

Amendment offered by Rep. Jim Costa

Amendment description

The amendment would improve and increase flexibility in the Conservation Reserve Program in a manner consistent with the Conservation Reserve Program Improvement and Flexibility Act.

AMENDMENT

OFFERED BY M . _____

Add at the end of subtitle B of title II the following:

1 **SEC. 2103. CONSERVATION RESERVE PROGRAM IMPROVE-**
2 **MENTS.**

3 (a) STATE ACRES FOR WILDLIFE ENHANCEMENT
4 CONTINUOUS ENROLLMENT.—Section 1231(d)(6)(A)(i) of
5 the Food Security Act of 1985 (16 U.S.C.
6 3831(d)(6)(A)(i)) is amended—

7 (1) in subclause (II), by striking “and” at the
8 end; and

9 (2) by adding at the end the following:

10 “(IV) land that will be enrolled
11 under the State acres for wildlife en-
12 hancement practice established by the
13 Secretary; and”.

14 (b) EMERGENCY HAYING DURING THE PRIMARY
15 NESTING SEASON; CONDITIONS ON HAYING AND GRAZ-
16 ING.—Section 1233(b) of the Food Security Act of 1985
17 (16 U.S.C. 3833(b)) is amended—

18 (1) in paragraph (1)(B)(i)—

1 (A) by redesignating subclauses (I)
2 through (VI) as subclauses (II) through (VII),
3 respectively;

4 (B) by inserting before subclause (II) (as
5 so redesignated) the following:

6 “(I) emergency haying in re-
7 sponse to a localized or regional
8 drought, flooding, wildfire, or other
9 emergency, on all practices, during
10 the final 2 weeks of, and outside of,
11 the primary nesting season, on not
12 more than 50 percent of contract
13 acres, as identified in the site-specific
14 plan, when—

15 “(aa) the county is des-
16 igned as D2 (severe drought)
17 or greater according to the
18 United States Drought Monitor;

19 “(bb) there is at least a 40
20 percent loss in forage production
21 in the county; or

22 “(cc) the Secretary, in co-
23 ordination with the State tech-
24 nical committee, determines that
25 the program can assist in the re-

1 sponse to a natural disaster event
2 without permanent damage to
3 the established cover;”;

4 (C) in subclause (II) (as so redesignated),
5 in the matter preceding item (aa), by striking
6 “emergency haying, emergency grazing, or
7 other emergency use” and inserting “emergency
8 grazing or other emergency use”; and

9 (D) in subclause (III) (as so redesignated),
10 by striking “payments” and inserting “the con-
11 ditions described in item (aa), (bb), or (cc) of
12 subclause (I) are met or payments”; and

13 (2) in paragraph (2)(B)—

14 (A) by redesignating clause (ii) as clause
15 (iii); and

16 (B) by inserting after clause (i) the fol-
17 lowing:

18 “(ii) DAMAGE TO COVER FOR WILD-
19 LIFE POPULATIONS.—Haying or grazing
20 described in paragraph (1) shall not be
21 permitted on land subject to a contract
22 under the conservation reserve program, or
23 under a particular practice, if haying or
24 grazing during the final 2 weeks of the pri-
25 mary nesting season under that practice,

1 as applicable, would cause long-term dam-
2 age to vegetative cover for wildlife popu-
3 lations supported by the applicable practice
4 on that land.”.

5 (c) COST SHARING PAYMENTS FOR ESTABLISHMENT
6 OF GRAZING INFRASTRUCTURE.—

7 (1) COST SHARING PAYMENTS; OTHER FED-
8 ERAL COST SHARE ASSISTANCE.—Section 1234(b) of
9 the Food Security Act of 1985 (16 U.S.C. 3834(b))
10 is amended—

11 (A) in paragraph (1)—

12 (i) by striking “establishing water”
13 and inserting the following: “establishing—
14 “(A) water”;

15 (ii) in subparagraph (A) (as so des-
16 igned), by striking the period at the end
17 and inserting “; and”; and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(B) grazing infrastructure, including inte-
21 rior cross fencing, perimeter fencing, and water
22 infrastructure (such as rural water connections,
23 water wells, pipelines, and water tanks), under
24 each contract, for all practices, if grazing is in-

1 cluded in the conservation plan and addresses a
2 resource concern.”; and

3 (B) in paragraph (3), by striking “land”
4 and inserting “activities required by the con-
5 tract entered into under this subchapter”.

6 (2) REENROLLMENT OF LAND WITH GRAZING
7 INFRASTRUCTURE.—Section 1231(h) of the Food
8 Security Act of 1985 (16 U.S.C. 3831(h)) is amend-
9 ed by adding at the end the following:

10 “(3) LAND WITH GRAZING INFRASTRUCTURE.—
11 On the expiration of a contract entered into under
12 this subchapter that covers land that includes graz-
13 ing infrastructure established with cost sharing as-
14 sistance under section 1234(b)(1)(B)—

15 “(A) the Secretary shall consider that land
16 to be planted for purposes of subsection
17 (b)(1)(B); and

18 “(B) that land shall be eligible for reenroll-
19 ment in the conservation reserve, subject to the
20 requirements of this subchapter.”.

21 (d) MID-CONTRACT MANAGEMENT FOR ACTIVITIES
22 NOT RELATING TO HAYING OR GRAZING.—

23 (1) DEFINITION OF MANAGEMENT.—Section
24 1232(a)(5) of the Food Security Act of 1985 (16

1 U.S.C. 3832(a)(5)) is amended by inserting “(as de-
2 fined in section 1231A(a))” after “management”.

3 (2) MANAGEMENT PAYMENTS.—Section
4 1234(b)(2) of the Food Security Act of 1985 (16
5 U.S.C. 3834(b)(2)) is amended by striking subpara-
6 graph (B) and inserting the following:

7 “(B) MANAGEMENT PAYMENTS.—The Sec-
8 retary shall make cost sharing payments to an
9 owner or operator under this subchapter for
10 any management activity described in section
11 1232(a)(5), except for those management ac-
12 tivities relating to haying or grazing.”.

13 (e) PAYMENT LIMITATION FOR RENTAL PAY-
14 MENTS.—Section 1234(g)(1) of the Food Security Act of
15 1985 (16 U.S.C. 3834(g)(1)) is amended by striking
16 “\$50,000” and inserting “\$125,000”.

