

# Hunter and Angler Priorities for the 2023 Farm Bill

Agriculture and Wildlife Working Group



The Theodore Roosevelt Conservation Partnership's Agriculture and Wildlife Working Group consists of twenty-seven hunting, angling, landowner, and conservation organizations focused on conserving and restoring fish and wildlife habitat while supporting agricultural production and enhancing economically important recreational access. We work primarily around the federal farm bill, the single-largest source for private lands conservation funding, which is due for reauthorization in 2023.

The AWWG's Hunter and Angler Priorities consider both specific programs (e.g., the Conservation Reserve Program) and common themes (e.g., conservation easements come through several programs), and includes recommendations that Congress might address through statutory amendments or other instruction to the U.S. Department of Agriculture, such as report language. With these recommendations, we intend to unite and amplify the voices of hunters, anglers, and conservationists whose outdoor traditions depend on the policies and funding provided through the farm bill.

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### Overarching Items:

- Maintain Title II baseline and Inflation Reduction Act climate and conservation funding in Title II programs.
- Ensure fish and wildlife conservation is prioritized equally alongside soil and water conservation in all USDA conservation programs.
- Support voluntary, incentive-based programs that build agricultural resilience and promote working lands stewardship.
- Ensure that USDA has adequate capacity for conservation planning and program delivery.
- Support research and extension, USDA data collection, management, and sharing, and on-farm trials that enable science-based conservation and long-term agricultural resilience.

### Environmental Quality Incentives Program and Conservation Stewardship Program:

- Maintain the requirement that at least 10% of EQIP funding be dedicated to wildlife conservation practices and contracts and ensure that this leads to measurable fish and wildlife benefits.
- Encourage State Technical Committees to commit the 10% wildlife allocation in initial planning rather than through post-hoc spending reviews.
- Prioritize EQIP applications on lands enrolled in ACEP, RCPP, and HFRP easements.
- Allow EQIP enrollment of land capable of, but not currently in, production.
- Prioritize CSP/EQIP/RCPP applications for expiring CRP contracts for practices and bundles of practices designed to maintain or increase soil carbon levels and build upon other soil, water and wildlife benefits gained during the CRP contract.
- Prioritize practices supported by the Conservation Effects Assessment Project (CEAP).
- Allow forest landowners the option to follow a wildlife management plan as an alternative to a forest management plan to address wildlife habitat objectives on forestland.
- Move the Soil Health and Income Protection Program (SHIPP) from CRP to CSP and expand the program nationwide, creating a bundle for precision agriculture and conservation cover enhancements. Expand SHIPP eligibility to include cropped wetlands.
- Build on the USDA's Big Game Conservation Partnership in Wyoming by targeting EQIP, ACEP, and CRP Grasslands dollars towards maintaining and improving wildlife habitat along migration routes and increasing habitat connectivity for at-risk species.
- Maintain and improve upon 2018 Farm Bill EQIP changes to allow NRCS to enter contracts with water management entities (e.g., ditch companies, acequias, irrigation districts) to implement system conservation and efficiency gains benefiting environmental flows.
- Within CIG:
  - Make climate adaptation an additional priority, to support nature-based solutions and other adaptation related practices.
  - Add climate resilience and adaptation to the eligible focuses of the On-Farm Conservation Innovation grants.
  - Support the establishment of community-level water plans and water sharing agreements.

### Conservation Reserve Program:

- Improve incentives to meet current enrollment caps and put CRP on a trajectory toward historical acreage levels.
- Maintain wildlife as a co-equal purpose of the program alongside soil and water resources.
- Restore cost-share for mid-contract management and retain mid-contract management requirements.
- Remove rental rate caps.
- Increase rental payment limitations to at least \$125,000.
- Re-establish limits that ensure emergency haying and grazing do not unduly compromise wildlife habitat.
- Provide greater rental rate flexibility where dryland rates are driven upward by surrounding irrigated cropland.
- On grazing-adapted CRP covers, provide 50% cost-share for infrastructure that enables managed livestock grazing to transition continually reenrolled CRP acres into long-term working grasslands.
- Continue to fund incentives for the management of existing CRP pine stands, including thinning and prescribed burning.
- Restore the Forest Management Incentive payment limit in 16 U.S.C. 3834(c)(2)) to 150%.
- To maintain program integrity, make permanent the date-certain cropping history requirement of December 20, 2018, as it currently is in statute.
- Permanently authorize SAFE and ensure that it stays in continuous CRP.
- Remove limits on reenrollment of well-managed longleaf pine or hardwood forest with high conservation value.
- Within Grassland CRP:
  - Target enrollment and reenrollment toward land at highest risk of conversion or development.
  - Identify wetlands as an EBI ranking factor.
  - Codify USDA's authority to stack financial and technical assistance provided through EQIP on top of contracts to address priority outcomes such as habitat connectivity and at-risk species conservation.

### Conservation Easement Programs:

- Establish a Forest Conservation Easement Program to prevent conversion of forests to non-forest uses by purchasing development rights from willing private landowners. This successor to and expansion of the Healthy Forests Reserve Program should be outside of ACEP and additional to current Conservation Title programs.
- Identify stewardship opportunities for wetland and grassland easements, especially in WRE, WRP and Grasslands of Special Significance.
- Provide federal share of up to 100% on Grasslands of Special Significance.
- In states where eligible entities lack the ability or capacity to hold easements on grasslands of special significance, provide USDA with the authority to hold these easements.
- Recognize the conservation value of and landowner demand for conservation easements by supporting ACEP with additional funding.

- Prioritize lands enrolled in USDA conservation easements for other Farm Bill conservation programs (i.e., CSP, EQIP, RCPP).
- For grassland easements, broaden the definition of "development pressure" to include new conversion drivers including organic row crop agriculture and renewable energy production.
- Exempt Farm Bill easement programs from Adjusted Gross Income (AGI) limitations.
- Set Agricultural Land Easements (ALE) federal share at 75%.
- Encourage the NRCS and USACE to enter into an MOU to find solutions for proposed levee setbacks that may encroach on USDA easements. Real solutions will create net positive ecological and societal benefits, including protecting wetland functions and values, when compared to the status quo.
- Correct errors in ACEP-ALE statute to ensure that Buy-Protect-Sell transactions can be executed. Specifically, the statute must specify that the eligible entity landowner may be different from the eligible entity acquiring the easement. Additionally, BPS land sale price of the encumbered fee should not be restricted, and the statute should ensure that BPS transactions have the same transaction timeline and land eligibility requirements as standard ALE transactions.
- Reduce or remove match requirements for Historically Underserved Producers (HUPs) on ACEP-ALE Easements.
- Explore options to create a funding set-aside for HUPs within ACEP.
- Allow multiple eligible entities for ACEP-ALE transactions, i.e., one entity should be able to complete pre-closing activities while another acquires the easement and holds it long-term.
- Remove the acreage cap of 15% of county cropland acres for easements and allow the 25% aggregate limit to cover combined CRP and WRE enrolled acres.
- Expand the exclusion of enrolled wet and saturated soils from the current land capability classes IVw-VIIw to add IIIw for wetlands reserve easements.
- Include consideration for wetlands in the statutory waiver provision for exceeding the 25% limitation. Current law only addresses highly erodible lands.

#### Regional Conservation Partnerships Program:

- Add wildlife corridors and connectivity as a priority resource concern for critical conservation areas.
- Modernize federal contracting authority and streamline the application, contracting and reporting processes.
- Remove the statutory prohibition on partners recovering indirect and administrative costs.
- Provide maximum flexibility on partner contribution level and type. Allow partner activities and costs related to the project incurred prior to application and execution of the partnership agreement to be considered as partner contribution.
- Reduce or remove contribution requirements for RCPP partnership agreements with historically underserved partners.
- Reduce or remove match requirements for eligible activities on land owned by historically underserved producers and reiterate that match need not be financial.
- Provide landowners with up to 100% compensation for U.S.-held easements on working lands, expand eligible partner match and contribution for these easements.

- Encourage innovative conservation by allowing RCPP projects to modify conservation practice standards if ecologically appropriate.
- Recognize certified entities across all NRCS easement programs, including the RCPP.
- Manage RCPP and other NRCS easement programs consistently (e.g., deed terms, match requirements for US-held easements, appraisal estimates).
- Make all NGO owned land eligible for RCPP easements unless it is subject to an easement or deed restriction that provides similar protections.
- Increase the amount of NRCS technical assistance to support partners with administrative requirements and program delivery.
- Consider expanded use of alternative funding arrangements and grant authorities.
- Include any HFRP successor (Forest Conservation Easement Program) as a covered program.

#### Voluntary Public Access and Habitat Incentive Program:

- Reauthorize the Voluntary Public Access and Habitat Incentive Program (VPA-HIP) at no less than \$150 million of mandatory funding.
- Ensure USDA has the flexibility to issue longer term grant awards to ensure program continuity.
- Expand prioritization to include all USDA conservation programs.
- Make nonprofit hunting and angling organizations eligible to apply for VPA-HIP grants in states without sufficient state agency capacity.

#### Conservation Compliance and Sodsaver:

- Maintain and fully implement existing wetland and highly erodible land compliance and Sodsaver provisions.
- Expand Sodsaver provisions nationwide.
- Require USDA to report new breakings of native, unbroken rangeland and forestland annually, by acreage and aggregated to the state level.
- Require the Office of the Inspector General to conduct and publish an audit of conservation compliance provisions and their implementation.
- Ensure that data used to calculate Soil Loss Tolerances and Erodibility Indices are current and standardized among states.
- Explore options to separate responsibility for conservation compliance tasks (e.g., spot checks, whistleblower reviews, HEL and wetland determinations) from individuals performing general technical assistance and program enrollment.

#### Forest and Watershed Health:

- Reauthorize, streamline, and fund the Water Source Protection Program (WSPP) and the Watershed Condition Framework (WCF), including reforms to improve delivery and ensure acequias and small and rural communities can participate, while prioritizing investments in nature-based solutions that enhance drought and wildfire resilience.
- Reauthorize Joint Chiefs Landscape Restoration Partnership and the Collaborative Forest Landscape Restoration Program (CFLRP) and prioritize nature-based/natural water infrastructure approaches within each program to enhance resilience to natural hazards.

- Modernize the PL-566 program to support the development and implementation of nature-based solutions and multi-benefit water projects, including making these types of projects more competitive and a focus of the program over more structural/built infrastructure solutions that may have environmental impacts.
- Fund collaborative capacity and planning at a local level through existing forestry programs authorized or reauthorized in the Farm Bill to increase the pace and scale of watershed restoration.
- Expand the Rural Development Circuit Rider Program to include green and natural water infrastructure technical assistance for smaller/rural water utilities.
- Increase investment in the Forest Inventory and Analysis (FIA) program to reflect growing program needs and enhance work on forest carbon.
- Authorize long-term, 20-year, Good Neighbor Authority and Stewardship contracts to encourage participation in landscape-scale initiatives and allow for extended periods of uninterrupted forest treatments.

Additional Items:

- USDA conservation programs and practices should address species and habitats identified in state, regional, and national conservation initiatives, including Species of Greatest Conservation Need as identified in State Wildlife Action Plans.
- USDA conservation programs and provisions should incentivize and use, wherever practicable, ecologically appropriate and diverse stands of native plants.
- Encourage USDA to fully utilize prescribed burning as an effective wildlife habitat management tool and to increase financial and technical capacity for prescribed burning and liability management assistance on private lands to improve and enhance wildlife habitat.
- Support matching grants for the development and implementation of state and tribal soil health strategies that will deliver multiple resource benefits (climate, water, wildlife, etc.).
- Improve USDA's data collection and sharing procedures for assessing the environmental and production outcomes of conservation practices.
- Encourage increased emphasis on monitoring and reporting of the benefits of USDA conservation efforts to address natural resource concerns, especially those associated with federally threatened, endangered, or candidate species.
- Authorize a national network of regional hubs promoting long-term farm, ranch, and forest sustainability through technical assistance to states, tribes, and land stewards on risk management and adaptation to climate change.

AWWG Member Organizations:

- American Fisheries Society
- Association of Fish and Wildlife Agencies
- California Waterfowl
- Congressional Sportsmen's Foundation
- The Conservation Fund
- Delta Waterfowl
- Ducks Unlimited
- Izaak Walton League of America
- Land Trust Alliance
- Mule Deer Foundation
- National Alliance of Forest Owners
- National Bobwhite & Grassland Initiative
- National Deer Association
- National Wild Turkey Federation
- National Wildlife Federation
- The Nature Conservancy
- North American Grouse Partnership
- Pheasants Forever
- Quail Forever
- Ruffed Grouse Society
- Tall Timbers
- Theodore Roosevelt Conservation Partnership
- Trout Unlimited
- Western Landowners Alliance
- Wildlife Management Institute
- Wildlife Mississippi
- The Wildlife Society