

116TH CONGRESS
2D SESSION

H. R. 6182

To amend the Soil and Water Resources Conservation Act of 1977 with respect to assessments of conservation programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2020

Ms. FUDGE (for herself, Mr. THOMPSON of Pennsylvania, Ms. PINGREE, Mr. DELGADO, and Ms. SCHRIER) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Soil and Water Resources Conservation Act of 1977 with respect to assessments of conservation programs, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Farmer-Driven Con-
5 servation Outcomes Act of 2020”.

6 **SEC. 2. AMENDMENTS TO THE SOIL AND WATER RE-**
7 **SOURCES CONSERVATION ACT OF 1977.**

8 The Soil and Water Resources Conservation Act of
9 1977 (16 U.S.C. 2001 et seq.) is amended by redesign-

1 nating sections 8 through 10 as sections 10 through 12,
2 respectively, and inserting after section 7 the following:

3 **“SEC. 8. CONSERVATION PROGRAMS ASSESSMENT.**

4 “(a) IN GENERAL.—In coordination with the ap-
5 praisal of soil, water, and related resources and with the
6 national soil and water conservation program established
7 under this Act, the Secretary may carry out a conservation
8 effects assessment project to quantify the environmental
9 and economic effects of conservation practices, develop the
10 science base for managing the agricultural landscape for
11 environmental quality and sustainable productive capacity,
12 and improve the efficacy of conservation practices and pro-
13 grams by evaluating conservation effects.

14 “(b) SCOPE.—The project under this subsection may
15 be carried out at national, regional, and watershed scales,
16 and may include cropland, grazing lands, wetlands, for-
17 ests, and such other lands as the Secretary may determine
18 appropriate.

19 “(c) ACTIVITIES.—The project under this subsection
20 may include research, literature reviews and bibliog-
21 raphies, modeling, assessment, monitoring and data collec-
22 tion, outreach, extension education, and such other activi-
23 ties as the Secretary may determine appropriate.

1 **“SEC. 9. GOALS AND ASSESSMENT PROCESS FOR CON-**
2 **SERVATION PROGRAMS.**

3 “(a) NATURAL RESOURCE AND ENVIRONMENTAL
4 OBJECTIVES AND OUTCOMES.—

5 “(1) IN GENERAL.—In coordination with the
6 appraisal of soil, water, and related resources, the
7 soil and water conservation program, and the con-
8 servation effects assessment project established by
9 this Act, the Secretary shall identify, and periodi-
10 cally revise, specific natural resource and environ-
11 mental objectives and anticipated conservation out-
12 comes and results, by resource concern, for the con-
13 servation programs established under subtitles D
14 and H of title XII of the Food Security Act of 1985
15 and the landscape conservation initiatives developed
16 by the Secretary.

17 “(2) ASSESSMENTS.—To help measure out-
18 comes and results, the Secretary shall, to the max-
19 imum extent practicable, make assessments of
20 changes in the status and conditions of natural re-
21 sources and the environment that result from the
22 application of conservation activities supported di-
23 rectly by such conservation programs and initiatives.

24 “(3) MONITORING AND PROGRAM EVALUA-
25 TION.—The Secretary shall establish a coordinated
26 monitoring and evaluation process for programs and

1 initiatives to assess progress toward the identified
2 objectives, to gather information to improve program
3 and initiative implementation in accordance with de-
4 sired program and initiative outcomes and results,
5 and to assess the need for modifications to program
6 or initiative rules or statutes.

7 “(b) MONITORING AND PROGRAM EVALUATION.—

8 “(1) IN GENERAL.—The Secretary shall use not
9 more than one percent of the total annual funding
10 from the funds of the Commodity Credit Corpora-
11 tion made available for new annual enrollments for
12 the conservation programs established under sub-
13 titles D and H of title XII of the Food Security Act
14 of 1985 to establish a comprehensive monitoring and
15 program evaluation process to assess progress in
16 reaching natural resource and environmental objec-
17 tives identified in accordance with subsection (a) and
18 the contribution of individual programs and initia-
19 tives, as well as the programs and initiatives collec-
20 tively, to that progress.

21 “(2) IMPLEMENTATION.—In implementing the
22 monitoring and program evaluation process under
23 paragraph (1), the Secretary may consider and in-
24 corporate resource concern inventories, quality cri-
25 teria, conservation practices and enhancements, and

1 such other information as the Secretary determines
2 relevant for applying the monitoring and program
3 evaluation process across each of the major land
4 uses identified by the Secretary.

5 “(3) MONITORING AND EVALUATION PROC-
6 ESS.—

7 “(A) IN GENERAL.—Not later than two
8 years after the date of enactment of this sec-
9 tion, the Secretary shall issue a design for the
10 comprehensive monitoring and evaluation proc-
11 ess, a schedule for implementing the process,
12 and a plan for coordinating the process with the
13 national soil and water conservation program
14 and conservation effects assessment project es-
15 tablished under this Act.

16 “(B) METHODOLOGY.—The design for the
17 comprehensive monitoring and evaluation proc-
18 ess issued under subparagraph (A) shall—

19 “(i) ensure that data made available
20 to cooperators and researchers under this
21 subsection is transformed into statistical
22 aggregate at the county level, in a form
23 that protects personally identifiable infor-
24 mation; and

1 “(ii) take into account the cumulative
2 nature of conservation over time, the inter-
3 actions and sequencing effects between
4 conservation activities, the differing times
5 for conservation effects to be realized, and
6 other related measurement challenges.

7 “(C) PUBLIC RESEARCH.—Notwithstand-
8 ing any other provision of law, in order to facili-
9 tate implementation of the monitoring and eval-
10 uation process, the Secretary shall make avail-
11 able conservation activity and program data to
12 cooperators and researchers engaged in public
13 research and evaluation activities to improve
14 conservation outcomes under this subsection,
15 provided that—

16 “(i) adequate assurances are provided
17 to the Secretary that any resulting re-
18 search or information will be made publicly
19 available and in a form that protects per-
20 sonally identifiable information; and

21 “(ii) the National Technical Com-
22 mittee finds that any such research is like-
23 ly to generate information that furthers
24 the purpose of this section.

1 “(4) COOPERATIVE AGREEMENTS.—The Sec-
2 retary may implement the monitoring evaluation
3 process in part through cooperative or contribution
4 agreements with Federal, State, and local agencies,
5 universities and colleges, nongovernmental organiza-
6 tions with requisite expertise, as determined by the
7 Secretary in consultation with the National Tech-
8 nical Committee.

9 “(5) NATIONAL TECHNICAL COMMITTEE.—

10 “(A) COMPOSITION.—The monitoring and
11 evaluation process shall be administered by the
12 Natural Resources Conservation Service with
13 assistance from a national technical committee
14 appointed by the Secretary and composed of in-
15 dividuals with relevant technical and scientific
16 expertise representing—

17 “(i) the Agricultural Research Service
18 of the Department of Agriculture;

19 “(ii) the Economic Research Service
20 of the Department of Agriculture;

21 “(iii) the Farm Service Agency of the
22 Department of Agriculture;

23 “(iv) the United States Fish and
24 Wildlife Service;

25 “(v) the Forest Service;

1 “(vi) the National Institute for Food
2 and Agriculture;

3 “(vii) the United States Geological
4 Survey;

5 “(viii) the Environmental Protection
6 Agency;

7 “(ix) State and tribal agencies;

8 “(x) land grant university natural re-
9 source research programs;

10 “(xi) nongovernmental organizations
11 with expertise in the full array of conserva-
12 tion issues and measurement and evalua-
13 tion of conservation outcomes;

14 “(xii) farmers across a variety of geo-
15 graphic regions and production types; and

16 “(xiii) such other agencies, institu-
17 tions, or organizations as the Secretary
18 may determine appropriate.

19 “(B) FACA EXEMPTION.—The national
20 technical committee shall be exempt from the
21 Federal Advisory Committee Act (5 U.S.C.
22 App.).

23 “(C) TRANSPARENCY.—The Secretary
24 shall ensure the proceedings and recommenda-

1 tions of the national technical committee are
2 available to the public.

3 “(6) VOLUNTARY PARTICIPATION.—In carrying
4 out this subsection, the Secretary shall ensure that
5 any on-farm monitoring activities that may be in-
6 cluded as part of the monitoring and program eval-
7 uation process are voluntary on the part of the pro-
8 ducer, and may include appropriate compensation,
9 as determined by the Secretary.

10 “(c) REPORTING.—

11 “(1) REPORT ON OBJECTIVES AND METHODS.—
12 Beginning in the fiscal year that is 3 years after the
13 date of enactment of this subsection, and periodi-
14 cally thereafter, as determined by the Secretary, the
15 Secretary shall submit to Congress, and make pub-
16 licly available, a report that includes—

17 “(A) a description of conservation outcome
18 objectives that are, to the maximum extent
19 practicable, quantitative, measurable, and time-
20 bound for each program established under sub-
21 title D or H of the Food Security Act of 1985
22 and the landscape conservation initiatives devel-
23 oped by the Secretary;

24 “(B) a description of the approaches, tools,
25 and methods used to measure or model the con-

1 servation outcomes and results and to estimate
2 the cost-effectiveness of each such program; and

3 “(C) guidance to the conservation project
4 partners working to implement conservation
5 programs within a landscape-level project that
6 provides a description of the approaches, tools,
7 and methods the partners might consider using
8 to measure and model the conservation out-
9 comes and results of their projects.

10 “(2) REPORT ON OUTCOMES.—In conjunction
11 with each of the reports to Congress pursuant to
12 section 7, the Secretary shall submit to Congress,
13 and make publicly available, a report that includes—

14 “(A) an assessment of progress made to-
15 wards achieving conservation program objec-
16 tives and anticipated outcomes and results for
17 each conservation program established under
18 subtitle D or H of title XII of the Food Secu-
19 rity Act of 1985, as well as for such programs
20 collectively, and the landscape conservation ini-
21 tiatives developed by the Secretary;

22 “(B) an evaluation of the cost-effectiveness
23 of each such conservation program and initia-
24 tive; and

1 “(C) recommendations, in light of the as-
2 sessment and evaluation, to improve program
3 implementation and improve the scientific and
4 economic tools (including any new or revised
5 conservation practices, conservation enhance-
6 ments, or conservation planning tools) used to
7 achieve stated natural resource conservation
8 and environmental objectives.

9 “(3) COORDINATION.—The Secretary may co-
10 ordinate the reports required under paragraphs (1)
11 and (2) with any reports developed as part of the
12 conservation effects assessment project authorized
13 by section 8, whenever such coordination is feasible
14 and warranted, as determined by the Secretary.”.

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