

2023 Farm Bill Platform
Association of Fish and Wildlife Agencies
Adopted 09/21/2022 at the AFWA Business Meeting
Ft. Worth, TX



AFWA 2023 Farm Bill Platform

Principles for Reauthorization

- Encourage state-led and partnership-driven proactive, voluntary, incentive-based conservation to meet conservation needs, goals, and objectives and increase the economic benefits of wildlife conservation and public access through Farm Bill programs.
- Maximize every dollar spent throughout Farm Bill conservation programs, delivering multiple resource benefits to the landowner and the taxpayer with every project. Fish and wildlife habitat conservation provides soil health and retention, water use and quality, and greenhouse gas benefits. As such, fish and wildlife conservation should continue to be a co-equal priority with soil and water conservation in authorization and implementation of all Farm Bill conservation programs.
- Increase Conservation and Forestry Title funding to meet the increasing demand from landowners across the country. Demand for assistance exceeds current funding levels and there continues to be a growing demand for long-term, environmentally sustainable agricultural production that reduces regulatory burdens on producers.
- Increase and promote synergy among Farm Bill programs and titles, avoiding unintended consequences resulting from practices and programs working at cross-purposes. The Farm Bill should reduce long-term federal government costs and produce savings by eliminating incentives for environmentally unsustainable agricultural practices that lead to conversion and degradation of habitats.
- Focus on priority fish and wildlife species and habitats at the local and landscape scales, with conservation programs and practices addressing fish and wildlife species and habitats identified in state, regional, and national conservation initiatives, including Species of Greatest Conservation Need (SGCN) identified in State Wildlife Action Plans.
- Prioritize the use of ecologically appropriate and diverse stands of native plants in USDA conservation programs and provisions wherever practicable.
- Increase capacity and enhance partnerships to effectively implement and deliver Farm Bill programs, including technical assistance, partner capacity, and other on-the-ground expertise available to landowners and producers.
- Optimize Farm Bill programs for climate resilience while maintaining wildlife benefits by committing to the use of diverse, site-appropriate, native plant materials and to continued active management of conservation practices.

Conservation Reserve Program

- Reauthorize CRP and incrementally increase the acreage cap to 40 million acres by the end of the Farm Bill, based on the following considerations.
- Eliminate rental rate limitations in §3834(d)(4)(E) on county average soil rental rates for both general and

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continuous sign-ups.

- Increase entity limitation on annual rental payments to account for changes in land rental rates and other economic factors. The current payment limitation of \$50,000 has not been changed since the program was originally authorized in 1985. AFWA recommends the limitation be increased to \$125,000 per year.
- Provide 50% cost-share for perimeter fencing, internal cross fencing, and water facility development practices on all grass-based CRP covers to facilitate managed grazing and transition continually reenrolled CRP acres out of the program into long-term working grasslands.
- Establish a cap for CRP Grasslands at 20% of total program acreage, contingent upon an increase of the overall CRP acreage cap to 40 million acres. Prioritize enrollment of high-quality wildlife cover on expiring CRP acres and pastureland and rangeland at threat of conversion and provide incentives to upgrade existing grassland stands
- Require management, including thinning and prescribed burning, of southern pine tree stands to meet wildlife habitat objectives identified in State Wildlife Action Plans or national initiatives prior to reenrollment for all contracts, while restoring continual reenrollment eligibility for hardwood tree covers.
- Continue to fund incentives for the management of existing CRP pine stands, including thinning and prescribed burning, at \$12 million. Restore the Forest Management Incentive payment limit in 16 U.S.C. 3834(c)(2)) to 150% to increase uptake of these management practices.
- Restore cost-sharing payments for all required mid-contract management activities except grazing, which should remain exempt from the 25 percent reduction in annual rental payment, if it is included in a conservation plan at the start of the CRP contract. Provide cost-share for all non-grazing mid-contract management activities on contracts entered into under the Agriculture Improvement Act of 2018.
- Exempt working lands enrolled in CRP and ACEP-WRE that are engaged in agricultural production, such as CRP grassland acres and general and continuous acres subjected to non-emergency haying and grazing, from the 25 percent county acreage cap found in 16 U.S.C. § 3844(f)(1).
- Restore broad County Cropland Limitation waiver authority for all CRP signup types to exceed 25 percent of county cropland acreage
- To maintain program integrity, make permanent the date-certain cropping history requirement of December 20, 2018, as it currently is in statute.
- Restrict emergency haying and grazing on the same acres to no more than once every two years, and non-emergency haying to no more than once every three years. Restore limits on emergency and non-emergency haying to certain practices on not more than 50 percent and 75 percent of contract acres, respectively, as identified in the site-specific plan, and maintain the prohibition on haying during the primary nesting season. Restore limits on emergency grazing on all practices to not more than 75 percent of contract acres, as identified in the site-specific plan.
- Continue to offer General, Continuous, and CREP enrollment options in CRP on an annual basis, ensuring that State Acres for Wildlife Enhancement (SAFE) projects are made available under the Continuous Signup.
- Continue to require mid-contract management where needed to maintain high-value wildlife cover on all new and reenrolled CRP or CCRP acres to ensure wildlife habitat resource concerns continue to be met on all CRP acres.
- Incorporate state and regional recommendations for eligible mid-contract management activities and criteria for cover management. Allow USDA, with concurrence from the applicable state fish and wildlife agency, to make mid-contract management activities voluntary for contracts in arid and semi-arid counties and a cover type practice of

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40 EBI points or greater.

- Continue and enhance incentives - not limited to Signing Incentive Payments, Practice Incentive Payments, and Climate-Smart Practice Incentives - for high-value wildlife cover types that are ecologically appropriate for the site.
- Amend 16 U.S.C. 3834(b)(2)(A) to exclude payments from third parties from the limitation on the sum of CRP payments exceeding the cost of practice establishment.
- Continue to prioritize enrollments in national and state Conservation Priority Areas (CPAs). Processes developed for prioritized enrollments should include national and state-level initiatives for fish and wildlife conservation. Only contracts containing conservation practices that benefit the priority wildlife species should receive the CPA points. Furthermore, if the total CRP acreage cap is increased, increase the percentage of cropland in a state included in a CPA from 25 percent back to 33 percent.

Voluntary Public Access and Habitat Incentive Program (VPA-HIP)

- Reauthorize the program at no less than \$150 million over 5 years and direct USDA to issue 5- year grant awards to allow for program continuity.
- Reaffirm program priority of hunting, fishing, and other wildlife-compatible recreational activities.
- Retain program participation eligibility for state fish and wildlife agencies and tribal governments.
- Clarify that private land can be targeted to provide access to landlocked public land by amending 16 U.S.C. § 3839bb-5(b)(1) to read: “encourage owners and operators of privately- held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, which can include providing access to adjacent public land.”
- Amend 16 U.S.C. § 3839bb-5(c)(3) to read: “(3) to strengthen access and wildlife habitat improvement efforts on land enrolled in federal, state, and tribal conservation programs by providing incentives to increase public hunting, fishing, and other recreational access on that land.”
- Amend 16 U.S.C. 3834(b)(3) to allow VPA-HIP habitat incentives for CRP conservation cover improvements beyond what is required by the CRP contract and conservation plan.

Environmental Quality Incentives Program (EQIP)

- Increase baseline funding for EQIP.
- Maintain the requirement that at least 10% of EQIP funding be dedicated to wildlife conservation practices and direct USDA to work with each State Technical Committee to define and meet that target.
- Incorporate state input to target EQIP wildlife funds towards priority fish and wildlife species, including Species of Greatest Conservation Need as identified in State Wildlife Action Plans, or other species identified in other conservation plans.
- Increase the availability of and emphasis on long-term incentive payments and contracts (such as up to 10 years) to encourage the best sustained habitat management for wildlife and increase long-term benefits.
- To further agricultural landscape-scale conservation, make land that is capable of production eligible for EQIP. These lands were previously eligible for the Wildlife Habitat Incentives Program (WHIP), but were not carried over into the wildlife portion of EQIP in the 2014 Farm Bill.
- Amend 16 U.S.C. § 3839aa-5(a)(4) to explicitly allow forest landowners the option of following a wildlife management plan, written by a state fish and wildlife agency, CAP 142 qualified registered technical service

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provider (TSP), or natural resource professional who works under the supervision of a registered TSP entity qualified to write CAP 142 plans, as an alternative to a forest management plan in order to address wildlife habitat objectives on forestland. This change would enable landowners to manage their forestland specifically for wildlife habitat and would provide additional capacity to deliver EQIP to NIPF landowners.

Agricultural Conservation Easement Program (ACEP)

- Increase funding to a minimum of \$900 million per year over the life of the Farm Bill.
- Allow program funding to be used for restoration and management activities, enabling the Federal Government to maintain the value of taxpayer investment.
- Prioritize restoration and management funding for grasslands of special significance within ACEP-ALE; and
- Prioritize funding to address management issues on ACEP-WRE or existing Wetland Reserve Program contracts. NRCS should work through State Technical Committees to prioritize funding for the completion of restoration work, associated administrative expenses and other management issues that create additional resource concerns.

ACEP-Agricultural Land Easements (ALE)

- **In states where there are not sufficient entities to hold easements, provide the USDA authority to hold easements on grasslands of special significance.****
- **Require land enrolled under ALE-Grasslands of Special Significance to have a grasslands management plan in place at time of acquisition.****

ACEP – Wetland Reserve Easements (WRE)

- Retain landownership tenure requirement of no more than 24 months, as currently in statute.
- Restoration of native wetland and grassland vegetation and hydrology should contribute to the goals of WRE wetland functions and values and/or state, regional, and national conservation initiatives.

Regional Conservation Partnership Program (RCPP)

- Reauthorize RCPP as a standalone program and maintain or increase funding levels.
- **Reinforce that the RCPP partner has the decision making role in implementation of practices within the conservation practice standard.****
- **Increase the flexibility of partner technical assistance funding by eliminating the differentiation between TA types and leaving that split up to the partner.****
- **Repeal statutory prohibition on recovering indirect costs.****

Forestry

- Authorize and provide mandatory funding for a Forest Conservation Easement Program (FCEP) outside of and in addition to the Agricultural Conservation Easement Program (ACEP). The FCEP should provide for entity-held working forest easements and U.S.-held forest restoration easements, which integrate Healthy Forest Reserve Program (HFRP) objectives, including the prioritization of species of greatest conservation need identified by a State wildlife action plan.
- Forestry programs and practices must promote sustainable forest ecosystems by maintaining or restoring site-appropriate ecological processes that will support habitat conditions for native species and do not convert forests

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to, or manage forests as, monoculture plantings, species, and species compositions that are ecologically uncharacteristic of the site, or encourage planting forests on non-forest sites (such as on prairie landscapes that fragment prairie wildlife habitat). Conservation programs and practices should not pursue silvopasture or other treatments that introduce non-native plant species that affect the sustainability of the forest.

- The Forest Stewardship Program should recognize fish and wildlife as integral components of healthy forested ecosystems. Fish and wildlife habitat and plant communities of conservation concern should be integrated into forest ecosystem management. Forest Stewardship Plans should utilize the State Wildlife Action Plans, National Fish Habitat Action Plans, and State Forest Action Plans to determine state forest priorities during program implementation to maximize taxpayer investment in federal conservation programs.
- Make all privately held forestland eligible for USDA conservation programs regardless of “mill status” or holding size, relying instead on the AGI limit to define eligibility.

Sodsaver and Conservation Compliance

- Maintain and fully implement existing wetland and highly erodible land compliance and Sodsaver provisions to maintain agricultural productivity and economic security while improving and protecting water quality, wildlife habitat, and other natural resource benefits.
- Expand Sodsaver nationwide and strengthen the disincentive for native sod breaking by making any native sod acreage converted after February 7, 2014 ineligible for all farm program benefits, including crop insurance premium subsidies, for the first 10 years of federally-insurable crop production.
- Require USDA to report native sod breakings data to Congress and the public each year to allow for analysis of Sodsaver’s and other agricultural policies’ effect on native grassland.

Conservation Stewardship Program (CSP)

- To maintain benefits accrued from previous conservation investments, CSP rankings and payments should prioritize the enrollment of EQIP and CRP participants as they exit those programs. CSP should provide for the continued management of existing conservation practices. The program should be focused on sustained environmental outcomes, not on the timing of when a conservation activity was initially adopted.
- Low-quality wildlife covers exiting from CRP, such as monoculture or low diversity introduced grass cover, should be enhanced through CSP to retain and improve the cover’s wildlife and carbon sequestration benefits.
- Consistent with previous recommendations, enhancements should not promote or encourage agricultural drainage management.
- 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.

Climate Adaptation and Carbon Sequestration

- Clarify that CRP participants, like NRCS program participants, are eligible to generate ecosystem service assets through program activities and that USDA does not assert a direct or indirect interest on these credits.
- Offer long-term CRP contracts with up-front payments to encourage private landowners to sequester and maintain soil organic carbon.

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- Provide CRP carbon sequestration incentives to promote longer contracts and cover enhancements that would result in additional carbon sequestration on existing contracts.
- Reduce crop insurance premium subsidies in proportion to the land's productivity to disincentivize cropping on marginal land.

Bioenergy

- Any bioenergy and renewable energy provisions must be consistent with the purposes and programs of the conservation title and should not work at cross-purposes with conservation programs and provisions. As such, the planting of species that are invasive or have potential to be invasive should not be allowed.
- Support and encourage energy initiatives that increase energy conservation and fuel efficiencies for producers, reduce fossil fuel use on the farm and in rural communities, and promote ecologically healthy fish and wildlife populations and habitats and other natural resource conservation goals.

Other Recommendations

- Increase the Adjusted Gross Income (AGI) limitation for conservation programs to \$2.5 million.
- Include report language reiterating the need for USDA to convene State Technical Committee meetings on at least an annual basis to solicit input from members on the implementation of each program within the state. The timing of such meetings should allow for meaningful input prior to final decisions being made on program and practice implementation for the upcoming year.
- Require USDA to track the use of native plant materials across programs and report back to Congress.
- Expand current payment caps to better reflect today's larger family farm budgets. Current caps create disincentives for larger conservation-minded landowners interested in participating in conservation programs.
- Fully utilize prescribed burning as an effective management tool and increase financial and technical capacity for prescribed burning on private lands to improve and enhance wildlife habitat.
- Include report language reiterating the need for NRCS to post program requirements and opportunities in a timely fashion as required by agency policy in the Conservation Programs Manual, giving producers the necessary information to be able to make informed decisions regarding program signup and participation. Disseminating this information prior to signup deadlines will promote higher quality projects and reduce potential difficulties with application and contract management as participants will have a more complete understanding of the program they have applied for.
- Follow Best Management Practices (BMPs) to prevent the establishment of invasive species during restoration activities. BMPs should also be followed in management of existing habitats to minimize invasion.
- Increase emphasis on monitoring and reporting of the benefits of USDA conservation efforts to address natural resource concerns associated with federally threatened, endangered, or candidate species.
- Streamline the Emergency Forest Restoration Program to reduce the lag time between disasters and disbursement of restoration payments.
- Continue the Livestock Indemnity Program, including the 2014 Farm Bill provision that provides indemnity payments for livestock death losses due to "attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators." In such cases, increase compensation rates to fair market values and eliminate AGI restrictions. The current FSA process for this program is overbearing, with the requirements for producers being extremely difficult to meet when trying to file a claim for livestock losses. FSA must

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simplify and streamline this process and the information required to file a claim.

- Develop practices within the various programs to assist landowners with implementing strategies that reduce losses of agricultural commodities from wildlife.
- Continue and expand the Feral Swine Eradication Program to reduce threats posed by feral swine to agriculture and wildlife.
- Authorize and increase funding for monitoring and surveillance of chronic wasting disease in free-ranging cervid populations and captive cervid facilities.

***Note: The AFWA 2023 Farm Bill Platform represents broad principles and policy proposals that have been agreed upon by members of the Agricultural Conservation Committee. It is intended to be a living document. The Agricultural Conservation Committee reserves the right to make minor changes and technical corrections via a consensus mechanism in response to an ever-changing agricultural policy landscape. Recent additions and edits are identified in bold.*



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