United States Senate
WASHINGTON, DC 20510

April 17, 2019

The Honorable Sonny Perdue
Secretary of Agriculture
United States Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Perdue:

The 2018 Farm Bill made historic investments in voluntary conservation efforts to address water quality challenges—from the Great Lakes to the Chesapeake Bay to the Mississippi River. Specifically, the bill reformed and improved all major conservation programs in order to provide new tools to assist farmers, ranchers, and landowners in addressing water quality concerns.

We know farmers play an important role as stewards of our land and water. In order to maximize the effectiveness of these water quality improvements, we urge you to implement these provisions through a department-wide National Water Quality Initiative, which would build off the existing initiative housed at the Natural Resource Conservation Service. This comprehensive initiative would allow improved coordination between conservation programs, better customer service and outreach to producers, and new opportunities to strategically invest in watersheds that can have the biggest impact on reducing nutrient loss, improving soil health, protecting source water and restoring and enhancing wildlife habitat. It has the further benefit of allowing the Department to remove administrative barriers between programs and agencies and take a more holistic approach to conservation outcomes.

In addition to requesting that you expand and bolster the existing initiative, we also write to provide specific suggestions for how to implement these provisions in an integrated way to improve efficiency and effectiveness of conservation investments.

USDA should also use this opportunity to identify critical watersheds where USDA conservation investments can yield measurable results in improving water quality within the next decade. This could be accomplished using existing USDA watershed assessments, like the Conservation Effects Assessment Project, designations from other Federal agencies, like the EPA's impaired waters list, or watersheds identified as priorities by state agencies.

The following provides a list of specific authorities that should be included in an expanded National Water Quality Initiative and makes implementation recommendations that will maximize their effectiveness for improving water quality:

Environmental Quality Incentives Program (EQIP)

- Top 10 Practices. EQIP practices that will be eligible to receive a new, higher cost-share payment should be enrolled on a continuous basis. In selecting the top 10 practices in a state, the Department should incorporate best science, current Natural Resources Conservation Service (NRCS) practice evaluation tools, and stakeholder input through the State Technical Committee to ensure the practices will have the most "bang for the buck." Practice selection should include the range of practices for working lands using both short- and long-term considerations of practice cost, effectiveness and lifespan for reducing nutrient loss, protecting source water and wildlife habitat.

- Incentive Contracts. The new incentive contracts should be aligned with the top 10 practices to focus on the highest impact for annual management and vegetative practices, as well as consideration of targeted practices that farmers would not otherwise consider yet provide significant performance gains for improving water quality in the high priority watersheds identified under the Initiative. In addition, enrollment for producers located in the targeted watersheds should be given priority, accelerated enrollment.

- Conservation Innovation Grants and Payments. Aligning the Conservation Innovation Grant program authorities, specific opportunities involving On-Farm Conservation Innovation Trials, and new or innovative conservation approaches directly with producers and through other eligible entities, will further bolster support for and use of conservation practices and technologies, as well as contributing to comprehensive reporting and database also called for within this authority.

Conservation Reserve Program (CRP)

- Clean Lakes, Estuaries, and Rivers (CLEAR) and CLEAR 30. For the first time, continuous CRP – including water quality practices in the CLEAR initiative like buffers and wetlands, are given an acreage floor and strong targets for enrollment. The Department should immediately open enrollment in continuous CRP and target CLEAR practices in the high priority watersheds identified in the Initiative. Further, continuous enrollment of CLEAR practices should be aligned with the EQIP top 10 practices in the high priority watersheds targeted under the Initiative to avoid duplication and maximize effectiveness. For example, both EQIP and CRP provide an opportunity to enroll buffers. The Department should consider, in targeted watersheds, limiting buffer enrollment to only one program in selected watersheds. For CLEAR 30, the Department should select from the most impaired watersheds across the country to conduct targeted outreach on the CLEAR 30 pilot.

- Conservation Reserve Enhancement Program (CREP). Reforms to CREP were designed to improve existing CREP projects, ensure we realize the full conservation value of riparian buffers, and avoid lapses in enrollment that have occurred in the past when State funding expires. In implementing these reforms, current CREP agreements should be allowed to be modified to take advantage of the statutory changes. Finally, the Department should not wait for partners to submit CREP proposals on an ad hoc basis, but rather actively solicit proposals in the high priority watersheds identified in the Initiative.

Regional Conservation Partnership Program (RCPP)
Significant changes were made to RCPP to simplify implementation and improve targeting of projects in critical conservation areas, so they align better with priority resource concerns. Similar to CREP, the Department should conduct outreach in high priority watersheds designated under the Initiative to solicit RCPP proposals. In addition, the Department should implement the new program contract, application bundle, partnership agreement renewal, and alternative funding agreement/grant authorities to encourage innovative conservation projects in the targeted watersheds.

Conservation Stewardship Program (CSP)
The 2018 Farm Bill authorized bonus payments for cover crops and supplemental payments for resource-conserving crop rotations. The Department should conduct outreach to producers to ensure they know about these new incentives and should prioritize enrollment of CSP contracts that include these high-impact activities. Like with EQIP incentive contracts and CRP CLEAR contracts, the Department should target enrollment for producers undertaking these practices in the high priority watersheds identified through the Initiative and they should be given priority, accelerated enrollment.

Agricultural Conservation Easement Program (ACEP)
Additional funding was provided for ACEP in the 2018 Farm Bill in order to provide more opportunities to permanently protect agricultural lands and wetlands. Recognizing that wetlands can provide significant water quality benefits, new language was added to WRE to require the Department to consider water quality benefits, in addition to wildlife habitat benefits, when prioritizing enrollment of wetland easements. The Department should incorporate this priority to enroll wetland easements in the high priority watersheds targeted through the National Water Quality Initiative.

Source Water Protection
The bill sets aside at least 10 percent of conservation title funds for source water. We intend this to be a floor, not a ceiling, and request that the Department make public annually the amount of funding that is going specifically to source water protection across the conservation title. In addition, the flexibility that was included for USDA to offer higher incentives for projects involving source water should be used strategically, such as to enroll new producers in conservation that might not normally participate without the higher incentives.

Crop Insurance
The Farm Bill also sought to improve conservation opportunities for farmers beyond the conservation title. Most important is the change made within the Federal Crop Insurance Program to ensure that producers who plant cover crops will maintain insurance benefits. Cover crops can have important water quality benefits through reduced erosion and nutrient runoff. USDA should follow this example for cover crops and provide consistent advice on conservation activities to ensure guidance from NRCS is not in conflict with the rules of another part of USDA, like the Risk Management Agency, to encourage producer adoption of conservation activities.

We look forward to working with you to revitalize and modernize the National Water Quality Initiative and ensure that these provisions are implemented in an effective, targeted, and coordinated manner to improve water quality across the country.

Sincerely,

Debbie Stabenow
U.S. Senator

Joni K. Ernst
U.S. Senator

Robert P. Casey, Jr.
U.S. Senator

Charles E. Grassley
U.S. Senator

Sherrod Brown
U.S. Senator

Mike Braun
U.S. Senator

Thomas R. Carper
U.S. Senator