to purchase land and related interests in the Walker River Basin. <i>[2607]</i>
New Conservation Programs Authorized in One or Both Bills		
No comparable provisions in current law.	Authorizes a new Chesapeake Bay Program for Nutrient Reduction and Sediment Control in Sec. 1240Q to carry out restoration, enhancement, and preservation projects starting in 4 specified watersheds, and implement a comprehensive plan to be submitted by the Secretary to Congress within 2 years of enactment. Mandatory funding starts at \$10 million in FY2008 and grows to \$55 million in FY2012. The non-federal cost share to implement projects is at least 35%, and the federal share of any project can not exceed \$5 million. The Secretary of Agriculture is authorized to be a	No comparable provision. (<i>Note:</i> Chesapeake Bay program authorized as a part of EQIP in sec. 2361.)

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
	member of the Chesapeake Bay Executive Council. <i>[Sec. 2301]</i>	
No comparable provisions in current law.	Authorizes grants to states through a new Voluntary Public Access and Habitat Incentive Program in Sec. 1240R to encourage landowners to provide public access for “wildlife-dependent recreation.” Identifies the contents of applications and priorities for awards, and provides discretionary funding of \$20 million per year through FY2012. <i>[Sec. 2302]</i>	Generally identical to House bill, except placed in sec. 1240S, and does not authorize any appropriations. <i>[Sec. 2399]</i> Appropriations of \$20 million per year through FY2012 authorized as a new subsection 1241(a)(9) in Conservation Funding Provisions. <i>[Sec. 2401(a)(9)]</i>
No comparable provisions in current law.	Authorizes a new Muck Soils Conservation Program for eligible land (defined by 5 characteristics). Provides \$50 million annually in discretionary funding through FY2012, with payments to be between \$300 and \$500 per acre. <i>[Sec. 2303]</i>	No comparable provision.
No comparable provisions in current law.	Authorizes a new subsection at the end of Sec. 1244 requiring the Secretary to develop and implement a single simplified application process for conservation programs within 1 year of enactment. <i>[Sec. 2405(b)]</i>	Generally similar to provisions in House bill. <i>[Sec. 2405(a)]</i>
No general provision in current law. (<i>Note:</i> Current law limits CRP payments to \$50,000 per year in sec. 1234(f), sets payment limits for each of 3 tiers in the CSP in sec. 1238C(d)-(e), and limits EQIP payments to \$450,000 for all contracts in any 6-year period in sec. 1240G.	Authorizes new payment limits in sec. 1246, limiting annual payments to \$60,000 under any single conservation program, and \$125,000 under all conservation programs; excludes the WRP, FRPP, and GRP. Defines how payments should be attributed to individuals. Deletes existing conservation payment limit language. <i>[Sec. 2409]</i>	No comparable provision.
No comparable provisions in current law.	Requires the Secretary to submit an annual report on specialty crop producer participation in conservation programs in a new sec. 1252, including how to improve specialty crop producer	No comparable provision.

<p>PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)</p>	<p>HOUSE BILL (H.R. 2419)</p>	<p>SENATE AMENDMENT (H.R. 2419)</p>
	<p>access to these programs. Initial report to be submitted within 180 days of enactment. <i>[Sec. 2406]</i></p>	
<p>No comparable provisions in current law.</p>	<p>Authorizes a new program to promote market-based approaches to conservation in sec. 1245. 4 findings about the need and the benefits of facilitating markets are listed. The Secretary may conduct relevant research, enter into contracts, and award grants to foster markets. Establishes an Environmental Services Standards Board made up of senior federal officials to facilitate the development of credit markets and disseminate performance standards to federal agencies. Defines “baseline” and “performance standard.” Authorizes \$50 million in discretionary funding, with appropriated amounts to remain available until spent. <i>[Sec. 2407]</i></p>	<p>Authorizes new provisions for conservation programs in environmental service markets in a new sec. 1245. The Secretary is to use a collaborative process with specified interests to develop a framework for participating in environmental services markets. Components of the framework are specified (includes designing accounting features and developing a verification process), with priority given to participation in carbon markets. Three implementation reports, with contents specified, are required within specified times from the date of enactment. Discretionary funding of “such sums as are necessary” are authorized. <i>[Sec. 2406]</i></p>
<p>No comparable provisions in current law.</p>	<p>Adds income from affiliated packing and handling operations to definition of farm income when calculating adjusted gross income limitation to determine eligibility for conservation programs. <i>[Sec. 2501]</i></p>	<p>No comparable provision.</p>
<p>No comparable provisions in current law.</p>	<p>Allows the Secretary to encourage development of voluntary sustainable practices guidelines for specialty crops. <i>[Sec. 2502]</i></p>	<p>No comparable provision.</p>
<p>No comparable provisions in current law.</p>	<p>Requires the Secretary to develop information on the importance of productive farmland and designate at least 1 farmland information center to distribute this and related information. Federal matching funds are at least \$400,000, and shall not exceed 0.5% of the amount provided to implement the FRPP. <i>[Sec. 2503]</i></p>	<p>No comparable provision.</p>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
No comparable provisions in current law.	Requires the Secretary to contract with a peanut producer for a 4 year crop rotation and provides up to \$10 million annually from FY2008 through FY2012. <i>[Sec. 2504]</i>	No comparable provision.
No comparable provision in current law. (<i>Note:</i> See the Conservation Security Program, above, in existing programs.)	See section 2103, the Conservation Security Program (above), for some related changes; for example, the House bill defines “priority resources of concern.” However, the House bill does not create a new program.	Authorizes a new Comprehensive Stewardship Incentives Program in secs. 1240T to coordinate administration of a new Conservation Stewardship Program created in secs. 1240U-1240X (which combines the Conservation Security Program (CSP) and EQIP (both discussed above) and address defined resources of concern, meet regulatory requirements, encourage conservation, and promote conservation and production as compatible goals. Implementing regulations to be issued within 180 days of enactment. <i>[Sec. 2341]</i>
No comparable provisions in current law.	No comparable provision.	Authorizes a Discovery Watershed Demonstration Program in a new sec. 1240Q to reduce the loss of nutrients into surface waters in 30 small watersheds in the Upper Mississippi River basin. Authorizes such discretionary funds as are necessary. <i>[Sec. 2397]</i>
No comparable provisions in current law.	No comparable provision.	Authorizes an Emergency Landscape Restoration Program in a new sec. 1240R to replaces the Emergency Conservation and the Emergency Watershed Protection Programs. <i>[Sec. 2398]</i>
No comparable provisions in current law.	No comparable provision.	Authorizes access to conservation provisions in a new sec. 2401(g) to provide 10% of the funds (or acres in the cases of WRP and CRP) to beginning producers who derive at least \$15,000 from selling agricultural products, or socially-disadvantaged producers. Includes higher levels for technical assistance where possible, and encourages cooperative agreements. <i>[Sec. 2403]</i>

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
No comparable provisions in current law.	No comparable provision.	Adds a sec. 1244(d) requiring the Secretary, at the request of a landowner, to help get “safe harbor” assurances if land enrolled in a conservation program benefits a specie under the Endangered Species Act. <i>[Sec. 2405(b)]</i>
No comparable provisions in current law.	No comparable provision.	Adds a sec. 1244(e) requiring the Secretary to assist producers who apply for programs indirectly through certain organizations if it will increase participation and program benefits; payment limits apply to each producer, not the organization. <i>[Sec. 2405(b)]</i>
No comparable provisions in current law.	No comparable provision.	Authorizes a Agriculture Conservation Experienced Service Program in sec. 307 of the Department of Agriculture Reorganization Act of 1994. The Secretary can enter into agreements with organizations to provide technical assistance using qualified individuals who are 55 or older. <i>[Sec. 2602]</i>
No comparable provisions in current law.	No comparable provision.	New provisions titled technical assistance amend the Soil Conservation and Domestic Allotment Act of 1935 to update definitions. Reauthorizes the Soil and Water Resources Conservation Act of 1977 through 2028, and requires a national appraisal of soil, water and related resources and a national conservation program to be issued every 10 years. <i>[Sec. 2603]</i>
No comparable provisions in current law.	No comparable provision.	The “sodsaver” makes cultivated land that was vegetated with native sod and has never been used to produce a crop ineligible for crop insurance and disaster assistance; requires the Secretary to report within 180 days of enactment, and annually thereafter on changes in cropland acreage, by county, from calendar year 1995. <i>[Sec. 2608]</i>
No comparable provisions in current law.	No comparable provision.	Requires that no producers in Texas lose program

PRIOR LAW/POLICY (P.L. 107-171) (UNLESS OTHERWISE INDICATED)	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT (H.R. 2419)
		benefits as a result of participating in a study of the Ogallala Aquifer's recharge potential. <i>[Sec. 2609]</i>
No comparable provisions in current law.	No comparable provision.	Amends the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136o(d)) to require the State Department to pay EPA employee expenses incurred while conducting certain international activities. <i>[Sec. 2610]</i>
No comparable provisions in current law.	No comparable provision.	Amends sec. 202(a) of the Colorado River Salinity Control Act (43 U.S.C. 1592(a)) to create a basin states program implementing specified salinity control activities. <i>[Sec. 2611]</i>
No comparable provisions in current law.	No comparable provision.	Amends sec. 33 of FIFRA (7 U.S.C. 136w-8) to allow the EPA Administrator to waive a portion of the pesticide registration service fee under certain circumstances. <i>[Sec. 2612]</i>