



Organic Farming Research Foundation  
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February 4, 2020

Richard Fordyce  
Administrator, Farm Service Agency  
U.S. Department of Agriculture  
Washington, DC 20250

**Re: Conservation Reserve Program Interim Final Rule, CCC-2019-0006-0001**

Dear Administrator Fordyce:

I work as a Research Associate with the Organic Farming Research Foundation (OFRF), and also do policy advocacy work, representing OFRF at the National Sustainable Agriculture Coalition (NSAC). Over the past five years, I have worked with OFRF in an in depth review and analysis of USDA funded and other organic agricultural research, and we have developed a series of Practical Guidebooks on soil health in organic farming, covering topics ranging from cover crops and nutrient management to practical conservation tillage, climate mitigation and resilience in agriculture, and soil microbiology and ecology. I also offer individual consulting for organic and sustainable farmers in my home state of Virginia in soil test interpretation and soil, crop, nutrient, and weed management. Finally, I have worked with NSAC and the National Center for Appropriate Technology in analysis of USDA conservation programs, especially NRCS working lands programs Environmental Quality Incentives Program (EQIP) and Conservation Stewardship Program (CSP).

Through this work I have gained a deep appreciation of the value of conservation buffer plantings that protect water quality, wildlife habitat, and soil resources, and the importance of taking marginal or sensitive lands out of intensive crop production and into perennial vegetation to allow full recovery of soil and ecosystem health. The National Organic Standards require USDA certified organic producers to protect and improve natural resources including soil, water, wetlands, woodlands, and wildlife, and to enhance biodiversity. Putting this into practice can entail a significant investment of land, money, infrastructure and skills. The Conservation Reserve Program (CRP) can play a vital role in helping certified organic farmers and ranchers and other conservation-minded producers to meet their stewardship goals while maintaining an economically viable farming or ranching operation.

It is from this perspective that I join OFRF Director Brise Tencer in offering the following comments regarding the CRP Interim Final Rule and program implementation.

- 1. We thank FSA for the range of options offered within the scope of CRP, including general (whole field or whole farm), continuous signup (CCRP, for conservation buffers), conservation reserve enhancement projects (CREP), Grasslands Initiative, and CRP Transitions Incentive Program (CRP-TIP).**

This menu of options supports organic and other producers to address specific needs, such as rotating exhausted fields out of production for a long period, protecting water resources as mandated in the 2018 Farm Bill, maintaining grazing lands, or transitioning land out of CRP in ways that protect the carbon sequestration and other environmental benefits gained during the CRP contract. The CRP-TIP is especially valuable in that it supports land owners with expiring CRP acres in providing new and beginning producers who commit to implementing organic or other sustainable production systems that include a high level of conservation stewardship. This can be a vital means for aspiring organic producers to access land, and is a win-win for new farmers, land owners, and the land itself.

- 2. Strengthen implementation of the Continuous Conservation Reserve Program (CCRP) by clearly listing the full complement of eligible conservation buffer practices.**

With its focus on conservation buffer plantings, the CCRP offers farmers an opportunity to enroll part of the field in practices that conserve soil, build soil health and sequester carbon, provide wildlife habitat, protect water resources, and improve air quality. In several places, the Rule gives a partial listing of practices eligible for the CCRP, lists which can leave applicant and field staff with the impression that other practices are not eligible. This could unnecessarily restrict flexibility and efficacy of program implementation.

*Recommendation:* include near the beginning of the CCRP section of the Rule a full listing of practices that can be included in a CCRP contract.

- 3. Add the Clean Lakes, Estuaries and Rivers (CLEAR) Initiative to the Definitions, and ensure that CLEAR is available nationwide, and not only to limited areas on a pilot basis.**

The 2018 Farm Bill mandated establishment of a Clean Lakes, Estuaries, and Rivers (CLEAR) Initiative to protect the nation's water resources. CLEAR is intended not only as a pilot program for 30 year enrollments (CLEAR 30) which *is* included in the Rule, but also as a nationwide option within CCRP, *which is not mentioned at all in the Rule.*

*Recommendation:* Add a definition for CLEAR to the Definitions section of the Rule (section 1410.2) that reflects statutory intent for this initiative, and clarify in section 1410.6 what land is eligible for a CLEAR contract within CCRP.

#### **4. Broaden the definition of Field Border to match the definition and purpose of the Field Border practice in NRCS conservation programs**

It is good that the Field Border practice is offered as one of the CCRP conservation buffer practices; however the IFR gives far too narrow a definition, i.e.: “*Field border means a strip of permanent vegetation established at the edge or around the perimeter of a field the purpose of which is to provide food and cover for quail and upland birds in cropland areas.*” This greatly restricts the utility of this excellent, multifunctional practice, to a very limited use applicable to only a small fraction of farm and ranchland within the US.

*Recommendation:* We strongly urge the FSA to broaden the definition of Field Border to match its wider applications through the NRCS Working Lands Conservation Programs (EQIP and CSP), approximately as follows (new language underlined):

*“Field border means a strip of permanent vegetation established at the edge or around the perimeter of a field, the purposes of which includes one or more of the following: reduce soil erosion, reduce sediment and nutrient pollution of surface and ground waters, reduce airborne particulates and greenhouse gas emissions, or provide habitat for wildlife, pollinators, and other beneficial insects.”*

#### **5. Continue to offer and promote the new Prairie Strips practice, and consider one slight modification to its definition.**

We join many other farm and ranch advocates in welcoming the new Prairie Strips practice, and we encourage FSA to promote it to ranchers and other producers in all regions where its application and multiple benefits would be relevant. My only concern with the definition is the specific calling-out of “denitrification” as one of the mechanisms by which a prairie strip might protect ground or surface water from nitrate pollution. Denitrification takes place under partially-anaerobic conditions that can be detrimental to soil health and can promote conversion of the nitrate into the powerful greenhouse gas nitrous oxide. A more holistic approach to nitrate mitigation would be *immobilization*, the conversion of soluble N (nitrate and ammonium) into organic forms of N, including new plant and microbial biomass as well as soil organic matter.

*Recommendation:* Modify the Prairie Strips definition by changing one word as follows:

*“Prairie strip means a strip(s) of diverse, dense, herbaceous, predominately native perennial vegetation designed and positioned on the landscape to most effectively address soil erosion and water quality by intercepting surface and subsurface water flow to remove nutrients, sediment, organic matter, pesticides, and other pollutants by deposition, absorption, plant uptake, ~~denitrification~~ immobilization, and other processes, and thereby reduce pollution and protect surface and subsurface water quality while providing food and cover for wildlife.”*

**6. Do not penalize CRP participants who adopt conservation buffer practices to comply with state or local regulation. Maintain full rental rate for land enrolled in CCRP in order to comply with water quality or other environmental regulations.**

Currently, Section 1410.6(e)(4) of the rule reduces by 25% the rental payment rate for CCRP acreages enrolled in states or locales where the practice is required by environmental regulation. This is simply unfair to producers in these states and locales. The cost of regulatory compliance puts pressure on cash strapped farmers and contributes to a perceived division between producers and “environmentalists,” who ultimately share a commitment to land stewardship and resource conservation for both agricultural productivity and environmental and public health. One of the most valuable offerings of CCRP is its assistance to producers in meeting sensible state water and other environmental regulations, and this offering must not be reduced just because the farmer legally “has to do it.”

*Recommendation:* I urge FSA in the strongest possible terms to strike Section 1410.6(e)(4) from the Rule, and to ensure that CRP provides full support to farmers in complying with state water protection regulations. It is our hope that more states will adopt such water protection rules, and that CRP will always be there to provide the financial and technical assistance to enable growers to comply without sacrifice to their farm economic viability.

**7. Strengthen outreach efforts for the CRP Transitions Incentives Program to ensure that both land owner with expiring CRP acreages and beginning farmers seeking to launch an organic or sustainable, resource-conserving enterprise are aware of CRP-TIP, and to help link CRP landowner and new farmer in utilization of this program.**

Once again, the Farm Bill has mandated \$50 million in CRP-TIP funding for producers and land owners with expiring CRP acreages. Under the previous Farm Bill, insufficient outreach led to gross under-utilization of this program, and a missed opportunity for landowner, new farmer, and the health of the land itself. The 2018 Farm bill set aside \$5 million in CRP-TIP funding for outreach in order to remedy this problem.

*Recommendation:* I encourage FSA to utilize the outreach set-aside funds to support innovative outreach and technical assistance activities to help land owners with expiring CRP acres connect with aspiring and beginning farmers to make full use of the CRP-TIP.

Thank you for the opportunity to comment on the new Interim Rule for CRP.

Sincerely,

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