

# USING COMMODITY CREDIT CORPORATION AUTHORITY TO ADVANCE AGRICULTURAL RESILIENCE, EQUITY & CLIMATE MITIGATION

*The purpose of this paper by Ferd Hoefner, on behalf of the California Climate and Agriculture Network (CalCAN)<sup>1</sup> and the National Sustainable Agriculture Coalition (NSAC)<sup>2</sup>, is to recommend uses of the Commodity Credit Corporation (CCC) authority to advance agricultural resilience, equity and climate mitigation. We offer a brief background on the CCC, followed by recommended funding options.*

## ***Background in Brief***

The Commodity Credit Corporation Charter Act (15 U.S.C. 714) provides broad administrative authority to aid the agricultural sector by supporting farm income, agricultural production, market development, and the distribution of food, feed, and fiber. This authority has been used in the past for a variety of farm support programs that have not been specifically authorized by Congress other than via the broad powers enumerated under the CCC Charter Act.

The Commodity Credit Corporation (CCC) is the mandatory funding mechanism for many federal agricultural programs. A wholly owned corporation of the United States government, the CCC was created during the New Deal and put into its current statutory framework in 1948. The CCC is used to fund commodity, conservation, bioenergy, and trade programs included in the periodically re-authorized federal farm bill.

The CCC has permanent authority to borrow up to \$30 billion from the Treasury, and every year, in the annual appropriations process, Congress reimburses the Treasury for CCC net realized losses, refilling the CCC line of credit back up to \$30 billion. The \$30 billion cap was set in 1987 and has not been changed since then. The cap has never been exceeded, though in recent years, given extraordinary uses of the CCC, there has been concern that the cap could be breached and thus Congress intervened four out of the past five years with anomalies in Continuing Resolutions or, in one instance, a special mid-year appropriation, to speed the reimbursement back up to \$30 billion.

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<sup>1</sup> CalCAN is a coalition of California's leading sustainable and organic agriculture organizations that seeks to advance agricultural solutions to the climate crisis. <https://calclimateag.org/about-calcan/>

<sup>2</sup> NSAC) is an alliance of grassroots organizations that advocates for federal policy reform to advance the sustainability of agriculture, food systems, natural resources, and rural communities. <https://sustainableagriculture.net/about-us/>

The CCC has no staff; employees and facilities of the U.S Department of Agriculture carry out all CCC activities. The CCC is overseen by the Secretary of Agriculture and a board of directors made up entirely of USDA officials.

The CCC Charter Act enumerates three broad purposes for the Corporation. The three purposes are related, but distinct. Decisions to use the CCC to fund programs, pilot projects, and research initiatives need only satisfy one of these three purposes:

1. stabilizing, supporting, and protecting farm income and prices;
2. assisting in the maintenance of balanced and adequate supplies of agricultural commodities, products thereof, foods, feeds, and fibers; and
3. facilitating the orderly distribution of agricultural commodities.

Beyond the three broad purposes, the CCC Charter Act enumerates eight specific powers of the Corporation in Title V of the Act:

1. Support the prices of agricultural commodities (other than tobacco) through loans, purchases, payments, and other operations
2. Make available materials and facilities required in connection with the production and marketing of agricultural commodities (other than tobacco).
3. Procure agricultural commodities (other than tobacco) for sale to other Government agencies, foreign governments, and domestic, foreign, or international relief or rehabilitation agencies, and to meet domestic requirements.
4. Remove and dispose of or aid in the removal or disposition of surplus agricultural commodities (other than tobacco).
5. Increase the domestic consumption of agricultural commodities (other than tobacco) by expanding or aiding in the expansion of domestic markets or by developing or aiding in the development of new and additional markets, marketing facilities, and uses for such commodities.
6. Export or cause to be exported, or aid in the development of foreign markets for, agricultural commodities (other than tobacco) (including fish and fish products, without regard to whether such fish are harvested in aquacultural operations).

7. Carry out conservation or environmental programs authorized by law.
8. Carry out such other operations as the Congress may specifically authorize or provide for.

**As elaborated below, the specific powers of greatest relevance to options for Administration action on climate and agriculture are numbers 1, 2, 5, and 7 –**

- **loans, purchase and payments related to agricultural production;**
- **providing materials and facilities to aid agricultural production;**
- **expanding domestic markets; and**
- **implementing conservation programs.**

Exercise of authorities provided by the three broad purposes of the Act and of the first six specific powers require no additional authorization or appropriation from Congress. The Secretary of Agriculture may use the discretionary powers of the CCC at any time, provided that the \$30 billion cap on borrowing authority is not exceeded or the Secretary's proposed use of the CCC is not prohibited by an annual appropriation bill's general provisions section, as it was between 2012 and 2017. Among the relatively recent discretionary administrative uses of the CCC have been:

- \$630 million for disaster payments for rice, cotton, and soybeans in southern states (2010)
- \$100 million for gas stations to purchase E-85 gas pumps (2015 and again in 2020)
- \$215 million for special cotton ginning payments (2018)
- \$28 billion for Market Facilitation Program payments (2019)
- \$2.6 billion for Food Purchase and Distribution Program (2019)
- \$530 million for Seafood Assistance Program (2020)
- \$20.5 billion for Coronavirus Food Assistance Program (2020)

While there have been occasional discretionary administrative uses of the CCC over the years, the sheer size of the uses made in 2019 and 2020 were unprecedented and not without significant controversy. As CCC expenditures, they were automatically reimbursed and increased the federal deficit by the amount of those reimbursements. Despite some statements of concerns, however, Congress took no action to rein in the Administration's authority. To the contrary, in fact, Congress considered, though did not ultimately pass, a major increase in the CCC's borrowing authority.

This turn of events provides reason to suspect administrative discretionary uses of the CCC will continue and perhaps expand in the future. The pending Request for Information, and internal

Administration discussion of spending perhaps as much as \$30 billion on the climate-smart farming pilot projects, lends credence to that suspicion.

### ***A Word about the Options Presented in this Document***

This document presents a variety of options that fit neatly within the specific authorities granted by the CCC Charter Act that would further the Biden Administration’s objectives with respect to agriculture and climate change, but without resorting to the legal acrobatics of “climate-smart commodities” – a word coined as a work-around to get past the argument that the Administration lacks legal authority for this particular use of the CCC – and without the sole focus on private carbon markets that underlie the RFI.

The legal problem occurs in part because CCC specific power #7 – carrying out conservation and environmental programs authorized by law – would restrict any pilot projects to programs and funding streams specifically authorized by Congress, such as the Regional Conservation Partnership Program or the Conservation Innovation Grants on-farm research and demonstration provision.

Using CCC specific power number one – supporting the price of agricultural commodities – is not referred to in the RFI, despite earlier claims that soil carbon sequestration has become a new “commodity.” Instead, the RFI uses specific power number five - expanding domestic markets for agricultural commodities – as the justification for the proposed pilot projects for climate-smart commodities. Using specific power number five is perhaps the safest legal approach, but still a tenuous basis on which to proceed.

Carbon markets are certainly not the only approach to improving agriculture’s response to the climate crisis nor the most important approach. There are a multitude of public sector and federal policies and programs that could and should play a fundamental role but are getting crowded out of the debate by the focus on the end goal of private markets. While the RFI’s list of topics to respond to seem to presume a set of publicly-funded projects that ultimately lead to a private market approach, the same topics are nonetheless relevant to public sector initiatives.

The good news is there are many initiatives to improve agricultural resilience and accelerate agriculture’s contribution to climate mitigation that do not require stretching the definition of an agricultural commodity and do not require allegiance to private carbon markets as the be all and end all of improving resilience and accelerating climate mitigation measures in agriculture.

**The ideas that follow are a wide range of options that fit within the traditional statutory authorities and interpretations of the CCC Charter Act. These options are more granular than the broad, vague, and undefined term climate-smart commodities, and are more**

**clearly in accord with a straightforward reading of CCC authorities. Moving ahead with these options would yield strong positive results on climate in both the near and long term.**

## **Options Related to the CCC Charter Act's Specific Powers**

### ***Introductory Comments***

The options below are keyed to the first, second, fifth, and seventh specific powers of the CCC as authorized by the CCC Charter Act. Some of them have national application, while others would be of greatest interest in specific farming regions of the country. While all could be adopted at the national level, it may aid in implementation to have them filtered through the ten regional USDA Climate Hubs to ensure optimal region-specific application. The climate hubs are hosted by ARS and USFS, but include FSA and NRCS among other USDA agencies, and thus can help inform implementation of specific farm and conservation program options, ensuring that full accounting is made for regional differences in farming systems.

Below each bulleted option description are one or more links for more information on that specific topic. The description of each option is purposefully kept brief, though in each case, additional detail can be provided upon request.

While each option below could stand on its own, the Biden Administration could link some or all these options together into a comprehensive climate-smart agriculture package.

Many of the options listed under specific powers #1 and #2 would work best if linked as well to market development activities under specific power #5. It is not enough to simply provide support for commodities, materials, and facilities without also increasing the market potential for them. Hence, several of the options under #5 relate directly back to options included under #1 and #2.

Finally, with respect to specific power #7, the options listed are about steps that can and should be taken to improve the climate and equity performance of the farm bill-authorized conservation programs. Unlike specific powers #1, 2, and 5, specific power #7 is limited to currently authorized programs by Congress. Hence, the options before under specific power #7 are limited to initiatives that should be undertaken by the Administration to improve current program performance.

### ***The Options***

**Specific Power #1 -- “Support the prices of agricultural commodities (other than tobacco) through loans, purchases, payments, and other operations.”**

- Provide conversion payments to farmers to remove marginally productive or highly erodible acres from cropping and move them into perennial grass-based agriculture, with the resulting livestock production being undertaken with NRCS-approved advanced grazing management plans (as defined by the farm bill) and conditioned upon the retirement of those base acres from federal commodity programs (thereby reducing costs and offsetting the conversion payments). Include an allowance for fencing and watering systems in the calculation of the conversion payment.

<https://www.jswconline.org/content/71/2/156>

<https://grasslandag.org/learn/>

<https://grasslandag.org/files/2020/10/Grassland2.0-Policy-Brief-Draft-101920-1.pdf>

<https://www.worldwildlife.org/press-releases/2-6-million-acres-of-grassland-habitat-lost-in-north-american-great-plains-in-one-year>

<https://thefern.org/2021/09/farming-boom-threatens-bidens-climate-and-conservation-ambitions/>

- Provide a direct payment to farmers for adding oats, hybrid rye, and other alternative small grain, pulses, and alternative oilseeds to their rotations to improve soil health and water quality as part of a resource-conserving crop rotation conservation plan (as that term is defined by the farm bill and NRCS). Provide a purchase incentive to feed mills for using these climate-friendly rotational grains in their feed ration formulas. Also link this initiative to an agronomic and marketing research initiative under specific power #5.

[https://lib.dr.iastate.edu/cgi/viewcontent.cgi?article=1080&context=leopold\\_pubspapers](https://lib.dr.iastate.edu/cgi/viewcontent.cgi?article=1080&context=leopold_pubspapers)

<https://practicalfarmers.org/research/adjusting-feeder-pig-rations-to-include-hybrid-rye/>

<https://alseed.com/hybrid-rye-varieties-shine-in-2019-iowa-trials/>

[http://forevergreen-umn.info/FG\\_SummerGrains\\_2020\\_vFNL.pdf](http://forevergreen-umn.info/FG_SummerGrains_2020_vFNL.pdf)

- Provide a direct payment to farmers for adding forages to their rotations and reintegrating livestock into their cropping systems. Integrated crop-livestock systems can improve

productivity and foster resilience without proportional increases in environmental impacts. It is one of the NRCS [five principles of soil health](#).

<https://twin-cities.umn.edu/news-events/diversifying-crop-rotations-improves-environmental-outcomes-while-keeping-farms>

<https://pubag.nal.usda.gov/download/11614/PDF>

<https://access.onlinelibrary.wiley.com/doi/pdfdirect/10.2134/agronj2018.07.0441>

<https://www.mdpi.com/2071-1050/9/3/473/pdf>

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0231840>

- Provide direct payments for agroforestry/permaculture crops that are part of complex, perennial systems that provide big carbon sink benefits. Ensure payments are provided only in regions with sufficient water availability to support nut, berry, and other perennial production systems. Direct the regional climate hubs, in conjunction with NRCS, to develop regionally approved lists of crops eligible for support.

[https://www.chlpi.org/wp-content/uploads/2013/12/Perennial-Agriculture-comment-letter\\_Harvard\\_Partnership-for-a-Perennial-Agriculture.pdf](https://www.chlpi.org/wp-content/uploads/2013/12/Perennial-Agriculture-comment-letter_Harvard_Partnership-for-a-Perennial-Agriculture.pdf)

[https://papers.ssrn.com/sol3/Delivery.cfm/SSRN\\_ID3361393\\_code2383165.pdf?abstractid=3361393&mirid=1](https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID3361393_code2383165.pdf?abstractid=3361393&mirid=1)

- In recognition of the climate benefits of organic agriculture, use the CCC's purchasing authority to buy specific organic commodities for use in the USDA Foods in School program, Commodity Supplemental Food Program, The Emergency Food Assistance Program, and Food Distribution Program on Indian Reservations.

<https://ofrf.org/organicforclimate/#regenerative>

<https://ofrf.org/soil-health-and-organic-farming-reports/building-organic-matter-for-healthy-soils-an-overview-2/>

<https://www.organicwithoutboundaries.bio/2018/09/05/public-procurement/>

- Where there is sufficient water and positive life cycle assessments, provide conversion payments to farmers to convert cropland unsuitable for growing commodities to the production of perennial biomass crops that can be used for livestock forage or for renewable energy production while reducing erosion and runoff, sequestering carbon

deep beneath the soil surface, and creating wildlife and pollinator habitat. Link this initiative to a biomass market development plan under specific power #5.

[http://forevergreen-umn.info/FG\\_Native\\_Perennial\\_Grasslands\\_2020\\_vFNL.pdf](http://forevergreen-umn.info/FG_Native_Perennial_Grasslands_2020_vFNL.pdf)

<https://www.drawdown.org/solutions/perennial-biomass-production>

**Specific Power #2 -- “Make available materials and facilities required in connection with the production and marketing of agricultural commodities (other than tobacco).”**

- Create a compost purchase program at the national level modeled on California’s successful compost application model in their Healthy Soils Incentives Program. The application of compost to croplands and rangelands has substantial soil health improvement and GHG reduction benefits. A purchase program will help spur demand, expand composting facilities and jobs, and divert organic waste from landfills. In addition, provide financial assistance for the development of community scale composting facilities, including fungal-dominated composts, to expand production so farmers can use the compost to replace soil microbes in degraded soils to help the soil begin to sequester carbon as it recovers while also providing a use for woodchips from areas impacted by tree-killing beetles or fires.

[https://www.cdfa.ca.gov/oefi/healthysouils/docs/2021/2021\\_hsp\\_incentives\\_program\\_draft\\_rga.pdf](https://www.cdfa.ca.gov/oefi/healthysouils/docs/2021/2021_hsp_incentives_program_draft_rga.pdf)

[https://www.cdfa.ca.gov/oefi/healthysouils/docs/CompostApplicationRate\\_WhitePaper.pdf](https://www.cdfa.ca.gov/oefi/healthysouils/docs/CompostApplicationRate_WhitePaper.pdf)

<https://www.csuchico.edu/regenerativeagriculture/bioreactor/index.shtml>

- Revise and publish NRCS Interim Conservation Practice 808 (Soil Carbon Amendments) as a new national Conservation Practice - see further discussion under Specific Power #7 below. Then, using the CCC authority under Specific Power #2, purchase compost, biochar, or other NRCS locally approved amendments and provide it free to farmers willing to experiment with its use under the terms of the new national Conservation Practice, provided they are willing to keep records and share them with USDA. The pending bipartisan infrastructure bill includes \$200 million to remove flammable vegetation from forested areas for the creation of biochar, which, if passed, could become a source for purchases.



[https://www.nrcs.usda.gov/wps/cmیس\\_proxy/https/ecm.nrcs.usda.gov%3A443/fncmis/resources/WEBP/ContentStream/idd\\_D01F2B77-0000-C211-A3DE-93A6410CE679/0/808+CPS+Soil+Carbon+Amendment+2021+-+DRAFT.pdf](https://www.nrcs.usda.gov/wps/cmیس_proxy/https/ecm.nrcs.usda.gov%3A443/fncmis/resources/WEBP/ContentStream/idd_D01F2B77-0000-C211-A3DE-93A6410CE679/0/808+CPS+Soil+Carbon+Amendment+2021+-+DRAFT.pdf)

[https://forestry.usu.edu/news/utah-forest-newsletter/nrcs\\_biochar](https://forestry.usu.edu/news/utah-forest-newsletter/nrcs_biochar)

<https://biochar-us.org/news/proposed-usbi-soil-carbon-amendment-farm-trials>

- Make low-cost loans available for on-farm composting facilities and equipment to encourage the production and application of compost as a valuable soil amendment that helps build and retain carbon in the soil.

<https://cdn.ymaws.com/www.compostingcouncil.org/resource/resmgr/images/newimages/folder/GHG-and-Composting-a-Primer-.pdf>

[https://www.energy.ca.gov/sites/default/files/2019-11/Agriculture\\_CCCA4-CNRA-2018-002\\_ADA.pdf](https://www.energy.ca.gov/sites/default/files/2019-11/Agriculture_CCCA4-CNRA-2018-002_ADA.pdf)

<https://www.mdpi.com/1999-4907/9/6/369/pdf>

- Provide grants to farmers for on-farm storage and drying facilities to deal with hybrid rye or other small grains, pulses, and alternative oilseeds that are used in resource-conserving crop rotations (as defined by the farm bill and NRCS), especially for crops that are highly advantageous third or fourth rotational crops in the Corn Belt but for which there are few if any current storage facilities.

<https://sustainablefoodlab.org/initiatives/smallgrains/#1571607083472-51001053-1f575f99-036d453b-eb811881-84b0>

<https://farmdocdaily.illinois.edu/2020/11/changes-in-us-grain-storage-capacity.html>

- Make low-cost loans available for agrisolar installation to encourage win-win solutions through the co-location of solar and agriculture, increase renewable energy production, enhance pollinator habitat, provide farmers with an alternative source of income, and avoid heated political debates that occur when solar development takes farmland out of production and out of farming. Link this to market and label/process verified development under power #5 (see below) that will help raise prices and income for farmers using agrisolar production systems.

<https://www.ncat.org/project-promotes-solar-energy-for-ag-land/>

<https://www.reutersevents.com/renewables/solar-pv/us-agri-pv-teams-build-data-commercial-roll-out>

<https://solargrazing.org/wp-content/uploads/2021/06/SPE-Agrisolar-Best-Practices-Guidelines.pdf>

- Create a Tree Crop Commercialization Initiative, combining the CCC authorities under specific powers #2 and 5, and mesh it as well with the perennial direct payment option under specific power #1 where applicable. Using specific power #2, purchase rootstock appropriate to agroforestry and make it available to farmers at a greatly reduced cost if they are willing to convert a portion of land from annual cropping to perennial agroforestry, including forest farming, permaculture systems, riparian buffers, hedgerows, and alley cropping.

<https://www.fs.usda.gov/nac/practices/alley-cropping.php>

<https://onlinelibrary.wiley.com/doi/full/10.1111/gcb.13986>

- Provide low-cost loans for community, shared use cooperatives for innovative equipment for climate-smart agriculture, including roller crimpers, no till drills, compost spreaders, and robotic and other innovative weeding equipment. Include appropriately sized equipment for small and mid-sized farms. Make specific, appropriate arrangements directly with tribal governments and tribal agricultural organizations to meet their specific needs.

<https://www.sare.org/publications/conservation-tillage-systems-in-the-southeast/chapter-9-planting-in-cover-crop-residue/roller-crimper-equipment-and-effectiveness/>

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0211573>

<https://www.gacd.us/equipment>

<https://northeast.sare.org/resources/a-guide-to-sharing-farm-equipment/>

**Specific Power #5 -- “Increase the domestic consumption of agricultural commodities (other than tobacco) by expanding or aiding in the expansion of domestic markets or by developing or aiding in the development of new and additional markets, marketing facilities, and uses for such commodities.”**

- In connection with the Grass-based Agriculture option under specific power #1, expand the domestic market for grassfed beef, lamb, goat, and dairy, pasture-raised pork, and pastured poultry to reap the climate benefits of these grass-based production systems by investing CCC dollars in market research. In addition, use the CCC to pay for USDA AMS auditors to verify animal-raising claims, especially grassfed and pasture-raised, to help grow and protect the market for these products, a market that has been undermined in the past by the lack of label enforcement authority by the Food Safety Inspection Service when it comes to on-farm verified claims.

<https://www.jdsupra.com/legalnews/fsis-advises-on-animal-raising-label-70754/>

<https://sustainableagriculture.net/blog/fsis-grassfed-update-label-claim/>

<https://www.ams.usda.gov/services/auditing>

- In connection with the Small Grains/Pulses/Alternative Oilseeds option under specific power #1, fund commodity production and marketing R&D projects to grow local and domestic markets for small grains, pulses, and alternative oilseeds grown in diversified, resource-conserving rotations (as defined by the farm bill and NRCS). Include research on the nutritional & GHG effects of adding these commodities to the feed rations.

[https://d3n8a8pro7vhmx.cloudfront.net/renewingthecountryside/pages/129/attachments/original/1569524314/Muckey\\_Final.pdf?1569524314](https://d3n8a8pro7vhmx.cloudfront.net/renewingthecountryside/pages/129/attachments/original/1569524314/Muckey_Final.pdf?1569524314)

<https://news.cals.wisc.edu/2020/10/29/project-to-expand-supply-chains-for-regional-grains-to-local-cafeterias/>

<https://practicalfarmers.org/2019/12/using-oat-variety-trial-results-to-guide-management-decisions/>

[https://www.grownyc.org/files/gmkt/Grains/marketing\\_v7\\_web.pdf](https://www.grownyc.org/files/gmkt/Grains/marketing_v7_web.pdf)

- In coordination with the Soil Carbon Amendments option under specific power #2, fund a multi-year, multi-site research project to develop best biochar feedstock and production methods and elucidate the effects of different types of biochar on soil, plant, and carbon processes across regions and under varying conditions, as well as site-specific research to develop promising regional applications of biochar. Research indicates that biochar can sequester carbon, reduce soil methane and nitrous oxide emissions, increase soil water holding capacity, adsorb and stabilize other forms of soil organic carbon, improve crop yields on marginal land, and enhance reforestation in degraded areas. But there is conflicting research, reflecting variations in biochar feedstocks and production methods

as well as the soils and growing conditions in which it is applied. Hence the urgent need for a comprehensive research initiative to fill the knowledge gaps.

<https://www.jswconline.org/content/76/1/24A>

<https://www.drawdown.org/solutions/biochar-production/technical-summary>

<https://www.agri-pulse.com/articles/16353-opinion-one-critical-step-to-limit-warming-to-15-degrees>

<https://www.ncat.org/biochar-policy-project-aims-to-scale-up-rural-climate-solution/>

- In connection with the Agrisolar option under specific power #2, fund production and marketing R&D for commodities (crops and livestock) grown or raised using win-win agrisolar systems. In addition, use CCC dollars to work with private sector partners to develop and stand up one or more process-verified, climate-smart label for agrisolar commodities.

<https://www.epa.gov/greenerproducts/introduction-ecolabels-and-standards-greener-products>

<https://www.ams.usda.gov/services/auditing/process-verified-programs>

<https://www.mdpi.com/2071-1050/13/5/2474/pdf>

<https://journals.sagepub.com/doi/full/10.1177/0013916521995473>

- Expand mandatory funding for value-added projects supporting agricultural commodities and products produced using methods that improve soil health, sequester carbon, and reduce greenhouse gas emissions, building on the excellent work being accomplished by USDA RBCS through the farm bill's Value-Added Producer Grant Program. VAPG fosters market-based, sustainable farm income by enabling farmers and ranchers to retain a greater share of the consumer food dollar. VAPG includes a specific congressional authorization for support for commodities and products that add value based on how they are produced, using market differentiation strategies. Focusing that authority on climate-smart agriculture through new investment in this authorized program and market differentiation authority via the CCC would help expand domestic markets and create improved income streams for producers.

<https://www.rd.usda.gov/programs-services/business-programs/value-added-producer-grants>

<https://sustainableagriculture.net/wp-content/uploads/2021/03/2021-NSAC-VAPG-Farmers-Guide.pdf>

**Specific Power #7 – “Carry out conservation or environmental programs authorized by law.”**

- Revise NRCS Interim Practice 808, Soil Carbon Amendments, to make it as impactful as possible for climate mitigation and adaptation; see the comment letter from the National Sustainable Agriculture Coalition, linked below, for specific revision ideas. Make the revised practice standard a new permanent conservation practice, available nationwide rather than just in select states, as quickly as possible. Make the new national practice eligible for EQIP and CSP financial support and develop one or more CSP enhancements that build on the new national practice.

<https://sustainableagriculture.net/wp-content/uploads/2021/09/NSAC-Memo-on-Interim-Practice-808-Memo-Final.pdf>

<https://www.youtube.com/watch?v=UjYhGEAV24g>

- Finalize and reissue the revisions Conservation Practice Standard 340 pertaining to cover crops. The revised version of 340 included many improvements that directly impacted climate mitigation, but it also had some issues, particularly with respect to overly severe restrictions on mechanical harvesting of cover crops, that resulted in negative public comment. Unfortunately, the baby was thrown out with the bathwater, and the entire set of revisions, not just the mechanical harvesting restriction, were revoked, and the standard reverted to its 2014 version. The sooner a revised version is finalized, minus the offending provision, the sooner all the financial assistance being provided for cover cropping through the farm bill conservation programs authorized by law will be matched to climate-smart agriculture parameters. In making the final revisions, the comment letter from the National Sustainable Agriculture Coalition linked below offers an excellent guide to follow.

[https://sustainableagriculture.net/wp-content/uploads/2021/09/2021-Conservation-Practice-Standards-NSAC-Comments\\_04-08-2021.pdf](https://sustainableagriculture.net/wp-content/uploads/2021/09/2021-Conservation-Practice-Standards-NSAC-Comments_04-08-2021.pdf)

[https://www.nrcs.usda.gov/wps/PA\\_NRCSCConsumption/download?cid=nrcseprd1212809&ext=pdf](https://www.nrcs.usda.gov/wps/PA_NRCSCConsumption/download?cid=nrcseprd1212809&ext=pdf)

[https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1263176.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1263176.pdf)

- Provide additional resources for the Conservation Reserve Program as part of a special agroforestry initiative to maximize the CRP's long-term contribution to climate mitigation by allowing economic use of the tree crops. Add agroforestry practices (silvopasture, alley cropping, forest farming, permaculture systems, multistory cropping, riparian buffers, windbreaks, and shelterbelts) to a special agroforestry component of the Continuous CRP. Provide CRP cost share; apply the climate-smart incentive rate; permit harvesting and grazing that does not damage the conservation cover and its long-term protection; and only subject the agroforestry CRP acres to a reduction in rental rates commensurate with the reduction, if any, in the conservation benefits relative to if the acres were not harvested or grazed.

<https://www.savannainstitute.org/climate-change/>

<http://www.midwestagroforestry.com/crp/>

- Provide CCC funding for the farm bill's Grazing Lands Conservation Initiative (GLCI). The GLCI is the major farm bill conservation title authorization for technical assistance and outreach to improve grazing management on pasture and rangeland across the country. Unfortunately, it has had no funding since 2008. The authorization remains, and some modest funding for it is pending in the FY 22 agricultural appropriations bill in the Senate version of that bill. Carrying out conservation programs authorized by law, which the GLCI clearly is, is one of the specific powers of the CCC. As part of a climate-smart agriculture initiative, substantial CCC funding should be added to whatever modest sum Congress might appropriate for FY 22 or in the future.

<https://www.law.cornell.edu/uscode/text/16/3839bb>

<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/people/partners/glci/>

<https://www.baldwin.senate.gov/press-releases/baldwin-highlights-farm-resiliency-working-lands-conservation-during-visit-to-cashton>

[https://www.nrcs.usda.gov/wps/portal/nrcs/detail/ny/newsroom/stories/?cid=nrcs144p2\\_027364](https://www.nrcs.usda.gov/wps/portal/nrcs/detail/ny/newsroom/stories/?cid=nrcs144p2_027364)

- Drive climate mitigation by investing CCC dollars into an innovative and expanded organic farming transition program within the farm bill's working lands conservation programs – EQIP, CSP, and RCPP. Enhance the EQIP and CSP Organic Initiatives by improving the existing organic bundles and by offering specific organic transition bundles (suites) of practices and enhancements with incentive rates of at least 150 percent

of the underlying payment schedules for the practices or enhancements that make up the bundle or suite. Ensure that all practices and enhancements relevant to organic transition include payment rates that fully reflect the forgone income experienced during the transition period. Provide training to field staff on the implementation of this initiative and include targeted outreach materials to reach the new and existing farmer audience, including the historically underserved, that are interested in transitioning to organic. Restore organic and transition conservation enhancements to CSP, including the ones revoked in 2018 as well as new options, including intercropping and composting. Restore the higher CSP payment rate for pastured cropland that was removed in 2018. Also, specifically add climate-smart organic agriculture and organic transition to future RFPs for the Regional Conservation Partnership Program.

<https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/organic/?cid=nrcseprd1387426>

<https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/organic/?cid=nrcseprd1386901>

<https://ota.com/climate>

- Set far more ambitious targets, higher than the statutory minimum, for the funding set-asides for beginning and socially disadvantaged farmers and ranchers in EQIP and CSP. Five percent is the farm bill's statutory minimum, but USDA is free to set higher set-asides. The set-asides in turn become separate ranking pools. Nationally, participation of such producers exceeds the set-aside. These ranking pools could easily be calibrated to the farming demographics of each state, raising the funding set-aside significantly, within aggressive but reachable limits. The new, higher set-asides should also be linked with a targeted outreach and technical assistance initiative to ensure equity and opportunity within the working lands conservation programs.

[https://www.nrcs.usda.gov/Internet/NRCS\\_RCA/reports/rsdno\\_eqip.html](https://www.nrcs.usda.gov/Internet/NRCS_RCA/reports/rsdno_eqip.html)

[https://www.nrcs.usda.gov/Internet/NRCS\\_RCA/reports/rsdno\\_cstp.html](https://www.nrcs.usda.gov/Internet/NRCS_RCA/reports/rsdno_cstp.html)

<https://sustainableagriculture.net/blog/beginning-farmer-conservation/>

<https://sustainableagriculture.net/blog/csp-data-update-part3/>

<https://sustainableagriculture.net/wp-content/uploads/2020/11/CSP-2020-draft3-interactive-1-1.pdf>

- Dedicate a portion of annual Regional Conservation Partnership Program (RCPP) funding to partnerships with organizations addressing the specific conservation needs of socially disadvantaged farmers and ranchers. Also include a specific tribal agricultural

conservation priority within RCPP. In working with these special priority projects, USDA should use the authority granted to it under law to substantially reduce the size of the contribution provided by the eligible partners. The same reduced match requirement should also be used in conjunction with Conservation Innovation Grants.

<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/financial/rcpp/>

- Free the Conservation Stewardship Program (CSP) from badly formulated rules that inhibit it from being the preeminent climate mitigation and adaptation program in the federal conservation program toolkit. Both the Rule and the Manual are in urgent and serious need of revision and republication. This becomes even more urgent given the pending Build Back Better bill, with significant new investments in CSP. In addition to fixing the existing problems, a new rule could also add a regulatory mechanism for the Biden Rural Platform provision for CSP, enabling private contributions to supplement CSP climate funding. The rule and manual revisions recommended by the National Sustainable Agriculture Coalition (linked below) are an excellent starting point for the process of fixing the CSP rule and manual and rededicating it to agricultural resilience and climate change mitigation.

<https://sustainableagriculture.net/wp-content/uploads/2021/09/CSP-IFR-NSAC-Comments-021020.pdf>

<https://sustainableagriculture.net/wp-content/uploads/2021/09/NSAC-CSP-Manual-and-Activity-List-Comment-Letter-4-21-20.pdf>

- CSP Climate Bundles – The pending Build Back Better bill specifically authorizes USDA to develop regionally-adapted climate change mitigation bundles (suites of conservation practices and enhancements) to use in conjunction with the additional funds provided in the reconciliation bill. Moreover, USDA has the authority to create such bundles now, for the entirety of CSP funding, whether the reconciliation bill passes or not. CSP currently has 21 national bundles, including two related to soil health, and including eight regional bundles. Until now, however, NRCS has been reluctant to create regionally adapted bundles specifically for climate-smart agriculture, having turned down a proposal from National Farmers Union and National Sustainable Agriculture Coalition in 2015 to do just that, and several additional entreaties since then. Bundles have the dual advantage of being more comprehensive and offering an added incentive rate to encourage their adoption. The Administration should take full advantage of this option without delay.

<https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/programs/financial/csp/?cid=nrceprd1708431>



<https://underwood.house.gov/media/press-releases/underwood-gallagher-introduce-bipartisan-climate-change-legislation-support>