Comments of the Izaak Walton League of America
on the U.S. Department of Agriculture Farm Service Agency
Draft Programmatic Environmental Assessment of the Conservation Reserve Program
October 25, 2019

We appreciate the opportunity to provide comments on the USDA Farm Service Agency's *Draft Programmatic Environmental Assessment for the Conservation Reserve Program*. The USDA has important decisions to make concerning implementation of the extensive changes made by Congress to the Conservation Reserve Program in the 2018 Farm Bill. The Programmatic Environmental Assessment *should* be a document that discusses those major changes, identifies alternative approaches to implement them, and provides analyses to help the USDA and the public understand the environmental implications of those alternatives as the agency makes those decisions.

Unfortunately, it is not. The Draft Programmatic Environmental Assessment fails to cover all of the major changes made to the Conservation Reserve Program (CRP) in the 2018 Farm Bill, leaving out some critical changes. It provides overly restrictive significance criteria for some important resources. It fails to identify a range of alternatives available to implement the provisions where USDA has substantial discretion to act. The Draft Programmatic Environmental Assessment (Draft PEA) also fails to provide meaningful analyses of the differing impacts of those alternatives on the affected environment. These failures should be corrected before the programmatic environmental assessment is finalized.

I. Major Provisions that Should be Covered

The Draft Programmatic Environmental Assessment identifies some of the key substantive changes to the Conservation Reserve Program included in the 2018 Farm Bill, but it ignores other major provisions included in the new Farm Bill and that should be corrected.

The 2018 Farm Bill[1] made substantial changes to the statutes governing the Conservation Reserve Program (CRP). Major Farm Bill CRP provisions included in Draft PEA Table 2.1-1 (and detailed in pages 2-2 through 2-5):

* An increase in authorized maximum (but no minimum) CRP enrollment to 27 million acres by fiscal year 2022, from 24 million acres under previous law;

* Making essentially all Conservation Practices eligible for emergency and non-emergency haying and grazing;

[1] The Agricultural Improvement Act of 2018, Public Law 115-334, referred to herein as the 2018 Farm Bill.

* Authorizing non-emergency grazing during the primary nesting season with a 25% reduction in payment rates and a 50% stocking rate, with contract modification;

* Authorizing CRP contract modifications to allow emergency grazing on all practices during the primary nesting season for counties eligible for Livestock Forage Disaster Program payments;

* Requiring USDA to establish a new CLEAR 30 pilot program to enroll expiring CRP contract land in new 30-year CRP contracts covering selected water quality practices; and

* Requiring USDA to establish a new Soil Health and Income Protection Pilot Program to enroll up to 50,000 acres of land in Prairie Pothole states in 3 to 5 year contracts to convert cropland to a perennial conserving use cover crop.

However, some major 2018 Farm Bill CRP provisions are *not* included in the Draft PEA including:

* Requiring USDA to provide continuous enrollment for certain marginal pasture land, water quality practices, Conservation Reserve Enhancement Program contracts, and other designated practices, a substantial change from current Farm Service Agency practice;

* Setting a minimum, but no maximum, on the acres enrolled under Continuous CRP (8 million acres in fiscal year 2019, rising to 8.6 million acres by fiscal year 2022);

* Requiring USDA to give priority to water quality practices (Clean Lakes, Estuaries, and Rivers language), and establishing a minimum of 40 percent of CRP acres enrolled via continuous signup to be enrolled in water quality practices (under 16 U.S.C. 3831(b)(4)), to the extent practicable;

* Setting a minimum, but no maximum, on the acres reserved for CRP Grassland contracts (1 million acres in fiscal year 2019, rising to 2 million acres by fiscal year 2021);

* Authorizing (but not requiring) USDA to enter into Conservation Reserve Enhancement Program (CREP) agreements that require the governmental or non-governmental partner to provide matching funds, and placing in statute provisions governing CREP agreements including new requirements for state and local governmental and non-governmental match funding;

* Allocating proportionally to each state 60% of the CRP acres available annually for enrollment, based on historical State enrollment levels;

* Restricting payment rates for annual rental payments for CRP enrollments and re-enrollments (85% for general signup, or 90% for continuous signup which can be waived for CREP agreements), limiting seed costs (50% of actual), and prohibiting cost-share payments for mid-contract management, while requiring a 32.5% signup incentive for continuous signup practices, and requiring a practice incentive payment of 50% of establishment costs for continuous signup contracts.

These are important changes in the CRP statutes that should be recognized in the Final PEA and covered by its analysis. The Final Programmatic Environmental Assessment should include these important changes in Table 2.1-1, and in the explanatory paragraphs that follow, to fix this short-coming.

Taken together, these important changes will also require that decisions be made by USDA to implement the provisions, raising important issues on alternative ways USDA could choose to implement them using the discretion Congress provided.

II. Other Comments on the Draft Programmatic Environmental Assessment

Haying and Grazing

The Draft PEA (at pages 3-5 and 3-6) indicates that managed or routine grazing occurs on just 1 percent, and managed haying on just under 1 percent, of the 14.5 million acres of CRP eligible for non-emergency managed haying or grazing under the 2014 Farm Bill. With all conservation practices now open to this option the Draft PEA estimates that up to 270,000 acres of CRP could be grazed and 243,000 acres hayed (1% and 0.9% respectively of the 27 million acres of authorized CRP under the 2018 Farm Bill). Based on the analysis provided on historic use of CRP, we agree that non-emergency haying and grazing is unlikely to occur on a large proportion of CRP acres. However, we note that the 2018 Farm Bill added "fencing and other water distribution practices" to the costs eligible for cost-share payments from USDA[2], which would facilitate grazing, and the changes made in the 2014 Farm Bill and 2018 Farm Bill generally make routine haying and grazing on CRP land much more available and attractive. As landowners seek to maximize their financial return, we think more will take advantage of the flexibility and cost-share provided and will hay and graze their CRP.

As the Draft PEA notes, emergency haying and grazing occurred on substantially more land in 2018 than did managed or routine grazing and haying (over 616,000 acres in 2018, the 3rd wettest year on record for the Nation according to the National Ocean and Atmospheric Administration[3]). We think that could indicate a growing level of interest in both emergency and non-emergency haying and grazing of land in CRP contracts. We have concerns about the

[2] Section 2206(a) of the 2018 Farm Bill.
[3] National Ocean and Atmospheric Administration, *National Climate Report – Annual 2018*, NOAA, January, 2019.

impacts of repetitive haying or grazing of CRP lands. The provisions with respect to primary nesting seasons and appropriate haying and grazing practices must maintain the integrity of the system, including concurrence from state fish and wildlife agencies and the US Fish & Wildlife Service.

> **We urge USDA to consider the important statutory changes in its evaluation, to ensure that relevant decisions that impact fish and wildlife have concurrence from state and federal wildlife agencies, and in the future USDA should continue to monitor haying and grazing on CRP lands and the environmental impacts that result.**

Migratory Bird Treaty Act Species

The Draft PEA notes (p. 3-3) that "Species protected by the MBTA are not assessed here in accordance with the Department of Interior Solicitor's Opinion M-37050, *Incidental Take Prohibited Under the Migratory Bird Treat Act*," based on the Administration's view that the Migratory Bird Treaty Act's prohibition on take "applies only to 'direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests' and not to the losses incidental to otherwise lawful activities." Although we disagree with the Interior Solicitor's interpretation, we do not disagree that, under the Administration's new restrictive interpretation, CRP activities would not appear to result in a "take" of protected species. However, we do not think USDA meant to say that the more than 1,000 bird species protected by the Act should not be considered *at all* by the PEA, including important species like the mallard duck, northern pintail duck, red-winged blackbird, Sandhill crane, and burrowing owl – all of which have been targets of successful CRP initiatives. USDA should clarify the PEA (in section 3.2.1) to indicate that "*The prohibited take of* species protected by the MBTA are not assessed here…"

Significance Criteria for Wildlife

The Draft PEA establishes a Significance Criteria for wildlife (Sec. 3.2.3.1) that includes: "Impacts to wildlife would be considered significant if land with unique communities or habitat was lost, population-level changes that could alter ecosystems at a landscape level occurred, or Federal laws or regulations that protect wildlife resources were violated. Impacts to protected species would be considered significant if the unauthorized take of a federally listed plant or animal species or an impact to designated critical habitat occurred." We believe this criteria is overly restrictive. Some of the most significant impacts of the Conservation Reserve Program occur at the species level, where wildlife like the ring-necked pheasant, mallard duck, brook trout, or northern bobwhite quail have seen tremendous benefits that nevertheless might not be considered enough to meet the standard of "population-level changes that could alter ecosystems at a landscape level."

With respect to protected species, the CRP has provided substantial benefits to countless protected species. CRP benefits were included in the justification for the U.S. Fish & Wildlife Service decision to declare protection for the greater sage-grouse under the Endangered Species Act no longer warranted. The lesser prairie chicken was listed as threatened, then that listing was removed, and now petitions have been filed to re-list it. Once again, benefits provided by CRP contract land have been very important in maintaining the species and its habitat. However, the Fish & Wildlife Service is not required to identify designated critical habitat for every listed species, and where it has identified critical habitat, it generally does not include habitat not occupied by the species in the designation. Because the CRP generally operates by transforming cropland into grassland, shrubland, or woodland, for most protected species the CRP would be transforming unoccupied cropland into potential habitat. The most substantial impacts to protected species from the CRP would therefore not be expected to occur as "impacts to designated critical habitat" (as proposed) but rather as additions to habitat suitable for use by the species.

> **We recommend the Significance Criteria for wildlife be revised: "Impacts to wildlife would be considered significant if land with unique communities or habitat was lost, significant population-level changes occurred, or Federal laws or regulations that protect wildlife resources were violated. Impacts to protected species would be considered significant if the unauthorized take of a federally listed plant or animal species or an impact to designated critical habitat occurred, or if population-level changes that impact a protected species or help prevent the listing of a species occurred."**

Significance Criteria for Wetlands and Water Quality

The Draft PEA (Sec. 3.3.3.1) establishes the significance criteria for wetlands: "Impacts to wetlands could be considered significant if implementation of the 2018 Farm Bill changes to CRP threatened or damaged unique hydrologic characteristics, or violated established laws or regulations." We believe that is an overly restrictive standard. Executive Order number 11990[4] from 1977 establishes a policy of "no net loss" of wetlands at the national level, and directs each federal agency to "avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands" by providing leadership and taking action to minimize the destruction, loss or degradation of wetlands in conducting Federal activities and programs affecting land use.

> **We recommend the significance criteria for wetlands be revised: "Impacts to wetlands could be considered significant if implementation of the 2018 Farm Bill changes to CRP threatened or damaged unique hydrologic characteristics, violated**

[4] *Protection of Wetlands, Executive Order 11990*, May 24, 1977, 42 F.R. 26961.

established laws or regulations, or resulted in a net loss of wetlands pursuant to Executive Order No. 11990."

While further analysis should be done to confirm this, we believe that, if properly implemented, the changes to the 2018 Farm Bill with respect to the Conservation Reserve Program should not result in a net loss of wetland resources. There are, however, scenarios which could result in a net loss of wetland resources. Should USDA implement the changes to the CRP in ways that result in a significant reduction in overall CRP enrollment (e.g. by failing to offer adequate compensation for contracts, failing to offer enrollment opportunities, or failing to accept an adequate number of offers from landowners), or a substantial reduction in CRP contract acres dedicated to wetland buffers and wetland protection (such as the Farmable Wetlands Program), then the program arguably could result in a net loss of wetland resources.

The Draft PEA (Sec. 3.3.3.1) also provides significance criteria for water quality, saying "Impacts to water quality would be considered significant if the changes result in violation of established laws or regulations related to water quality protection. Potential impacts to surface water quality would be site-specific..." We believe this significance criteria is overly restrictive. The Federal Clean Water Act provides a clear statement of National policy: "The objective of this chapter is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters," and that "it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved by July 1, 1983.[5]" The Clean Water Act also provides direction to Federal agencies: "Federal agencies shall co-operate with State and local agencies to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water resources.[6]"

We think this national policy should be reflected in the Draft PEA's significance criteria for water quality, because at a programmatic level the CRP can and does have a significant impact on the chemical, physical, and biological integrity of the Nation's waters. We know that, when used in targeted watersheds, Conservation Reserve Enhancement Program and other CRP initiatives can have a substantial positive impact on water quality.

We recommend the significance criteria be revised: "Impacts to water quality would be considered significant if the changes result in violation of established laws or regulations related to water quality protection, or result in a significant degradation of water quality at a watershed scale. Potential impacts to surface water quality could also be site-specific and depend on the CPs to be installed, proximity to surface water and other site factors."

[5] Clean Water Act, 26 USD 1251(a).
[6] Clean Water Act, 26 USC 1251(g).

As with wetlands, important USDA decisions needed to implement the changes to the CRP made in the 2018 Farm Bill could have important impacts to water quality and to our Nation's commitment to restore our waters to fishable and swimmable.

Soils

The Draft PEA's description of soils includes soil classification but largely leaves out the importance of the bacteria, fungi, and other life in the soil that is so critical to the functions described. Higher soil organic matter and higher levels of beneficial microbes help build and maintain soil structure, allowing more infiltration of precipitation, reducing runoff of sediment and nutrients, and reducing soil erosion. Those beneficial microbes help sequester carbon in the soil, including in long-term stable forms like humus. CRP practices help restore healthy soils, but different grazing and haying management and different conservation practices can produce significantly different results with respect to soil health and resulting soil, water quality, and wildlife benefits. With respect to the significance criteria, changes produced by CRP contracts are almost never "permanent" as the contracts are typically limited to 10 or 15 years, and the landowner retains the right to change the land's management at the end of the contract period. While soil erosion is one of the three primary purposes of the CRP, the program has important impacts on soil health, not just soil erosion, and those benefits should be recognized and considered. As USDA chooses strategies to implement the CRP changes in the 2018 Farm Bill, the relative differences in the impact on soil health should be a significant issue to consider.

> **We recommend the description of soils as a resource include discussion of soil health and the impacts of CRP practices on soil health. We recommend that the significance criteria for soils be revised: "Impacts to soil resources would be considered significant if implementation of the changes to CRP resulted in a long-term increase in erosion or the erodibility of soils, altered soil characteristics in ways that would threaten the viability of conservation cover, significant changes in the biological health of soils, or impacts to unique soil conditions in sensitive habitats."**

We think, in general, that implementation of CRP practices should have a positive impact on soil health. We recognize, as should USDA in its analysis, that different USDA practices and management (including haying and grazing) can have substantially different impacts on soil health.

Air Quality Analysis

The Table 3.5-1 included in the Draft PEA may contain incorrect data, but whether or not it does, the data presented warrants better explanation. If the delta (change) from the 2013 acres of CRP to 2017 is -2.6 million acres (26 million to 23.4 million), then the change in CO2 sequestration

on CRP lands from 38 (2013) to 34 (2017) should be -4 (not 4), and the change in million metric tons reduced fuel and fertilizer from 6 (2013) to 10 (2017) should be +4 (not -4). It isn't clear why, with fewer acres enrolled in CRP, the reduced fuel and fertilizer use resulting from taking those lands out of production would increase, and increase substantially, so if that results from a change in how the factor is calculated that would benefit from an explanation in the document. The analysis would also benefit substantially from an estimate in the table or the discussion that follows of the expected change under USDA's proposed implementation of the CRP provisions of the new Farm Bill.

We concur with the proposed significance criteria, that an impact should be considered significant if changes to CRP would substantially diminish the greenhouse gas emissions benefits from the 2017 baseline. We would note that the science of carbon sequestration is advancing rapidly, that sequestration benefits can vary significantly based on soil type, local climate, and practice in place, and that the type of management (e.g., haying versus whole-field grazing versus managed rotational grazing) also has a significant impact on carbon sequestration[7].

III. The Draft PEA Fails to Provide Meaningful Alternatives

A foundation of National Environmental Policy Act environmental review is the requirement that agencies identify a range of reasonable alternatives to the decisions the agency proposes to make, carry out an analysis comparing those alternatives, and give the public an opportunity to comment on the alternatives and agency analyses. The process is designed to inform the final agency decision. By failing to develop or assess meaningful alternatives, we believe the Draft PEA fails to meet the guidance provided by the Council for Environmental Quality and the legal requirements under the National Environmental Policy Act.

Guidance provided by the Council for Environmental Quality on the effective use of programmatic NEPA reviews notes that "NEPA requires Federal agencies to consider the effects of a proposed action *and any reasonable alternatives* on the human environment[8]" (emphasis added). The guidance goes on to say:

> "The purpose and need statement is key to developing the NEPA review, as it establishes the scope of the analyses, range of reasonable alternatives, and frames the decision to be made. The purpose and need for a programmatic review will differ from the purpose and need for a project- or site-specific EA or EIS. The purpose and need for a PEA or a PEIS should be written to avoid eliminating reasonable alternatives and focused enough for the

[7] See, for example, Schonbeck, Mark et al, *Soil Health and Organic Farming: Organic Practices for Climate Mitigation, Adaptation, and Carbon Sequestration,* Organic Farming Research Foundation, 2018.
[8] Executive Office of the President, Council on Environmental Quality, *Memorandum for Heads of Federal Departments and Agencies; Subject: Effective Use of Programmatic NEPA Reviews,* Washington, DC, December 18, 2014, p. 5.

agency to conduct a rational analysis of the impacts and allow for the public to provide meaningful comment on the programmatic proposal.[9]"

We believe the Council on Environmental Quality (CEQ) guidance can support the use of current program implementation (i.e., pre-2018 Farm Bill) as a "no action alternative" which serves as a baseline for comparison. We note that, unlike the 2019 Draft PEA, the *2014 Final Supplemental Programmatic Environmental Impact Statement for Conservation Reserve Program* prepared after the 2014 Farm Bill[10] included in its No Action Alternative the non-discretionary changes made by the 2014 Farm Bill. Provisions like CRP contract land becoming eligible for the Conservation Stewardship Program or Agricultural Conservation Easement Program in the last year of the CRP contract, and allowing emergency haying and grazing without a reduction in the CRP rental rate were included in the No Action Alternative and became part of the baseline assessment.

In the 2014 Final Supplemental Programmatic Environmental Impact Statement (SPEIS), discretionary USDA decisions became part of the Proposed Action, including targeting enrollment to environmentally sensitive lands through reverse auctions, managed harvesting and routine grazing frequencies, and emergency haying and grazing on additional CRP conservation practices. The SPEIS then assessed the likely environmental impact of each of these proposed decisions.

In contrast, the 2019 Draft PEA uses the law prior to passage of the 2018 Farm Bill as the No Action Alternative, and only includes *non-discretionary* changes required by Congress in the Proposed Action. While that type of assessment might have been helpful to Congress in enacting the legislation, it is not useful in helping USDA or the public assess the likely impacts of discretionary decisions to be made by the agency in implementing the legislation. We believe the CEQ guidance and the NEPA law requires that USDA develop reasonable alternatives beyond the one "Proposed Action" presented, and that those alternatives reflect the major discretionary decisions USDA can make to implement the revised program.

The Council on Environmental Quality Guidance clearly contemplates the development and analysis of alternatives to the agency's proposed action, and it specifically notes that "the standard NEPA requirements for alternatives apply.[11]" Key decisions facing the U.S. Department of Agriculture in implementing the CRP provisions include how many program acres to allocate to Conservation Reserve Enhancement Program agreements and the Farmable Wetlands Program; whether to significantly exceed the statutory minimums allocated to Continuous CRP, CRP Grasslands, and/or the Clean Lakes, Estuaries, and Rivers (CLEAR) initiative; whether and

[9] Ibid, p. 18-19.
[10] U.S.D.A. Farm Service Agency, *2014 Final Supplemental Programmatic Environmental Impact Statement for Conservation Reserve Program*, December 2014.
[11] Executive Office of the President, Ibid, p. 21.

how to continue to provide State Acres for Wildlife Enhancement (SAFE) contracts as an option; whether and how to revise the Environmental Benefits Index used to score and award general signup contracts; how to achieve the proportionate allocation of 60% of available acres to states based on historical enrollment; whether and how to maintain CRP enrollment as close to the statutory maximum as practicable; whether to provide a preference or requirement for native plants in all CRP plantings; and whether to provide a preference or requirement for the inclusion of pollinator-friendly plants in CRP plantings.

Each of these decisions would have a substantial impact on the environmental benefits of the program. In each case, information and data is available that would allow USDA to evaluate the benefits, costs, and feasibility of implementing the option. Although as the Draft PEA explains the program cannot control which landowners apply for CRP contracts, it does have decades of experience in managing the program and in understanding the environmental benefits and costs likely to result from these different alternatives to implementing the program.

Although a number of past environmental assessments and environmental impact statements have addressed questions related to haying and grazing on CRP land, few of the past assessments have touched on these other critically important decisions. Incorporating past environmental reviews, as this Draft PEA does, does not excuse the agency from developing and assessing alternatives where the issues have not been adequately reviewed in the past.

Were USDA contemplating using a series of additional tiered reviews where the environmental impact review of these decisions were to be carried out in the future before the decisions are made, the approach taken in the Draft PEA might be more understandable. However, the Draft PEA notes that each CRP parcel is subject to an Environmental Evaluation (EE), then indicates USDA's position that: "This PEA and the site-specific EE will provide the full NEPA coverage.[12]" We disagree that this approach would provide adequate coverage under NEPA.

> **The Draft PEA as written does not provide adequate NEPA coverage. The Final PEA should identify a range of alternatives for implementing the discretionary decisions to be made by USDA, provide an evaluation of the likely impact of those alternatives, and give the public transparency and a reasonable opportunity to comment on the alternatives and the USDA evaluation of those alternatives.**

IV. Providing Reasonable Alternatives

As we noted above, USDA has many key decisions to make in implementing the Conservation Reserve Program under the 2018 Farm Bill. Key decisions include how many program acres to allocate to Conservation Reserve Enhancement Program agreements and the Farmable Wetlands

[12] Draft PEA, p. 3-1.

Program; whether to significantly exceed the statutory minimums allocated to Continuous CRP, CRP Grasslands, and/or the Clean Lakes, Estuaries, and Rivers (CLEAR) initiative; whether and how to continue to provide State Acres for Wildlife Enhancement (SAFE) contracts as an option; whether and how to revise the Environmental Benefits Index used to score and award general signup contracts; how to achieve the proportionate allocation of 60% of available acres to states based on their historical enrollment; whether and how to maintain CRP enrollment as close to the statutory maximum as practicable; whether to provide a preference or requirement for native plants in all CRP plantings; and whether to provide a preference or requirement for the inclusion of pollinator-friendly plants in CRP plantings.

Each of these decisions will have a significant impact on the overall environmental benefits provided through the program. The CLEAR initiative is intended to provide water quality benefits by reducing runoff of nutrients and other pollutants from farms. Nearly 2 million acres of SAFE contracts provide benefits for wildlife deemed a high priority at the state level. Native plants would provide additional benefits for native wildlife species. There are currently just over a half-million acres of pollinator habitat (CP42) contracts, but adding pollinator-friendly plants to other CRP plantings could provide big benefits for pollinators. In some cases, decisions made by USDA could have a negative environmental impact. For example, a decision to abandon SAFE contracts could put at risk the benefits nearly 2 million acres of SAFE practices provide for at-risk species like the lesser prairie chicken, sage grouse, gopher tortoise, and red cockaded woodpecker.

We believe USDA should develop reasonable alternatives for each of these major decisions to evaluate. For acreage-based targets, that could mean establishing as alternatives statutory minimums or rough current program levels (e.g., 8.6 million acres Continuous CRP, 2 million acres of CRP Grasslands, 1 million acres of CREP allocations, 2 million acres of SAFE acres, and 400,000 acres of Farmable Wetlands Program contracts), along with at least one option for each for significantly higher enrollment targets (e.g., 10 million acres Continuous CRP, 3 million acres CRP Grasslands, 2 million acres CREP, 3 million acres of SAFE, 800,000 acres Farmable Wetlands).

Other major decisions suggest their own alternatives, such as providing a preference or requirement for the use of native plant species or inclusion of pollinator-friendly plants in establishing CRP practices.

With respect to the Environmental Benefits Index, any options for major changes in the formula with respect to environmental or economic factors being considered by USDA for future CRP general signups should be identified, discussed, and evaluated in the Final PEA.

As part of the environmental review, USDA should develop reasonable alternatives for each major decision needed to implement the program moving forward, reflecting the areas where the agency has been given substantial discretionary authority by Congress.

USDA has substantial information on existing and past CRP contracts, on the resource impacts (soil, water, wildlife, and other resources) of different practices, and of the historic shifts in CRP enrollment type, location, and costs in response to changes in contracts offered through the program. USDA should use this expertise to evaluate different scenarios for allocating and targeting the Conservation Reserve Program, and for boosting the environmental benefits, to give USDA and the public critical information needed to evaluate discretionary program decisions.

V. In Conclusion

We appreciate the opportunity to provide comments on the USDA Farm Service Agency's *Draft Programmatic Environmental Assessment for the Conservation Reserve Program*. The USDA has important decisions to make concerning implementation of the extensive changes made by Congress to the Conservation Reserve Program in the 2018 Farm Bill. This environmental assessment process under the National Environmental Policy Act should provide transparency and an opportunity to comment for the public, and valuable information to the agency as it decides how to implement those provisions.

With the changes we propose above, the Programmatic Environmental Assessment would better cover all of the major changes made to the Conservation Reserve Program (CRP) in the 2018 Farm Bill, would identify and assess a range of alternatives available to implement the provisions where USDA has substantial discretion to act, and would provide more meaningful criteria for assessing the significance of the likely impacts.

We would be pleased to provide further information or to discuss these recommendations.

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