

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3894

To extend the conservation reserve program for 10 years and the wetlands reserve program for 5 years to protect vulnerable soil and water resources by facilitating the transition of our Nation's most environmentally sensitive land to conservation uses by enabling farmers to meet conservation compliance requirements through the early withdrawal, modification, re-enrollment, or enrollment of lands in the conservation reserve; to best achieve such conservation purposes with sharply limited resources by permitting the Secretary of Agriculture to negotiate reduced annual rental payments in exchange for granting farmers increased flexibility to withdraw, enroll, or re-enroll parts of land parcels in the conservation reserve program and for permitting limited uses on lands enrolled in the conservation reserve; to permit the transfer of crop bases among owners upon the expiration of enrollment; and to authorize the establishment of demonstration projects.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1994

Mr. BEREUTER introduced the following bill; which was referred to the  
Committee on Agriculture

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## **A BILL**

To extend the conservation reserve program for 10 years and the wetlands reserve program for 5 years to protect vulnerable soil and water resources by facilitating the transition of our Nation's most environmentally sensitive land to conservation uses by enabling farmers to meet conservation compliance requirements through the early withdrawal, modification, re-enrollment, or enrollment of lands in the conservation reserve; to best achieve such

conservation purposes with sharply limited resources by permitting the Secretary of Agriculture to negotiate reduced annual rental payments in exchange for granting farmers increased flexibility to withdraw, enroll, or re-enroll parts of land parcels in the conservation reserve program and for permitting limited uses on lands enrolled in the conservation reserve, to permit the transfer of crop bases among owners upon the expiration of enrollment; and to authorize the establishment of demonstration projects.

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. EXTENSION OF ENVIRONMENTAL CONSERVA-**  
 4                               **TION ACREAGE RESERVE PROGRAM.**

5       (a) IN GENERAL.—The following provisions of the  
 6 Food Security Act of 1985 are each amended by striking  
 7 “1995” and inserting “2005”:

8               (1) Section 1230(a) (16 U.S.C. 3830(a)).

9               (2) Section 1231(a) (16 U.S.C. 3831(a)).

10              (3) Section 1231(b)(3) (16 U.S.C. 3831(b)(3)).

11              (4) The first sentence of section 1231(d) (16  
 12 U.S.C. 3831(d)).

13              (5) Section 1232(c) (16 U.S.C. 3832(c)).

14              (6) Section 1238B(a)(1) (16 U.S.C.  
 15 3838b(a)(1)).

16              (7) Section 1238B(a)(2) (16 U.S.C.  
 17 3838b(a)(2)).

1           (8) Section 1238B(a)(11) (16 U.S.C.  
2           3838b(a)(2)).

3           (9) Section 1239(a) (16 U.S.C. 3839(a)).

4           (b) WETLANDS RESERVE PROGRAM.—Section  
5 1237(c) of such Act (16 U.S.C. 3837(c)) is amended by  
6 striking “2000” and inserting “2005”.

7 **SEC. 2. AUTHORITY TO MODIFY OR EXTEND CONTRACTS.**

8           (a) IN GENERAL.—Subchapter B of chapter 1 of sub-  
9 title D of title XII of the Food Security Act of 1985 (16  
10 U.S.C. 3831–3836) is amended by inserting after section  
11 1235A the following:

12 **“SEC. 1235B. CONVERSION OF LAND SUBJECT TO CON-**  
13 **TRACT TO OTHER USES.**

14           “(a) IN GENERAL.—Prior to or upon the expiration  
15 of a contract entered into under this subchapter with re-  
16 spect to environmentally sensitive land (as defined by the  
17 State technical committee established under section 1261  
18 in the State in which the land is located, or until such  
19 committee is formed, the State technical working group),  
20 the Secretary shall extend the duration of the contract,  
21 or modify the terms of the contract, in accordance with  
22 this section. The Secretary shall place a priority on ex-  
23 tending or modifying under this section contracts entered  
24 into under this subchapter in such a way as to enable own-

1 ers and operators to comply with the applicable plan re-  
2 ferred to in section 1232(a)(1).

3 “(b) OPTIONS FOR OWNERS AND OPERATORS.—The  
4 Secretary shall permit an owner or operator who has en-  
5 tered into a contract under this subchapter that is in effect  
6 on the date of the enactment of this section—

7 “(1) before the expiration of the contract, to re-  
8 move land (including partial fields) from enrollment  
9 in the conservation reserve established under this  
10 subchapter if—

11 “(A) the land is not highly erodible crop-  
12 land;

13 “(B) the Soil Conservation Service has  
14 classified the land as class I, II, III(s), III(w),  
15 or III(c), and the land is covered by a conserva-  
16 tion plan approved by the local conservation  
17 district (or, if the land is not within a conserva-  
18 tion district, a plan approved by the Secretary)  
19 that limits the soil erosion to such land to not  
20 more than the soil loss tolerance level referred  
21 to in section 1201(a)(7)(A)(ii); or

22 “(C) the land is replaced by land of the  
23 same owner that, according to the local con-  
24 servation district or the Secretary, is more envi-  
25 ronmentally sensitive;

1           “(2) before the expiration of the contract, to re-  
2 enroll in the reserve for not more than 10 years por-  
3 tions of land enrolled in the reserve if—

4           “(A) the land will remain planted to per-  
5 manent cover and devoted to filter strips, field  
6 borders, waterways, terraces, wildlife corridors,  
7 well-head protection; buffer strips adjacent to  
8 rivers, streams, lakes, wetlands, or any other  
9 conservation purpose that the Secretary deems  
10 appropriate; and

11           “(B) future production on the re-enrolled  
12 land will not contribute to erosion in excess of  
13 the soil loss tolerance level referred to in section  
14 1201(a)(7)(A)(ii);

15           “(3) before the expiration of the contract, to  
16 enter into negotiations with the Secretary to receive  
17 reduced annual rental payments in exchange for per-  
18 mission to allow limited uses (as defined by the  
19 State technical committee established under section  
20 1261 in the State in which the land is located, or  
21 until such committee is formed, the State technical  
22 working group) on enrolled land, including haying,  
23 grazing, seed production, production of bio-mass,  
24 timber, or such other uses as the Secretary may  
25 deem appropriate;

1           “(4) upon expiration of the contract, to retain  
2 or transfer cropland bases, with respect to crops for  
3 which there is a production adjustment program, to  
4 other lands, as long as enrolled croplands remain in  
5 permanent cover; or

6           “(5) upon expiration of the contract, to offer  
7 cropland bases, with respect to crops for which there  
8 is a production adjustment program, on land subject  
9 to the contract, for lease or sale to producers for use  
10 on cropland in the county in which the land is lo-  
11 cated or in an adjacent county, in exchange for  
12 maintaining the land in permanent cover, as ap-  
13 proved by the State technical committee, or until  
14 such committee is formed, the State technical work-  
15 ing group.

16           “(c) LIMITATION ON ANNUAL RENTAL PAYMENT  
17 FOR RE-ENROLLED LAND OR LAND PERMITTED TO BE  
18 DEVOTED TO LIMITED USES.—Annual rental payments  
19 made under this subchapter with respect to land that is  
20 the subject of an agreement entered into pursuant to para-  
21 graph (2) or (3) of subsection (b) shall not exceed an  
22 amount equal to 80 percent of the annual rental payment  
23 made under this subchapter with respect to the land for  
24 the 12-month period ending on the date the agreement  
25 takes effect.”.

1 (b) CONFORMING AMENDMENT.—Section 1232(a)(7)  
2 of such Act (16 U.S.C. 3832(a)(7)) is amended by insert-  
3 ing “except to the extent authorized under section  
4 1235B,” after “(7)”.

5 **SEC. 3. DEMONSTRATION PROJECTS.**

6 (a) GRANT AUTHORITY.—

7 (1) IN GENERAL.—The Secretary of Agriculture  
8 may make grants to producers of agricultural com-  
9 modities to retain land in the conservation reserve  
10 established under subchapter B of chapter 1 of sub-  
11 title D of title XII of the Food Security Act of 1985,  
12 or to enroll land in the reserve, for the purpose of  
13 enabling the owner of the land to grow grass or raise  
14 legumes (or do both) on such land, in rotation, as  
15 approved by the State technical committee estab-  
16 lished under section 1261 of such Act in the State  
17 in which the land is located or until such committee  
18 is formed, the State technical working group.

19 (2) NUMBER OF SITES.—The Secretary may  
20 not select more than 3 sites in each State with re-  
21 spect to which grants are to be made under para-  
22 graph (1).

23 (b) EVALUATION.—Not later than 3 years after the  
24 first grant is made under subsection (a), the Secretary  
25 shall evaluate the economic and environmental effects of

1 the uses to which grants under subsection (a) have been  
2 put, and shall submit to the Congress a report that con-  
3 tains the findings of the Secretary.

4 (c) LIMITATIONS ON AUTHORIZATION OF APPRO-  
5 PRIATIONS.—For grants under subsection (a), there are  
6 authorized to be appropriated to the Secretary not more  
7 than \$500,000 for each of fiscal years 1996, 1997, and  
8 1998.

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