

Give Our Resources the Opportunity to Work (GROW) Act of 2018
S. 2557

Section-by-Section Outline

Section 1: Short Title

Short Title: This section names the legislation the Give Our Resources the Opportunity to Work (GROW) Act of 2018.

The bill amends the Food Security Act of 1985 as follows.

Section 2: Conservation Reserve Program

Eligible Land: Prohibits general sign-up enrollments of prime farmland or class I, II, or III land that is not highly erodible and is not eroding at a level that is less than the soil loss tolerance level of the land, and prohibits the enrollment of whole farms provided that the whole farm is larger than 10 acres, but exempts Grassland Initiative enrollments from those requirements as well as conservation buffers under the Continuous CRP (including CREPs). For general sign-ups, limits eligibility to only those portions of a field that meet the eligibility criteria, except in cases in which more than 90 percent of a field is eligible, in which case the entire field is made eligible.

Acreage: Retains the annual acreage cap of land enrolled in CRP at any one time at 24 million acres. Increases the maximum acreage that can be enrolled in the Grasslands Initiative to 3 million acres at any one time. Authorizes enrollment of at least 4 million new acres of CCRP conservation buffers connected to lakes, estuaries, or rivers that are sediment and nutrient impaired over the next 10 fiscal years as part of a Clean Lakes, Estuaries and Rivers (CLEAR) initiative.

Payment Rates: Prioritizes CRP contract offers that maximize the conservation value of the land relative to the cost of the contract by assigning at least 25 percent of available points within the Environmental Benefits Index (EBI) to the cost value factor. For the general sign-ups, ensures that the per acre payment rate does not exceed 80 percent of the (National Agricultural Statistics Service) NASS county estimate of dryland cash rental rates. Establishes a per acre rental rate cap of \$240 per acre, excluding CREPs.

Section 3: Conservation Stewardship Program

Definitions: Modifies the definition of ‘conservation activities’ to include whole farm comprehensive conservation planning, and modifies the definition of ‘stewardship thresholds’ to ensure a strong, scientific underpinning.

Establishment: Extends the authorization of the program through 2023.

Contracts: Modifies and simplifies the CSP ranking process to retain the two basic current criteria - level of active ongoing management of existing conservation activities and the increase in environmental benefit from the adoption of new conservation activities. Additionally, retains the 5th criterion in current statute – relative cost of the proposal – but make it a tiebreaker, consistent with current CSP regulations.

Revises the criteria for contract renewals to allow farmers flexibility to focus in on conservation results and outcomes, rather than the specific process to get there, and clarifies that ongoing renewals are possible provided there is continual improvement in the level of stewardship provided.

Payments: Clarifies that supplemental payment rates, cover crop incentives, and payments for comprehensive conservation planning are included under the average payment rate established for all contracts.

Authorizes a 25 percent bonus rate for cover crop based activities, as determined by the Secretary.

Ensures fair treatment for livestock operations by authoring supplemental payments for Managed Intensive Rotational Grazing (MIRG) in addition to the current supplemental payments for Resource-Conserving Crop Rotations (RCCRs), and establishes a minimum rate for supplemental payments of not less than \$20 per acre. Includes a definition for MIRG, and expands the existing definition of RCCRs to include that additional objective of building soil carbon.

Authorizes a payment for comprehensive conservation planning to ensure that farmers are compensated for some of their costs for undertaking whole farm comprehensive conservation planning, which provides significant conservation benefits and improved program performance. Establishes a payment rate of between \$1,000 and \$3,000, to be determined based on the number of resource concerns addressed in the plan and the number of eligible land uses included in the operation.

Section 4: Environmental Quality Incentives Program

Purposes: Modifies the EQIP purposes to ensure that crop management, in addition to livestock management, is explicitly included within the scope of beneficial conservation changes that participants make through EQIP.

Program Coordination: Directs USDA to enhance coordination between EQIP and CSP to ensure an EQIP participant is able to seamlessly enroll in CSP after meeting the stewardship threshold for at least two priority resource concerns.

Advance Payment: Modifies the advance payment option within EQIP for historically underserved participants to ensure that the advance payment of 50 percent of cost share up front automatically applies for eligible participants.

Section 5: Funding and Administration

EQIP Funding Authorization: Authorizes EQIP from FY 2019 through 2023, with \$1.75 billion per year, including not less than \$500 million each fiscal year for management activities that assist producers protecting sources of drinking water.

County Enrollment Limitations: Decreases the maximum percentage of any county that can be enrolled in CRP at one time to 15 percent of the county's total cropland, excluding any contracts that exceed that limitation in a given county prior to the enactment of the GROW Act. Increases

the maximum percentage of any county that can be enrolled in a wetland easement to 15 percent of a county's total cropland.

Set Aside for Beginning Farmers or Ranchers: Increase the percentage of total minimum EQIP funds and total CSP acres – from 5 percent to 15 percent – awarded to beginning farmers or ranchers each year.

Set Aside for Socially Disadvantaged Farmers or Ranchers: Increase the minimum percentage of total EQIP funds and total CSP acres – from 5 percent to 15 percent – awarded to socially disadvantaged farmers or ranchers each year.

Section 6: Report on Land Access, Tenure, and Transition

Report to Congress: Directs the Secretary to submit a report to Congress, within one year of enactment of the GROW Act, on the barriers facing beginning and historically underserved farmers and ranchers to access farmland, the extent to which federal programs are improving farmland access, tenure, transition, and succession, as well as the regulations or changes that are necessary to improve land access, tenure, and transition.