

United States Senate

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October 11, 2023

The Honorable Debbie Stabenow
Chairwoman
Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Senate Office Building
Washington, D.C. 20510

The Honorable John Boozman
Ranking Member
Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Senate Office Building
Washington, D.C. 20510

Dear Chairwoman Stabenow and Ranking Member Boozman:

We would like to thank you for your continuing efforts to craft a bipartisan Farm Bill for America's farmers, ranchers, and families.

Today, we write to raise concerns we have heard with respect to the Regional Conservation Partnership Program (RCPP) and request you consider including legislation in the Farm Bill to make the program work for producers in Colorado, Kansas and across the country.

As you know, RCPP is an important conservation program created in the 2014 Farm Bill. Unfortunately, the program has been knotted up in bureaucratic red tape since the U.S. Department of Agriculture (USDA) first implemented it. We attempted to remedy producers' concerns in the 2018 Farm Bill, in part by codifying RCPP as a stand-alone program. Unfortunately, the more recent implementation of RCPP failed to include key authorities from other conservation program regulations, and May 2023 guidance from the Natural Resources Conservation Service (NRCS) failed to address in any meaningful way easements that have been caught in red tape.

All of this has meant that RCPP has been extremely difficult for producers to access. For example, not a single producer has been able to spend RCPP conservation easement funds in Colorado to preserve their family farms and ranches for future generations. And, worthy and important RCPP projects, such as the Little Snake River and the Poncha Pass proposals in Colorado, as well as the Groundwater Recharge and Sustainability Project in Greeley and Wichita County, Kansas have been compromised by complex, inconsistent, and cumbersome NRCS review processes that vary by state and project.

If the program itself becomes too difficult to navigate for partners and producers, it cannot effectively deliver on the Agriculture Committee's intentions with respect to conservation. To fix the program we recommend making the following changes to RCPP in the 2023 Farm Bill:

1. Maintain RCPP as a stand-alone program and draw on the existing covered conservations program authorities, rules, and regulations, including Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), Agricultural Conservation Easement Program (ACEP), Conservation Reserve Program (CRP), Healthy Forest Reserve Program (HFRP), and PL-566.
2. Streamline project application requirements for partners and producers, and allow application bundling for all interested producers and landowners.
3. Consider the potential for increased costs related to a project's construction and completion before a project is awarded funding to ensure the project can still be completed.
4. For RCPP easements, extend accredited land trust certification requirements under ACEP to RCPP and ensure that easement deed requirements are not overly burdensome for partners and landowners in a critical conservation area.
5. Extend RCPP to include the Water Source Protection Program, Forest Legacy Program, and the Forest Stewardship Program.
6. Provide clear authority for NRCS to modify practice codes on a project-by-project basis, considering new technologies and regional variations.
7. Allow Alternative Funding Arrangement (AFA) project leads to contract directly with farmers and ranchers on behalf of USDA. Additionally, we ask that you improve the overall AFA administration and flexibility to improve conservation delivery.
8. Advance projects in a timely manner by setting deadlines for USDA action.

We believe these changes will make RCPP easier to access, navigate, and fulfill the promise of voluntary conservation program delivery to producers across the country.

Thank you for your consideration and we look forward to our continued work to support our nation's farmers and families.

Sincerely,



Michael F. Bennet
Chairman

Subcommittee on Conservation, Climate,
Forestry, and Natural Resources



Roger Marshall, M.D.
Ranking Member

Subcommittee on Conservation, Climate,
Forestry, and Natural Resources