

107TH CONGRESS  
1ST SESSION

# H. R. 2375

To promote the conservation and preservation of working farms, ranches,  
and private forests.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2001

Mr. KIND (for himself, Mr. GILCREST, Mr. BOEHLERT, Mr. DINGELL, Mrs. JOHNSON of Connecticut, Mr. LARSEN of Washington, Mr. GEORGE MILLER of California, Mr. PETRI, Mr. THOMPSON of California, Mr. BONIOR, Mr. QUINN, Mr. HOYER, Mr. WALSH, Mr. DICKS, Mr. EHLERS, Mr. OBERSTAR, Mr. BASS, Mr. BAIRD, Mr. KOLBE, Ms. WOOLSEY, Mrs. TAUSCHER, Mr. KING, Mr. UDALL of Colorado, Mr. GILMAN, Mr. McDERMOTT, Mr. HINCHEY, Mrs. ROUKEMA, Mr. McNULTY, Mr. BORSKI, Mr. McHUGH, Mr. ETHERIDGE, Mrs. MORELLA, Mr. FARR of California, Mr. PALLONE, Mr. STUPAK, Mr. DELAHUNT, Mr. OLVER, Mr. GREENWOOD, Mr. KILDEE, Mr. BALDACCI, Mr. BLUMENAUER, Mr. ALLEN, Mr. KUCINICH, Mr. KENNEDY of Rhode Island, Mr. LANGEVIN, Ms. BALDWIN, Mr. BARRETT of Wisconsin, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. INSLEE, Mr. LEWIS of Georgia, Mr. HOLT, Mr. WU, and Ms. HOOLEY of Oregon) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To promote the conservation and preservation of working  
farms, ranches, and private forests.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Working Lands Stewardship Act of 2001”.

4 (b) **TABLE OF CONTENTS.**—The table of contents of  
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.

**TITLE I—FARM, RANCH, AND RURAL COMMUNITY PRESERVATION**

- Sec. 101. Farmland protection program.
- Sec. 102. Expansion of State marketing programs.
- Sec. 103. Farmer-to-consumer marketing.
- Sec. 104. Program to promote purchase of locally grown fruits and vegetables.
- Sec. 105. Socially disadvantaged farmers.

**TITLE II—ENVIRONMENTAL STEWARDSHIP ON WORKING LANDS**

- Sec. 201. Environmental quality incentives program.
- Sec. 202. Manure reuse loans and grants.

**TITLE II—PRESERVATION OF WILDLIFE HABITAT**

- Sec. 301. Wildlife habitat incentives program.
- Sec. 302. Wetlands reserve program.
- Sec. 303. Wetlands reserve enhancement program.
- Sec. 304. Conservation reserve program.
- Sec. 305. Conservation of private grazing lands.
- Sec. 306. Grassland reserve program.

**TITLE IV—ORGANIC FARMING**

- Sec. 401. Program to assist transition to organic farming.

**TITLE V—FORESTRY**

- Sec. 501. Forest stewardship program.
- Sec. 502. Urban and community forestry.
- Sec. 503. Elimination of repetition in Federal cooperative forestry assistance programs.

**TITLE VI—TECHNICAL ASSISTANCE**

- Sec. 601. Conservation technical assistance.
- Sec. 602. Reimbursement for program administration and outreach.
- Sec. 603. Technical assistance by others.
- Sec. 604. Conservation practice standards.

**TITLE VII—MISCELLANEOUS CONSERVATION PROVISIONS**

- Sec. 701. Regional equity.
- Sec. 702. Conservation program performance review and evaluation.

TITLE VIII—CONSERVATION CORRIDOR DEMONSTRATION  
PROGRAM

Sec. 801. Demonstration program to promote and support ecosystem- and watershed-based conservation.

Sec. 802. Conservation plan.

Sec. 803. Funding requirements.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) In addition to producing food and fiber,  
4 American farmers, ranchers, and private forest land-  
5 owners can contribute to cleaner water, wildlife habi-  
6 tat and open space.

7 (2) Thousands of farmers, ranchers, and pri-  
8 vate forest landowners who seek Federal financial  
9 and technical assistance to further promote the con-  
10 servation and related benefits of food and fiber pro-  
11 duction are rejected each year due to inadequate  
12 funding for these Federal financial and technical as-  
13 sistance programs.

14 (3) Increased conservation assistance will re-  
15 duce long-term water treatment and dredging costs,  
16 protect rare species, and preserve open space.

17 (4) A voluntary, incentive-based approach to  
18 conservation will reward farmer stewardship, help  
19 producers comply with regulations, and increase  
20 farm profitability.

21 (5) Increasing the income to farmers, ranchers,  
22 and private forest landowners is one of the most ef-

1       fective tools available for reducing the loss of open  
2       space and maintaining the nation’s working land-  
3       scapes.

4       (b) PURPOSES.—The purposes of this Act are—

5             (1) to contribute to farmer, rancher and private  
6       forester profitability;

7             (2) to develop new markets for agricultural and  
8       forestry products;

9             (3) to reward farmers, ranchers, and private  
10      forest landowners when they contribute to clean  
11      water, fish and wildlife habitat, and open space;

12            (4) to meet farmer, rancher, and private for-  
13      ester demand for Federal financial and technical as-  
14      sistance; and

15            (5) to reduce long-term drinking water treat-  
16      ment and dredging costs.

17 **SEC. 3. DEFINITIONS.**

18       In this Act:

19            (1) SECRETARY.—The term “Secretary” means  
20      the Secretary of Agriculture.

21            (2) INNOVATIVE MANURE MANAGEMENT.—The  
22      term “innovative manure management” means ma-  
23      nure management technologies that—

1 (A) eliminate the discharge of animal  
2 waste to surface and groundwaters through di-  
3 rect discharge, seepage and runoff;

4 (B) substantially eliminate atmospheric  
5 emissions of ammonia;

6 (C) substantially eliminate the emission of  
7 odor that is detectable beyond the boundaries of  
8 the animal operation;

9 (D) substantially eliminate the release of  
10 disease-transmitting vectors and airborne  
11 pathogens; or

12 (E) substantially eliminate nutrient heavy  
13 metal contamination.

14 **TITLE I—FARM, RANCH, AND**  
15 **RURAL COMMUNITY PRESER-**  
16 **VATION**

17 **SEC. 101. FARMLAND PROTECTION PROGRAM.**

18 (a) IN GENERAL.—Section 388 of the Federal Agri-  
19 culture Improvement and Reform Act of 1996 (Public  
20 Law 104–127; 16 U.S.C. 3830 note) is amended to read  
21 as follows:

22 **“SEC. 388. FARMLAND PROTECTION PROGRAM.**

23 **“(a) ESTABLISHMENT AND PURPOSE.—**The Sec-  
24 retary of Agriculture shall carry out a farmland protection  
25 program for the purpose of protecting farm, ranch, and

1 forest lands with prime, unique, or other productive uses  
2 by limiting the nonagricultural uses of the lands. Under  
3 the program, the Secretary may provide matching grants  
4 to eligible entities described in subsection (d) to facilitate  
5 their purchase of—

6           “(1) permanent conservation easements in such  
7 lands; or

8           “(2) conservation easements or other interests  
9 in such lands when the lands are subject to a pend-  
10 ing offer from a State or local government.

11       “(b) CONSERVATION PLAN.—Any highly erodible  
12 land for which a conservation easement or other interest  
13 is purchased using funds made available under this section  
14 shall be subject to the requirements of a conservation plan  
15 that requires, at the option of the Secretary of Agri-  
16 culture, the conversion of the cropland to less intensive  
17 uses.

18       “(c) MAXIMUM FEDERAL SHARE.—The Federal  
19 share of the cost of purchasing a conservation easement  
20 described in subsection (a)(1) may not exceed 50 percent  
21 of the total cost of purchasing the easement.

22       “(d) ELIGIBLE ENTITY DEFINED.—In this section,  
23 the term ‘eligible entity’ means any of the following:

24           “(1) An agency of a State or local government.

25           “(2) A federally recognized Indian tribe.

1           “(3) Any organization that is organized for,  
2           and at all times since its formation has been oper-  
3           ated principally for, one or more of the conservation  
4           purposes specified in clause (i), (ii), or (iii) of sec-  
5           tion 170(h)(4)(A) of the Internal Revenue Code of  
6           1986 and—

7                   “(A) is described in section 501(c)(3) of  
8           the Code;

9                   “(B) is exempt from taxation under section  
10           501(a) of the Code; and

11                   “(C) is described in paragraph (2) of sec-  
12           tion 509(a) of the Code, or paragraph (3) of  
13           such section, but is controlled by an organiza-  
14           tion described in paragraph (2) of such section.

15           “(e) GRANT FACTORS.—Among the factors the Sec-  
16           retary shall use to make grants under this section, the  
17           Secretary shall consider the extent to which States are en-  
18           couraging or adopting measures to protect farmland and  
19           ranchland from conversion to urban uses.

20           “(f) TITLE; ENFORCEMENT.—Any eligible entity may  
21           hold title to a conservation easement purchased using  
22           grant funds provided under subsection (a)(1) and enforce  
23           the conservation requirements of the easement.

24           “(g) STATE CERTIFICATION.—As a condition of the  
25           receipt by an eligible entity of a grant under subsection

1 (a)(1), the attorney general of the State in which the con-  
2 servation easement is to be purchased using the grant  
3 funds shall certify that the conservation easement to be  
4 purchased is in a form that is sufficient, under the laws  
5 of the State, to achieve the purposes of the farmland pro-  
6 tection program and the terms and conditions of the  
7 grant.

8 “(h) FUNDING.—

9 “(1) USE OF COMMODITY CREDIT CORPORATION  
10 FUNDS.—The Secretary shall use not more than  
11 \$500,000,000 of the funds of the Commodity Credit  
12 Corporation for each of the fiscal years 2003  
13 through 2008 to carry out this section.

14 “(2) LIMITATION ON TECHNICAL ASSIST-  
15 ANCE.—To provide technical assistance to carry out  
16 this section, the Secretary may not use more than  
17 10 percent of the amount made available for any fis-  
18 cal year under paragraph (1).”.

19 (b) GRANTS AND ASSISTANCE TO ENHANCE FARM  
20 VIABILITY.—To complement the farmland protection pro-  
21 gram required by section 388 of the Federal Agriculture  
22 Improvement and Reform Act of 1996 (Public Law 104–  
23 127; 7 U.S.C. 3830 note), the Secretary of Agriculture  
24 shall establish a \$10,000,000 program, using funds of the  
25 Commodity Credit Corporation, to provide market devel-



1 opment grants and technical assistance to farm and ranch  
2 operators in exchange for a 5-year or 10-year agreement  
3 to forgo development of the lands covered by the agree-  
4 ment.

5 (1) BUSINESS PLANS.—The Secretary shall es-  
6 tablish teams of experts to assist a farm and ranch  
7 operator participating in the program to develop a  
8 business plan for the operator’s farm or ranch.

9 (2) CONSULTATION.—To the maximum extent  
10 possible, the Secretary shall consult with State or  
11 commonwealth agriculture departments, including  
12 the Agriculture Commission for the State of Massa-  
13 chusetts, in connection with the development and im-  
14 plementation of the program in each respective  
15 State.

16 **SEC. 102. EXPANSION OF STATE MARKETING PROGRAMS.**

17 (a) FEDERAL-STATE MARKET INCENTIVE PAY-  
18 MENTS.—Section 204(b) (7 USCA 1623) of the Agricul-  
19 tural Marketing Act of 1946 is amended by deleting “such  
20 sums as he may deem appropriate” with “\$10 million  
21 from the Commodity Credit Corporation for each of the  
22 fiscal years 2003 through 2008.”

23 (b) MARKET DEVELOPMENT GRANTS.—Section  
24 203(e)(1) of the Agricultural Marketing Act of 1946 (7  
25 U.S.C. 1622(e)) is amended by adding at the end the fol-

1 lowing new sentence: “The Secretary shall transfer to  
2 State departments of agriculture and other State mar-  
3 keting offices at least 10 percent of the funds appropriated  
4 for a fiscal year for this subsection to facilitate the devel-  
5 opment of local and regional markets for agricultural  
6 products, including direct farm-to-consumer markets.”.

7 (c) **MARKETING SERVICE AND RESEARCH.**—Section  
8 204(b) of the Agricultural Marketing Act of 1946 (7  
9 U.S.C. 1623(b)) is amended by striking “authorized to  
10 make available from such funds such sums as he may  
11 deem appropriate for allotment” and inserting “directed  
12 to allocate at least 10 percent of annual appropriations  
13 under subsection (a)”.

14 **SEC. 103. FARMER-TO-CONSUMER MARKETING.**

15 The Farmer-to-Consumer Direct Marketing Act of  
16 1976 (7 U.S.C. 3001–3006) is amended as follows:

17 (a) **FARMERS MARKET GRANTS.**—The Secretary  
18 shall establish a program to provide grants to develop  
19 farmers markets. There is hereby authorized to be appro-  
20 priated from the Commodity Credit Corporation  
21 \$10,000,000 for each of the fiscal years 2003 through  
22 2008.

23 (b) **TECHNICAL ASSISTANCE.**—Section 5(a) is  
24 amended by inserting the following:

1           “(4) providing technical assistance to urban  
2           and suburban agricultural fairs.”.

3           (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
4           7(b) is amended by deleting “\$1,500,000” and inserting  
5           “\$5,000,000”.

6           (d) FARMER MARKET DEVELOPMENT.—Section  
7           3004(a)(3) is amended by inserting the following: “The  
8           Secretary shall work with States Departments of Agri-  
9           culture to develop programs to train managers of farmers  
10          markets, and shall create opportunities to share informa-  
11          tion among farmers market managers.”.

12          (e) DIRECT MARKETING TRAINING.—Section  
13          3004(a)(5) is amended by inserting the following:

14                 “(5) The Secretary shall establish a program to  
15                 train cooperative extension service employees in the  
16                 development of direct marketing techniques, and  
17                 shall work with producers to develop farmers mar-  
18                 kets.”.

19         **SEC. 104. PROGRAM TO PROMOTE PURCHASE OF LOCALLY**  
20                 **GROWN FRUITS AND VEGETABLES.**

21           (a) NATIONAL PROMOTIONAL CAMPAIGN.—The Sec-  
22           retary shall establish a national campaign to urge Federal  
23           and non-Federal consumers to buy locally-grown fruits  
24           and vegetables and value-added products made from lo-  
25           cally-grown fruits and vegetables, to highlight the nutri-

1 tional value of fresh, locally-grown produce, and to high-  
2 light the connection between local food production, con-  
3 sumer buying behavior, and loss of open space.

4 (b) FEDERAL PURCHASES.—The Secretary shall es-  
5 tablish a memorandum of agreement with the Secretary  
6 of Defense and the Secretary of Education to ensure that  
7 at least 75 percent of the fruits and vegetables and value-  
8 added products made from fruits and vegetables acquired  
9 by public schools and military installations is locally  
10 grown.

11 (c) FINANCIAL SUPPORT.—To promote the use of lo-  
12 cally grown fruits and vegetables and value-added prod-  
13 ucts made from locally grown fruits and vegetables in  
14 schools, the Secretary shall provide such sums as nec-  
15 essary for incorporating locally grown fruits and vegeta-  
16 bles and value-added products thereof into school-provided  
17 meals.

18 **SEC. 105. SOCIALLY DISADVANTAGED FARMERS.**

19 Section 2501(a)(3) of the Food, Agriculture, Con-  
20 servation, and Trade Act of 1990 (7 U.S.C. 2279(a)(3))  
21 is amended by striking “\$10,000,000” and inserting  
22 “\$25,000,000”.

1 **TITLE**                    **II—ENVIRONMENTAL**  
2                    **STEWARDSHIP ON WORKING**  
3                    **LANDS**

4 **SEC. 201. ENVIRONMENTAL QUALITY INCENTIVES PRO-**  
5                    **GRAM.**

6            (a) **EXTENSION AND FUNDING INCREASE.**—Section  
7 1241(b)(1) of the Food Security Act of 1985 (16 U.S.C.  
8 3841(b)(1)) is amended—

9                    (1) by striking “1996, and” and inserting  
10 “2002,”; and

11                    (2) by striking “2002,” and inserting “2008,  
12 and \$1,000,000,000 of the funds allocated by the  
13 Commodity Credit Corporation for each of the fiscal  
14 years 2003 through 2008.”.

15            (b) **SET ASIDES.**—Section 1241(b) of the Food Secu-  
16 rity Act of 1985 (16 U.S.C. 3841(b)) is amended by strik-  
17 ing paragraph (2) and inserting the following new para-  
18 graph:

19                    “(2) **SET ASIDES FOR LIVESTOCK, AND WATER**  
20 **CONSERVATION.**—For each of the fiscal years 2003  
21 through 2008:

22                            “(A) **MANAGED GRAZING.**—Not less than  
23 20 percent of the funding available for technical  
24 assistance, cost-sharing payments, and incentive

1 payments shall be targeted at managed grazing  
2 systems;

3 “(B) INNOVATIVE MANURE MANAGE-  
4 MENT.—Not less than 10 percent of the fund-  
5 ing available for technical assistance, cost-shar-  
6 ing payments, and incentive payments shall be  
7 targeted for innovative manure management  
8 systems, including digesters.

9 “(C) WATER CONSERVATION.—Not less  
10 than 20 percent of the funding available for  
11 technical assistance, cost-sharing payments, and  
12 incentive payments shall be made available for  
13 innovative irrigation efficiency infrastructure  
14 and practices. Not less than half of the set  
15 aside available for water conservation shall be  
16 provided for measures that improve habitat con-  
17 ditions for fisheries.

18 “(D) PESTICIDE REDUCTION.—Not less  
19 than 10 percent of the funding available for  
20 technical assistance, cost-sharing payments, and  
21 incentive payments shall be targeted for prac-  
22 tices which reduce the use and toxicity of pes-  
23 ticides.”.

24 (e) WATERSHED QUALITY INCENTIVE CONTRACTS.—

1           (1) IN GENERAL.—The Secretary shall provide  
2           incentive payments to reward private landowners  
3           who implement nutrient management, pest manage-  
4           ment, or soil erosion practices that protect public  
5           drinking water supplies.

6           (2) CONTRACTS.—The Secretary shall enter  
7           into multi-year contracts with private landowners  
8           whose activities affect public drinking water supplies  
9           to reduce soil loss, improve water quality, and pro-  
10          tect human health.

11          (3) PLAN.—To be eligible to receive incentive  
12          payments, landowners whose activities affect public  
13          drinking water supplies shall submit a plan, and  
14          shall enter into a watershed quality incentives con-  
15          tract with the Secretary to carry out the plan. The  
16          plan shall—

17                 (A) describe the nutrient management,  
18                 pest management or soil loss practices to be im-  
19                 plemented, maintained, or improved;

20                 (B) contain a schedule of implementation;

21                 (C) address water quality priorities of the  
22                 watershed in which the operation is located to  
23                 the greatest extent possible; and

24                 (D) contain such other terms as the Sec-  
25                 retary determines to be appropriate.

1           (4) CONSISTENCY WITH WATERSHED PLAN.—  
2           Conservation practices proposed in the plan required  
3           by paragraph (3) must be consistent with a water-  
4           shed plan developed by the Secretary, based upon  
5           the best available science, that identifies and ranks  
6           measures, such as nutrient management, pest man-  
7           agement and conservation tillage, needed to improve  
8           the quality of public drinking water supplies in a wa-  
9           tershed.

10           (5) ROLE OF WATERSHED COUNCILS.—The  
11           Secretary shall, to the maximum extent possible,  
12           work with conservation districts and existing and  
13           new watershed councils to develop the watershed  
14           plan under paragraph (4).

15           (6) AUTHORIZATION OF APPROPRIATIONS.—  
16           There is hereby authorized to be appropriated  
17           \$1,000,000,000 from the Commodity Credit Cor-  
18           poration to carry out the purposes of this subsection.

19           (7) ANNUAL PAYMENTS.—The Secretary is au-  
20           thorized to make annual payments to farm and  
21           ranch operators not to exceed \$50,000.

22           (8) MONITORING.—To provide incentives and  
23           cost-sharing payments under this subsection, the  
24           Secretary shall collaborate with other Federal and  
25           non-Federal interests to maintain or establish a



1 water quality monitoring network to measure the  
2 benefits of funds allocated under this subsection and  
3 must annually share the results of such monitoring.

4 (9) PRIVACY.—Data collected will not be sub-  
5 ject to mandatory disclosure provisions (5 U.S.C.  
6 552), but may be used in an aggregate form to  
7 measure expected benefits.

8 (10) GUIDANCE.—The Secretary shall collabo-  
9 rate with other local, state and Federal agencies to  
10 develop guidance for locally-led water quality moni-  
11 toring networks.

12 (11) ROLE OF DRINKING WATER SUPPLIES.—

13 (1) IN GENERAL.—The Secretary shall work  
14 with drinking water utilities to allocate payments  
15 under this section.

16 (2) PILOT PROGRAM.—The Secretary shall per-  
17 mit drinking water utilities in 10 watersheds to allo-  
18 cate payments under this section, provided that  
19 drinking water utilities maintain monitoring net-  
20 works which can target incentive and cost-sharing  
21 payments and measure results.

22 (12) RECOGNITION OF STATE EFFORTS.—The  
23 Secretary shall recognize the financial contribution  
24 of States, among other factors, during the allocation  
25 of funding under this subsection.

1 (d) EXCEPTION TO LIMITATION ON PAYMENTS.—

2 (1) Section 1240G(b) of the Food Security Act  
3 of 1985 (16 USC 3839aa–7(a)) is amended by in-  
4 serting the following:

5 “(3) to share the cost of digesters.”.

6 (2) No funding may be provided to livestock  
7 producers who must comply with permit require-  
8 ments under the Federal Water Pollution Control  
9 Act.

10 (e) LIMITATION ON PAYMENTS.—Section 1240G(c) is  
11 repealed.

12 (f) EVALUATION OF OFFERS AND PAYMENTS.—Sec-  
13 tion 1240C is amended by inserting the following:

14 “(a) The Secretary shall establish a ranking process  
15 and benefits index to prioritize technical assistance, cost-  
16 share payments, and incentives to producers to maximize  
17 soil and water quality and wildlife habitat benefits. The  
18 ranking process shall be weighted to ensure that technical  
19 assistance, cost-share payments, and incentives are pro-  
20 vided to small and socially-disadvantaged farmers, and  
21 shall recognize the extent to which producers have pre-  
22 viously implemented resource-conserving practices. The  
23 Secretary shall consult with local, State, and Federal pub-  
24 lic and private to entities to develop the ranking process  
25 and benefits index.”.

1 (g) NON-FEDERAL ASSISTANCE.—Section 1240B(g)  
2 is amended by inserting “drinking water utility” after  
3 “forestry agency,” and by inserting “cost-share payments,  
4 and incentives” after “technical assistance”.

5 (h) PRIORITY AREAS.—Section 1240(c)(1) is amend-  
6 ed by adding the following: “State allocations shall reflect,  
7 among other appropriate factors, the extent to which  
8 States have engaged local stakeholders in setting priority  
9 areas, developed and implemented education and outreach  
10 programs, and developed and implemented water quality  
11 monitoring programs for designated priority areas.”.

12 (i) ANIMAL ANTIBIOTICS USE.—When providing  
13 funds for livestock operators under this section, the Sec-  
14 retary shall consider, among other factors, the extent to  
15 which operators reduce and limit the use of antibiotics to  
16 those levels necessary to ensure animal health.

17 **SEC. 202. MANURE REUSE LOANS AND GRANTS.**

18 (a) LOANS FOR FARM OWNERS AND TENANTS.—Sec-  
19 tion 304(a) of the Consolidated Farm and Rural Develop-  
20 ment Act (7 U.S.C. 1924(a)) is amended—

21 (1) by striking “and” at the end of paragraph

22 (5);

23 (2) by re-designating paragraph (6) as para-  
24 graph (7); and

1           (3) by inserting after paragraph (5) the fol-  
2           lowing:

3           “(6) the installation of animal waste biogas re-  
4           covery facilities; and”.

5           (b) LOANS FOR ORGANIZATIONS.—Section 306(a) of  
6           such Act (7 U.S.C. 1926(a)) is amended by inserting “the  
7           installation of animal waste biogas recovery facilities”  
8           after “waste disposal facilities,”.

9           (c) INCREASE IN MAXIMUM LOAN.—Section  
10          304(c)(2) of such Act (7 U.S.C. 1924(c)(2)) is amended  
11          by inserting the following: “Loans for digesters may ex-  
12          ceed \$50,000.”.

13           **TITLE II—PRESERVATION OF**  
14           **WILDLIFE HABITAT**

15          **SEC. 301. WILDLIFE HABITAT INCENTIVES PROGRAM.**

16          (a) EXTENSION AND FUNDING INCREASE.—Sub-  
17          section (c) of section 387 of the Federal Agriculture Im-  
18          provement and Reform Act of 1996 (16 U.S.C. 3836a)  
19          is amended by inserting after “2002” the following: “a  
20          total of \$500,000,000 from the Commodity Credit Cor-  
21          poration” for fiscal years 2003 through 2008,”.

22          (b) PROGRAM MODIFICATIONS.—Such section is fur-  
23          ther amended by adding at the end the following new sub-  
24          sections:

1       “(d) FUNDING PRIORITY.—Beginning with fiscal  
2 year 2003, not less than 50 percent of the funds made  
3 available under subsection (c) shall be targeted at eco-  
4 logically significant habitat for imperiled native species,  
5 including species identified as endangered, threatened or  
6 of special concern by the U.S. Fish and Wildlife Service  
7 or species that are considered imperiled by State natural  
8 heritage programs; The Secretary shall establish a panel  
9 of experts from Federal and State fish, wildlife and nat-  
10 ural resource agencies to assist the Secretary in meeting  
11 this goal.

12       “(e) SAFE HARBOR.—The Secretary is authorized to  
13 assist landowners entering safe harbor agreements by  
14 sharing the costs of wildlife assessments or other costs re-  
15 lated to safe harbor agreements.

16       “(f) ACQUISITION OF EASEMENTS AND WATER  
17 RIGHTS.—Beginning with fiscal year 2003, not less than  
18 20 percent of the funds made available under subsection  
19 (c) shall be used to acquire permanent easements and  
20 water rights to preserve important and declining fish and  
21 wildlife habitats as identified by the Secretary for each  
22 State in consultation with the State fish and wildlife  
23 agency.

24       “(g) INCENTIVE PAYMENTS.—The Secretary may  
25 provide incentive payments to landowners in exchange for

1 the implementation of land management practices de-  
2 signed to create or preserve wildlife habitat. The payments  
3 may be in an amount and at a rate determined by the  
4 Secretary to be necessary to encourage a landowner to en-  
5 gage in the practice.

6 “(h) CRITERIA FOR ENROLLMENT.—The Secretary  
7 shall work with local, State and Federal experts to revise  
8 enrollment criteria not later than six months after the date  
9 of enactments to ensure that projects maximize conserva-  
10 tion benefits, are regionally equitable, and to encourage  
11 the implementation of projects that also contribute to pro-  
12 ducer profitability.”.

13 **SEC. 302. WETLANDS RESERVE PROGRAM.**

14 (a) ENROLLMENT AUTHORITY.—Section 1237(b) of  
15 the Food Security Act of 1985 (16 U.S.C. 3837(b)) is  
16 amended by striking paragraph (1) and inserting the fol-  
17 lowing new paragraph:

18 “(1) ENROLLMENT.—The Secretary shall enroll  
19 a total of not less than 250,000 acres per fiscal year  
20 in the wetlands reserve program during the fiscal  
21 years 2003 through 2008, and the total number of  
22 acres enrolled in the wetlands reserve program shall  
23 not exceed 2,500,000 acres.”.

1 (b) REGIONAL EQUITY.—Section 1237A(f) of the  
2 Food Security Act of 1985 (16 U.S.C. 3837a(f)) is amend-  
3 ed by adding at the end the following new sentence:

4 “Not later than October 1, 2002, the Secretary shall  
5 reform compensation policies to ensure that the enrollment  
6 of lands under this subchapter is equitable on a regional  
7 basis, taking into account historic wetlands distribution  
8 and existing opportunities for restoration.”.

9 **SEC. 303. WETLANDS RESERVE ENHANCEMENT PROGRAM.**

10 (a) IN GENERAL.—The Secretary of Agriculture shall  
11 establish a cost-share program with any State or States  
12 to enter into annual incentive payment contracts and ease-  
13 ments with private landowners or operators to protect  
14 250,000 acres of wetlands that have been identified by the  
15 State or States—

16 (1) as habitat for animal or plant populations  
17 of significant ecological value;

18 (2) as having significant water quality value; or

19 (3) as having the potential to reduce flood  
20 losses.

21 (b) ELIGIBLE LANDS.—Land shall be eligible to be  
22 enrolled in the program if the Secretary of Agriculture de-  
23 termines that the land—

24 (1) is a wetland or prior converted wetland;

1           (2) once served as a natural wetland, and is lo-  
2           cated in an area that has potential to serve as wet-  
3           land habitat for animal or plant populations of sig-  
4           nificant ecological value;

5           (3) is located within 150 feet of land described  
6           in paragraph (1) or (2); or

7           (4) is incidental to land described in paragraph  
8           (1), (2) or (3), if the Secretary also determines that  
9           enrollment of the incidental land is necessary for the  
10          efficient administration of the other land.

11          (c) ELIGIBILITY REQUIREMENTS FOR STATES.—To  
12          be eligible for this program, a State must—

13               (1) Submit a wetland conservation plan which  
14               identifies, by county or parish, wetlands in the re-  
15               spective State that have been identified by the State  
16               as habitat for animal or plant populations of signifi-  
17               cant ecological value; and

18               (2) Provide documentation to the Secretary of  
19               potential and likely sources of in-kind or in-cash  
20               contributions available from the State to meet the  
21               cost-share requirements of the program created by  
22               this subsection. In-kind and in-cash contributions  
23               from the State necessary to meet the requirements  
24               of the program may include State and local govern-



1       ments, private non-profit and for-profit organiza-  
2       tions, and any private group and individual.

3       (d) COST SHARE REQUIREMENTS.—States eligible  
4 for this program must provide at least 25 percent of the  
5 funds (in-kind and/or in-cash) necessary to negotiate, exe-  
6 cute, maintain, and enforce a contract or easement under  
7 this program.

8       (e) TERMS OF CONTRACT.—

9           (1) PERMITTED ACTIVITIES.—A contract or  
10       easement under this section may permit the fol-  
11       lowing activities on the land subject to the contract  
12       or easement:

13           (A) The use of common grazing practices  
14       on the enrolled land in a manner that is con-  
15       sistent with maintaining the viability of wet-  
16       lands, riparian areas, and adjacent uplands.

17           (B) Haying, mowing, or haying for seed  
18       production, except that such uses shall not be  
19       permitted until after the end of the nesting and  
20       brood-rearing seasons for birds in the local area  
21       which are in significant decline or are conserved  
22       pursuant to State or Federal law, as deter-  
23       mined by the Natural Resources Conservation  
24       Service State Conservationist, in consultation  
25       with the State Technical Committee, the State

1 wildlife agency and the Secretary of the Inte-  
2 rior.

3 (C) The construction of fire breaks and  
4 fences, including placement of the posts nec-  
5 essary for fences.

6 (2) PROHIBITED ACTIVITIES.—Enrolled land  
7 under this section may not be used for the following:

8 (A) The production of row-crops, fruit  
9 trees, vineyards, or any other agricultural com-  
10 modity that requires breaking the soil surface.

11 (B) The conduct of any other activities  
12 that would disturb the surface of the land cov-  
13 ered by the contract, including plowing and  
14 disking.

15 (3) SPECIAL RULES FOR PERMANENT EASE-  
16 MENTS.—In the case of a permanent easement  
17 under this section, the terms of the easement shall—

18 (A) permit wetland, grass and shrub res-  
19 toration;

20 (B) prohibit commercial timber production  
21 or row crop production; and

22 (C) prohibit development.

23 (f) PAYMENTS.—The Secretary of Agriculture shall  
24 establish a system to fairly compensate landowners for the

1 value of an annual incentive payment contract or easement  
2 entered into under this section.

3 (g) TERM OF CONTRACTS OR EASEMENTS.—

4 (1) CONTRACTS.—The Secretary is authorized  
5 to enter into annual incentive payment contracts  
6 with State(s) and owners and/or operators of private  
7 land under this section that have a duration of no  
8 less than 10 years and no more than 30 years.

9 (2) EASEMENTS.—The Secretary is authorized  
10 to purchase 30-year or perpetual easements under  
11 this section from owners and/or operators of private  
12 land.

13 (h) SPECIAL EMPHASIS.—Special emphasis should be  
14 placed on enrollment of wetlands which are declining or  
15 endangered regionally or nationally, and on those wetlands  
16 which are not adequately protected by local, State, and  
17 Federal statute or regulation, including isolated wetlands.

18 **SEC. 304. CONSERVATION RESERVE PROGRAM.**

19 (a) ENROLLMENT AUTHORITY.—Section 1231 of the  
20 Food Security Act of 1985 (16 U.S.C. 3831) is  
21 amended—

22 (1) in subsection (a), by striking “2002” and  
23 inserting “2008”;

24 (2) in subsection (b)(3), by striking “2002”  
25 and inserting “2008”;

1 (3) in subsection (d)—

2 (A) by striking “36,400,000” and inserting  
3 “45,000,000”; and

4 (B) by striking “2002” and inserting  
5 “2008”; and

6 (4) in subsection (h)(1), by striking “and  
7 2002” and inserting “through 2008”.

8 (b) ENVIRONMENTALLY-SENSITIVE LANDS AND  
9 BUFFER STRIPS.—Section 1231(d) of the Food Security  
10 Act of 1985 (16 U.S.C. 3831(d)) is amended by adding  
11 at the end the following new sentence:

12 “Of the acreage authorized for enrollment, not less  
13 than 9,000,000 acres shall be used to enroll environ-  
14 mentally-sensitive lands, including buffers and conserva-  
15 tion enhancement program easements; and not less than  
16 5,000,000 acres shall be used to enroll buffers to restore  
17 wetlands, shrublands, grasslands, and other rare habi-  
18 tat.”.

19 (c) LIMITED PERMANENT EASEMENT AUTHORITY.—  
20 Section 1231(e) of the Food Security Act of 1985 (16  
21 U.S.C. 3831(e)) is amended by adding at the end the fol-  
22 lowing new paragraph:

23 “(3) PERMANENT EASEMENTS.—Notwith-  
24 standing paragraph (1), the Secretary may enroll up  
25 to 3,000,000 acres in the conservation reserve using

1 permanent easements to protect critically-important  
2 environmentally-sensitive lands, including 1,000,000  
3 acres for isolated wetlands, and habitats such as na-  
4 tive prairies, native shrublands, small wetlands,  
5 springs, seeps, fens, and other rare and declining  
6 habitats. The Secretary may provide a payment  
7 equal to not more than 14 percent of the cost of en-  
8 rollment to qualified private entities providing tech-  
9 nical assistance, including conservation districts.

10 “(4) FRUIT AND VEGETABLES.—Producers of  
11 fruits and vegetables, sod, orchards, and specialty  
12 crops shall be eligible for the conservation reserve  
13 program to meet the terms of enrollment in the con-  
14 tinuous enrollment program or the conservation re-  
15 serve enhancement program.

16 “(5) STATE AND LOCAL ROLE.—The Secretary  
17 shall attempt to implement paragraph (3) of this  
18 section through qualified State and local govern-  
19 ments and non-profit land conservation organiza-  
20 tions.”.

21 (d) PASTURE, HAY, AND RANGELANDS.—

22 (1) ELIGIBLE LANDS.—Section 1231(b) of the  
23 Food Security Act of 1985 (16 U.S.C. 3831(b)) is  
24 amended by striking paragraph (3) and inserting the  
25 following new paragraph:

1           “(3) pasture, hay, and rangelands if the land  
2           (A) will be restored as wetlands or (B) is in or with-  
3           in 300 feet of a riparian area, will be restored in na-  
4           tive riparian vegetation, and will be managed to pro-  
5           hibit livestock access;”.

6           (2) SPECIAL ENROLLMENT AUTHORITY.—Sec-  
7           tion 1231 of the Food Security Act of 1985 (16  
8           U.S.C. 3831) is amended by adding at the end the  
9           following new subsection:

10          “(i) ENROLLMENT OF GRASSLANDS AND RANGE-  
11          LANDS.—

12           “(1) ENROLLMENT AUTHORITY.—The Sec-  
13           retary may enroll up to 3,000,000 acres of grass-  
14           lands and rangelands in the conservation reserve if  
15           the conservation plan for the acreage—

16                   “(A) prohibits all economic use, including  
17                   emergency haying and grazing;

18                   “(B) ensures a mixture of predominantly  
19                   native species;

20                   “(C) will benefit declining, rare, and/or en-  
21                   dangered species;

22                   “(D) promotes the establishment of plant  
23                   communities that benefit wildlife; and

24                   “(E) contributes to improvement in water  
25                   quality.

1           “(2) RELATION TO OTHER ENROLLMENTS.—  
2       Lands enrolled under the authority of this sub-  
3       section shall be in addition to any lands enrolled  
4       pursuant to subsection (b)(3).”.

5       (e) CONTINUOUS ENROLLMENT OF BUFFER  
6 STRIPS.—Section 1234(c) of the Food Security Act of  
7 1985 (16 U.S.C. 3834(c)) is amended by adding at the  
8 end the following new paragraphs:

9           “(5) CONTINUOUS ENROLLMENT OF BUFFER  
10       STRIPS AND SMALL WETLANDS.—The Secretary  
11       shall allow continuous enrollment of small wetlands  
12       (5 acres or less) and buffers whose width and vege-  
13       tation is designed to provide significant wildlife or  
14       water quality benefits, as determined by the Sec-  
15       retary.

16          “(6) CONTOUR STRIPS.—The Secretary shall  
17       extend these incentives to contour buffer strips and  
18       other in-field strip practices.

19          “(7) IRRIGATED LANDS.—Irrigated lands shall  
20       be enrolled at irrigated land rates unless the Sec-  
21       retary determines that other compensation is appro-  
22       priate.”.

23       (f) EXCEPTION TO PAYMENT LIMITATION.—Pay-  
24       ments made in connection with the enrollment of lands  
25       pursuant to the continuous enrollment or the conservation

1 reserve enhancement program shall not be subject to any  
2 payment limitations.

3 (g) NATIVE SEED COLLECTION.—The collection of  
4 native seeds is permitted on lands enrolled in the Con-  
5 servation Reserve Program.

6 **SEC. 305. CONSERVATION OF PRIVATE GRAZING LANDS.**

7 Section 386 of the Federal Agriculture Improvement  
8 and Reform Act of 1996 (16 U.S.C. 2005b) is amended  
9 by striking subsection (f) and inserting the following new  
10 subsections:

11 “(f) INCENTIVE PAYMENTS.—The Secretary may  
12 enter into 5-year, 10-year and 20-year contracts with  
13 landowners to provide financial assistance for landowner  
14 efforts to improve the ecological health of grazing lands,  
15 including practices that reduce erosion, employ prescribed  
16 burns, restore riparian area, control or eliminate exotic  
17 species, reestablish native grasses, or otherwise enhance  
18 wildlife habitat.

19 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated to carry out this section  
21 \$100,000,000 for each of the fiscal years 2003 through  
22 2008 from the Commodity Credit Corporation.”.

23 **SEC. 306. GRASSLAND RESERVE PROGRAM.**

24 (a) IN GENERAL.—The Secretary of Agriculture shall  
25 establish a program to use contracts and easements to



1 protect 3,000,000 acres of environmentally-critical grass-  
2 lands, shrublands, and blufflands. At least half of the  
3 acres may be enrolled using permanent easements, and the  
4 balance shall be enrolled in contracts through which the  
5 Secretary shall provide assistance and incentive payments.

6 (b) ELIGIBLE LANDS.—Land shall be eligible to be  
7 enrolled in the program if the Secretary of Agriculture de-  
8 termines that the land—

9 (1) is native grass or native shrubs;

10 (2) is located in area that has been historically  
11 dominated by native grass or shrubland and has po-  
12 tential to serve as habitat for animal or plant popu-  
13 lations of significant ecological value if the land is  
14 restored to native grass or native shrubland; or

15 (3) is incidental to land described in paragraph  
16 or if the Secretary also determines that enrollment  
17 of the incidental land is necessary for the efficient  
18 administration of the other land to ensure the suc-  
19 cess of maintaining or restoring native grassland or  
20 native shrubland.

21 (c) TERMS OF CONTRACT.—

22 (1) IN GENERAL.—The Secretary shall enter  
23 into contracts of 10 years through which the Sec-  
24 retary may provide the costs of management prac-  
25 tices and incentive payments.

1           (2) PERMITTED ACTIVITIES.—A contract or  
2           easement under this section may permit the fol-  
3           lowing activities on the land subject to the contract  
4           or easement:

5                   (A) The use of common grazing practices  
6                   on the enrolled land in a manner that is con-  
7                   sistent with maintaining the viability of native  
8                   grass and shrub species and native wildlife spe-  
9                   cies indigenous to that locality.

10                   (B) Haying, mowing, or haying for seed  
11                   production, except that such uses shall not be  
12                   permitted until after the end of the nesting and  
13                   brood-rearing seasons for birds in the local area  
14                   which are in significant decline or are conserved  
15                   pursuant to State or Federal law, as deter-  
16                   mined by the Natural Resources Conservation  
17                   Service State Conservationist, in consultation  
18                   with the State Technical Committee, state wild-  
19                   life agency and the US Fish and Wildlife Serv-  
20                   ice.

21                   (C) The construction of fire breaks and  
22                   fences, including placement of the posts nec-  
23                   essary for fences.

24                   (D) Practices which reduce erosion, restore  
25                   native species, control and eradicate exotic spe-

1           cies, enhance habitat for native wildlife, and im-  
2           prove the health of riparian areas.

3           (2) PROHIBITED ACTIVITIES.—Enrolled land  
4           under this section may not be used for the following:

5                   (A) The production of row-crops, fruit  
6                   trees, vineyards, or any other agricultural com-  
7                   modity that requires breaking the soil surface.

8                   (B) The conduct of any other activities  
9                   that would disturb the surface of the land cov-  
10                  ered by the contract, including plowing and  
11                  disking .

12                  (C) Development of homes, businesses or  
13                  other permanent structures.

14           (3) SPECIAL RULES FOR PERMANENT EASE-  
15           MENTS.—In the case of a permanent easement  
16           under this section, the terms of the easement shall—

17                   (A) permit grass and shrub restoration;

18                   (B) permit the use of common grazing  
19                   practices in a manner consistent with maintain-  
20                   ing the viability of native grass and shrub spe-  
21                   cies and native wildlife species indigenous to  
22                   that locality;

23                   (C) prohibit forestry or row crop produc-  
24                   tion; and

25                   (D) prohibit development.

1           (d) ESTABLISHMENT OF CRITERIA.—The Secretary  
2 of Agriculture shall establish criteria to evaluate and rank  
3 applications for the enrollment of land under this section.  
4 In establishing the criteria, the Secretary shall emphasize  
5 support for native grass and shrubland, grazing oper-  
6 ations, and plant and animal biodiversity, and the protec-  
7 tion of large contiguous tracts of working farmland and  
8 ranchland.

9           (e) PAYMENTS.—The Secretary of Agriculture shall  
10 establish a system to fairly compensate landowners for the  
11 value of a contract or easement entered into under this  
12 section. Easement payments for permanent easements  
13 should be the fair appraised market value of the land  
14 unencumbered by the easement less the appraised market  
15 value of the land encumbered by the easement.

## 16       **TITLE IV—ORGANIC FARMING**

### 17       **SEC. 401. PROGRAM TO ASSIST TRANSITION TO ORGANIC** 18                               **FARMING.**

19           (a) ASSISTANCE AUTHORIZED.—The Secretary of  
20 Agriculture shall expand the National Organic Program  
21 to include a voluntary program to assist agricultural pro-  
22 ducers and organic certification organizations in making  
23 the transition from conventional to organic farming and  
24 to reward existing organic farmers. Under the program,

1 the Secretary may make payments to cover all or a portion  
2 of—

3 (1) losses incurred while the producer develops  
4 markets for the organic products;

5 (2) conservation practices related to organic  
6 food production;

7 (3) certification costs;

8 (4) technical assistance by qualified third par-  
9 ties;

10 (5) educational materials;

11 (6) farm-to-consumer market development; and

12 (7) monitoring by producers.

13 (b) LIMIT ON EXPENDITURES.—Payments to new  
14 and existing individual farm and ranch operators shall not  
15 exceed \$5,000 per year and payments shall not be made  
16 to individual farm and ranch operators in more than three  
17 fiscal years.

18 (c) ORGANIC CERTIFICATION REIMBURSEMENT PRO-  
19 GRAM.—The Secretary shall establish a national organic  
20 certification program to reimburse producers for the cost  
21 of organic certification. To expedite certification, certified  
22 organic farmers shall be eligible for a direct reimburse-  
23 ment of up to \$500 by the Secretary of certification costs,  
24 so long as producers present an organic certificate and  
25 receipt.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated from the Commodity Credit  
3 Corporation to carry out this section \$100,000,000 for  
4 each of the fiscal years 2003 through 2008.

5 **TITLE V—FORESTRY**

6 **SEC. 501. FOREST STEWARDSHIP PROGRAM.**

7 (a) ENROLLMENT AUTHORITY AND FUNDING IN-  
8 CREASE.—Section 5 of the Cooperative Forestry Assist-  
9 ance Act of 1978 (16 U.S.C. 2103a) is amended—

10 (1) in subsection (b)—

11 (A) by striking “25,000,000” and inserting  
12 “75,000,000”; and

13 (B) by striking “by December 31, 1995”;  
14 and

15 (2) in subsection (h), by inserting after “1995,”  
16 the following: “\$270,000,000 for each of the fiscal  
17 years 2003 through 2008,”.

18 (b) ALTERNATIVE ACTIONS.—Section 5(d) of the Co-  
19 operative Forestry Assistance Act of 1978 (16 U.S.C.  
20 2103a(d)) is amended—

21 (1) by striking “IMPLEMENTATION.—” and in-  
22 serting “INFORMATION AND PROFESSIONAL ASSIST-  
23 ANCE.—”;

24 (2) by inserting “and” at the end of paragraph  
25 (2); and

1           (3) by striking paragraphs (3) and (4) and in-  
2           serting the following new paragraph:

3           “(3) promoting sustainable timber manage-  
4           ment.”.

5           (c) NEW ELEMENTS OF PROGRAM.—Section 5 of the  
6           Cooperative Forestry Assistance Act of 1978 (16 U.S.C.  
7           2103a) is amended—

8           (1) by redesignating subsections (e), (f), (g),  
9           and (h) as subsections (j), (k), (l), and (m), respec-  
10          tively; and

11          (2) by inserting after subsection (d) the fol-  
12          lowing new subsections:

13          “(e) COST SHARING OF NEW LAND MANAGEMENT  
14          PRACTICES.—

15                 “(1) FINANCIAL ASSISTANCE.—The Secretary  
16                 shall use not less than \$150,000,000 of the amount  
17                 appropriated for a fiscal year pursuant to the au-  
18                 thorization of appropriations in subsection (m) to  
19                 share the cost of land management practices that  
20                 improve water quality and wildlife habitat. The Sec-  
21                 retary shall consider the extent to which States have  
22                 adopted minimum mandatory forestry practices  
23                 when making allocations of such funds to States.

1           “(2) ELIGIBLE PRACTICES.—Practices that are  
2 eligible for funding under this subsection include the  
3 following:

4           “(A) Natural forest regeneration.

5           “(B) Prescribed burns.

6           “(C) Native species restoration, including  
7 the restoration of longleaf pine, ponderosa pine,  
8 chestnut, and atlantic white cedar.

9           “(D) Selective harvesting.

10          “(E) Stream and watershed restoration.

11          “(F) Road retirement.

12          “(G) Exotic species control.

13          “(H) Permanent conservation easements.

14          “(3) NON-FEDERAL SHARE.—The non-Federal  
15 share of projects implemented under this subsection  
16 shall be 15 percent, which may be satisfied through  
17 in-kind contributions.

18          “(f) EASEMENTS.—Not more than 20 percent of the  
19 funds available under this section may be used to acquire  
20 perpetual easements, and half of these funds may be used  
21 to acquire easements which permit sustainable timber  
22 management.

23          “(g) TECHNICAL ASSISTANCE.—The Secretary may  
24 use up to \$100,000,000 of the amount appropriated for  
25 a fiscal year pursuant to the authorization of appropria-



1 tions in subsection (m) to provide technical assistance to  
2 private landowners implementing practices that improve  
3 water quality and wildlife habitat. Not more than  
4 \$1,000,000 in technical assistance funding may be pro-  
5 vided in the form of grants to qualified third-parties for  
6 the purpose of implementing independent certification pro-  
7 grams.

8       “(h) WATERSHED FORESTRY INITIATIVE.—The Sec-  
9 retary may use up to \$20,000,000 of the amount appro-  
10 priated for a fiscal year pursuant to the authorization of  
11 appropriations in subsection (m) to make grants to fi-  
12 nance private, nonindustrial forestry activities that en-  
13 hance the quality of municipal water supplies.

14       “(i) REGIONAL AND WATERSHED PLANNING.—The  
15 Secretary shall make information on lands affected by  
16 Federal easement and incentive programs available to fa-  
17 cilitate regional planning, and shall promote efforts to  
18 identify high priority watersheds.”.

19 **SEC. 502. URBAN AND COMMUNITY FORESTRY.**

20       Section 9 of the Cooperative Forestry Assistance Act  
21 of 1978 (16 U.S.C. 2105) is amended by striking sub-  
22 section (i) and inserting the following new subsection:

23       “(i) AUTHORIZATION OF APPROPRIATIONS.—There is  
24 authorized to be appropriated to carry out this section

1 \$100,000,000 for each of the fiscal years 2003 through  
2 2008.”.

3 **SEC. 503. ELIMINATION OF REPETITION IN FEDERAL COOP-**  
4 **ERATIVE FORESTRY ASSISTANCE PROGRAMS.**

5 The Secretary of Agriculture shall combine existing  
6 Federal cooperative forestry assistance programs, includ-  
7 ing the programs authorized by sections 6 and 9 of the  
8 Cooperative Forestry Assistance Act of 1978 (16 U.S.C.  
9 2103b, 2105), into a single forest stewardship program  
10 designed to promote the health of private, nonindustrial  
11 forests by providing financial and technical assistance to  
12 landowners to improve water quality, wildlife habitat, and  
13 the preservation of open space near urban areas.

14 **TITLE VI—TECHNICAL**  
15 **ASSISTANCE**

16 **SEC. 601. CONSERVATION TECHNICAL ASSISTANCE.**

17 16 U.S.C. 590(a) is amended by inserting the fol-  
18 lowing: “There is hereby authorized to appropriated from  
19 the Commodity Credit Corporation \$964,000,000 for each  
20 of the fiscal years 2003 through 2008 to provide technical  
21 assistance to farm and ranch operators.”.

1 **SEC. 602. REIMBURSEMENT FOR PROGRAM ADMINISTRA-**  
2 **TION AND OUTREACH.**

3 Subtitle E of title XII of the Food Security Act of  
4 1985 (16 U.S.C. 3841 et seq.) is amended to read as fol-  
5 lows:

6 **“Subtitle E—Funding and**  
7 **Administration**

8 **“SEC. 1241. FUNDING.**

9 “(a) MANDATORY EXPENSES; TECHNICAL ASSIST-  
10 ANCE.—

11 “(1) FUNDING.—The Secretary shall allocate  
12 funding from the Commodity Credit Corporation for  
13 the provision of technical assistance to allow for full  
14 reimbursement of actual costs.

15 “(2) ELIGIBLE PROGRAMS.—Programs author-  
16 ized for this funding include—

17 “(A) Environmental Quality Incentives  
18 Program;

19 “(B) Wildlife Habitat Incentives Program;

20 “(C) Conservation Reserve Program;

21 “(D) Wetlands Reserve Program;

22 “(E) Farmland Protection Program;

23 “(F) Agricultural Management Assistance  
24 Program authorized under the Agricultural  
25 Risk Management Act of 2000; and

1           “(G) any other conservation programs ad-  
2 ministered through CCC for which technical as-  
3 sistance is required.

4           “(3) APPROVED REIMBURSEMENTS.—

5           “(A) providing an eligibility assessment of  
6 the farming or ranching operation of the pro-  
7 ducer as a basis for developing the plan;

8           “(B) providing technical assistance in de-  
9 veloping and implementing the plan;

10           “(C) providing technical assistance for de-  
11 signing and implementing 1 or more structural  
12 practices or 1 or more land management prac-  
13 tices, as appropriate; and

14           “(D) providing the producer with informa-  
15 tion, education, and training to aid in imple-  
16 mentation of the plan.”.

17 **SEC. 603. TECHNICAL ASSISTANCE BY OTHERS.**

18           Section 1243(d) of the 96 Farm Bill is deleted and  
19 replaced with the following:

20           “(a) TECHNICAL ASSISTANCE BY OTHERS.—

21           “(1) GENERALLY.—The Secretary shall con-  
22 tract with conservation districts, extension service  
23 employees, qualified nonprofit organizations, and  
24 other parties certified by the Secretary to provide  
25 technical assistance to landowners, so long as these

1 organizations and individuals have been certified by  
2 the Secretary to provide technical assistance and  
3 these organizations and individuals comply with  
4 Federal guidelines for providing such assistance.

5 “(2) GUIDELINES AND CERTIFICATION.—The  
6 Secretary shall develop guidelines to train and cer-  
7 tify third-parties to provide technical assistance.

8 “(3) QUALIFIED NONPROFIT ORGANIZATIONS.—  
9 Qualified nonprofit organizations shall include orga-  
10 nizations whose missions primarily promote the  
11 stewardship of working farmland and ranchland.

12 “(4) QUALITY ASSURANCE PROGRAM.—The  
13 Secretary shall establish a program to assess the  
14 quality of the technical assistance provided by third  
15 parties

16 “(5) NATIONAL TRAINING CENTERS.—To facili-  
17 tate the training and certification of Federal and  
18 non-Federal employees and qualified third parties,  
19 the Secretary shall establish training centers in the  
20 following cities:

21 “(A) Fresno, California.

22 “(B) Platteville, Wisconsin.

23 “(C) College Station, Texas.

24 “(D) Ithaca, New York.

25 “(E) Pullman, Washington.

1 “(F) Orono, Maine.

2 “(G) Gainesville, Florida.

3 “(H) College Park, Maryland.

4 “(6) AUTHORIZATION OF APPROPRIATIONS.—

5 There is hereby authorized to be appropriated from  
6 the Commodity Credit Corporation \$50,000,000 to  
7 carry out this subsection for each of the fiscal years  
8 2003 through 2008.”.

9 **SEC. 604. CONSERVATION PRACTICE STANDARDS.**

10 The Secretary of Agriculture shall revise standards  
11 and, when necessary, establish standards for eligible con-  
12 servation practices to include measurable goals for en-  
13 hancing natural resources, including innovative practices.  
14 In particular, the Secretary shall immediately revise the  
15 National Handbook of Conservation Practices and field of-  
16 fice technical guides, and shall update the Handbook and  
17 technical guides to reflect the best available science at  
18 least once every five years.

19 **TITLE VII—MISCELLANEOUS**  
20 **CONSERVATION PROVISIONS**

21 **SEC. 701. REGIONAL EQUITY.**

22 16 U.S.C. 3830 is amended—

23 (1) by inserting the following “In carrying out  
24 the programs in the Environmental Conservation  
25 Acreage Reserve Program, the Secretary shall recog-

1 nize the importance of regional equity, and the im-  
2 portance of accomplishing many conservation objec-  
3 tives that can sometimes only be achieved on land of  
4 high value. Not later than October 1, 2002, the Sec-  
5 retary shall reform compensation and other policies  
6 to ensure that the enrollment of lands in ECARP  
7 are equitable on a regional basis.”; and

8 (2) by inserting “(D) the grassland preservation  
9 and enhancement program.”.

10 **SEC. 702. CONSERVATION PROGRAM PERFORMANCE RE-**  
11 **VIEW AND EVALUATION.**

12 (a) **PERFORMANCE EVALUATION AS A CONDITION ON**  
13 **PAYMENTS.**—As a condition on the receipt of rental or  
14 incentive payments, a landowner or operator shall work  
15 with the Secretary, state and local governments, and local  
16 interests to develop a watershed-based or other scientif-  
17 ically appropriate evaluation program to measure the ben-  
18 efits of the conservation practices implemented using the  
19 payments.

20 (b) **PROGRAM REQUIREMENTS.**—An evaluation pro-  
21 gram shall be deemed to satisfy the requirements of sub-  
22 section (a) if the Secretary determines that—

23 (1) the evaluation program is administered by  
24 a voluntary organization possessing no direct or in-  
25 direct regulatory authority;

1           (2) the membership of the organization admin-  
2           istering the evaluation program is representative of  
3           interests within the watershed or other appropriately  
4           scaled geographical framework, including tribal, pri-  
5           vate, public, governmental, and nonprofit interests,  
6           as well as existing special purpose districts, as ap-  
7           propriate;

8           (3) the evaluation program has available to it,  
9           through its members or through cooperation with  
10          other Federal and non-Federal entities, the expertise  
11          necessary to perform the functions identified in this  
12          section; and

13          (4) the organization administering the evalua-  
14          tion program has adopted procedures to ensure pub-  
15          lic participation in the organization's activities.

16          (c) **PRIORITIZATION.**—The Secretary shall use infor-  
17          mation collected through the evaluation programs required  
18          by this section to identify and rank measures needed to  
19          improve water quality, habitat, or other environmental  
20          goals that the programs seek to promote.

21          (d) **EVALUATION GUIDELINES.**—The Secretary shall  
22          work with the National Academy of Sciences to develop  
23          guidelines to evaluate the benefits of conservation prac-  
24          tices.



1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated from the Commodity Credit  
3 Corporation for each of the fiscal years 2003 through  
4 2008 \$10,000,000 to carry out the performance moni-  
5 toring.

6 (f) PRIVACY OF DATA COLLECTED.—Data collected  
7 pursuant to this section is not subject to the mandatory  
8 disclosure provisions of section 552 of title 5, United  
9 States Code, but may be used in an aggregate form to  
10 measure expected benefits.

11 **TITLE VIII—CONSERVATION**  
12 **CORRIDOR DEMONSTRATION**  
13 **PROGRAM**

14 **SEC. 801. DEMONSTRATION PROGRAM TO PROMOTE AND**  
15 **SUPPORT ECOSYSTEM- AND WATERSHED-**  
16 **BASED CONSERVATION.**

17 (a) ESTABLISHMENT AND PURPOSE.—

18 (1) IN GENERAL.—Recognizing the leveraged  
19 benefit of an ecosystem-based application of the De-  
20 partment of Agriculture conservation programs spec-  
21 ified in paragraph (2), the increasing and extraor-  
22 dinary threats to economically important agriculture  
23 in many areas of the United States, and the impor-  
24 tance of local involvement in the protection of eco-  
25 nomically and ecologically important agricultural

1 lands, the Secretary of Agriculture shall establish a  
2 Conservation Corridor Demonstration Program to fi-  
3 nance private land incentive contracts, acquire ease-  
4 ment and development rights, and finance water  
5 quality, forestry, and wildlife incentives, as provided  
6 for in such conservation programs.

7 (2) COVERED CONSERVATION PROGRAMS.—The  
8 Department of Agriculture conservation programs  
9 referred to in paragraph (1) are the following:

10 (A) The environmental quality incentives  
11 program authorized by chapter 3 of subtitle D  
12 of title XII of the Food Security Act of 1985  
13 (16 U.S.C. 3839aa et seq.).

14 (B) The wildlife habitat incentives program  
15 authorized by section 387 of the Federal Agri-  
16 culture Improvement and Reform Act of 1996  
17 (16 U.S.C. 3836a).

18 (C) The wetlands reserve program author-  
19 ized by subchapter C of chapter 1 of subtitle D  
20 of title XII of the Food Security Act of 1985  
21 (16 U.S.C. 3837 et seq.).

22 (D) The conservation reserve program au-  
23 thorized by subchapter B of chapter 1 of sub-  
24 title D of title XII of the Food Security Act of  
25 1985 (16 U.S.C. 3831 et seq.).

1           (E) The forest stewardship program au-  
2           thorized by section 5 of the Cooperative For-  
3           estry Assistance Act of 1978 (16 U.S.C.  
4           2103a).

5           (F) The urban and community forestry as-  
6           sistance program authorized by section 9 of the  
7           Cooperative Forestry Assistance Act of 1978  
8           (16 U.S.C. 2105).

9           (G) Other conservation programs adminis-  
10          tered by the Secretary of Agriculture.

11          (b) LOCATION OF CONSERVATION CORRIDOR.—With-  
12          in 90 days after the date of the enactment of this Act,  
13          the Secretary shall identify one or more priority regions,  
14          as defined and delineated by watershed or ecosystem, and  
15          potentially consisting of several States within which the  
16          Conservation Corridor Program will be carried out. In  
17          identifying a priority region for inclusion in the Program,  
18          the Secretary shall cooperate with State agencies respon-  
19          sible for natural resource and agriculture to develop maps  
20          and descriptions of economically and ecologically impor-  
21          tant agricultural lands that are under increasing and ex-  
22          traordinary threats and whose protection is a high pri-  
23          ority.

24          (c) MEMORANDUM OF AGREEMENT.—As part of the  
25          Conservation Corridor Program in a priority region, the

1 Secretary may enter into a memorandum of agreement  
2 with the States in that region that—

3 (1) guarantees specific resources for implemen-  
4 tation of the Program;

5 (2) establishes different or automatic enroll-  
6 ment criteria than otherwise established by regula-  
7 tion or policy, for specific levels of enrollments of  
8 specific conservation programs within the region;

9 (3) establishes different compensation rates to  
10 the extent the parties to the agreement consider jus-  
11 tified;

12 (4) establishes different conservation practice  
13 criteria if doing so will achieve greater conservation  
14 benefits;

15 (5) provides more streamlined and integrated  
16 paperwork requirements; and

17 (6) otherwise alters or waives any other require-  
18 ment established by policy and regulation to the ex-  
19 tent not inconsistent with the statutory requirements  
20 of an individual conservation program.

21 **SEC. 802. CONSERVATION PLAN.**

22 (a) PREPARATION.—To be eligible to participate in  
23 the Conservation Corridor Program, a State located within  
24 a priority region identified under section 801(b) shall pre-

1 pare a conservation plan that describes efforts to prioritize  
2 and link Federal, State, and local natural resources that—

3 (1) improve the economic viability of agriculture  
4 by protecting contiguous tracts of land;

5 (2) improve the ecological integrity of the eco-  
6 systems or watersheds within the region by linking  
7 land with high ecological and natural resource value;  
8 and

9 (3) provide for a memorandum of agreement  
10 among the States in the priority region that accom-  
11 modates ecosystem boundaries.

12 (b) CONSULTATION.—The conservation plan shall be  
13 prepared in consultation with the National Resources In-  
14 ventory of the Natural Resources Conservation Service.

15 (c) SUBMISSION AND REVIEW.—The conservation  
16 plan shall be submitted to the Secretary for review within  
17 six months after the inclusion of the priority area in the  
18 Conservation Corridor Program. Within 30 days of receipt  
19 of the conservation plan, the Secretary shall review the  
20 plan and approve it for implementation and funding under  
21 the Conservation Corridor Program if the Secretary deter-  
22 mines that the plan and memorandum of agreement meet  
23 the criteria specified in subsection (d).

24 (d) CRITERIA FOR PROGRAM.—The Secretary may  
25 approve the conservation plan of a State for implementa-

1 tion and funding under the Conservation Corridor Pro-  
2 gram only if, as determined by the Secretary, the plan pro-  
3 vides for each of the following:

4           (1) Actions taken under the conservation plan  
5           are voluntary and require the consent of willing  
6           landowners.

7           (2) Enrollments through the Conservation Cor-  
8           ridor Program are of lands of exceptionally high ag-  
9           ricultural or ecological value, as defined by the nat-  
10          ural resource and agriculture agencies of the State  
11          or States in which the Program is located.

12          (3) The Conservation Corridor Program pro-  
13          vides benefits greater than the benefits that would  
14          likely be achieved through individual application of  
15          the Federal conservation programs because of such  
16          factors as—

17                (A) ecosystem- or watershed-based enroll-  
18                ment criteria;

19                (B) lengthier conservation commitments;

20                (C) integrated treatment of special natural  
21                resource problems, including preservation and  
22                enhancement of natural resource corridors; and

23                (D) improved economic viability for agri-  
24                culture.

1           (4) Staffing and marketing, considering both  
2           Federal and non-Federal resources, are sufficient to  
3           assure program success.

4           (e) IMPLEMENTATION.—Within 30 days of the ap-  
5           proval of the conservation plan of a State under this sec-  
6           tion, the Secretary shall begin to provide funds for the  
7           implementation of the Conservation Corridor Program in  
8           the ecosystem, watershed, or region described in the con-  
9           servation plan.

10 **SEC. 803. FUNDING REQUIREMENTS.**

11           (a) COST-SHARING.—As a further condition on the  
12           approval of the conservation plan submitted by a State  
13           under section 802, the Secretary shall require the State  
14           to contribute a specific dollar amount toward, or percent-  
15           age of, the total cost of the project or activity funded  
16           under the Conservation Corridor Program, as required by  
17           the Department of Agriculture conservation program pro-  
18           viding the Federal portion of the funds for the project or  
19           activity.

20           (b) EXCEPTION.—The Secretary may reduce the  
21           cost-share requirement in the case of a specific activity  
22           under the Conservation Corridor Program upon dem-  
23           onstration that the project or activity is likely to achieve  
24           extraordinary natural resource benefits, as defined by the

1 natural resource and agriculture agencies of the State in  
2 which the project or activity is conducted.

3 (c) COORDINATION.—Non-Federal interests contrib-  
4 uting financial resources for the Conservation Corridor  
5 Program shall implement streamlined paperwork require-  
6 ments and other procedures to allow for integration with  
7 the Federal programs for participants in the Program.

8 (d) RESERVATION OF FUNDS.—For each of the fiscal  
9 years 2003 through 2008, the Secretary shall reserve for  
10 obligation and expenditure under the Conservation Cor-  
11 ridor Program a percentage of the funds made available  
12 to the Secretary to carry out conservation programs ad-  
13 ministered by the Secretary.

○