

## Chapter 8 : USDA Programs to Address Wind Erosion

Program information is current as of the printing of this handbook (June 2020), however please be aware that these programs may be subject to changes under the most current Farm Bill or other laws. Please contact your local USDA Service Center for additional details.

### Natural Resources Conservation Service (NRCS) Programs

Subsequent to the planning process conducted by NRCS with the producer, as outlined in Chapter 5, a comprehensive set of conservation practices will be recommended. This technical assistance is provided through NRCS's voluntary Conservation Technical Assistance Program without a cost to the producer. The producer can then elect to pursue the recommended practices on his or her own accord, pace and expense. NRCS offers voluntary programs to eligible landowners and agricultural producers to provide financial assistance to help manage natural resources in a sustainable manner. Alternatively, producers may explore financial assistance through an assortment of programs that NRCS administers, such as Environmental Quality Incentives Program, Conservation Stewardship Program, and/or Regional Conservation Partnership Program.

### Environmental Quality Incentives Program (EQIP)

EQIP is the flagship program for NRCS in getting conservation on the ground. EQIP provides financial and technical assistance to agricultural producers to address natural resource concerns by funding the installation of nearly every practice discussed in Chapters 6 and 7. The availability for financial assistance for some practices may be restricted in some areas due to the limited application of those practices in those areas. Any individual farmer or rancher wishing to control wind erosion on the agricultural lands they own and/or operate will find this program full of opportunity to sustain productivity and make their fields and pastures more resilient to extreme weather and climatic conditions. Producers across the country can choose from a robust set of practices to address erosion that meets their objectives and aligns with their production systems. The 2018 Farm Bill included language to allow EQIP more flexibility in addressing anticipated resource concerns. Also, it specifically recognizes that producers are facing resource concerns created by extreme weather events and enables NRCS to help assist producers adapt

to and mitigate against increasing weather volatility. These additions to the Farm Bill should create more opportunity for farmers and ranchers to address wind erosion through EQIP.

NRCS makes payments under EQIP according to a Payment Schedule for each practice. The Payments Rates are collectively assembled in each state's Payment Schedule. The Payment Schedules for each state can be found on the NRCS website under Financial Assistance, [State Payment Schedules](#).<sup>180</sup> The Payment Rates are determined in a multi-state region by analyzing the current costs for material and labor within the state and also the fair marketplace compensation for opportunity costs that may arise (e.g., conversion of productive land). Each state does have some discretion in applying a percentage to these average regional costs to determine the Payment Rate for that state, which is why the Payment Rate can vary for the same practice from state to state.

Nearly every conservation practice has multiple scenarios with various Payment Rates, based on the size, complexity, or the processes involved in installing the practice. For instance, the cost of a field border can vary widely based on whether you are planting introduced species, natives, or pollinator species. This is due mainly to seed costs. After selecting a state from the link above, a complete set of scenario descriptions can be downloaded that also shows how the Payment Rate is calculated. The list of practice scenarios for each state may be from a few hundred to over one thousand, depending on the diversity of agriculture in the state. The list does include Enhancement Scenarios used in the Conservation Stewardship Program, discussed under separate heading. Payment Schedules are developed with complete transparency to the public. Recommendations to the rates can be brought forth through conservation districts, local work groups and/or the State Technical Committee.

Financial assistance is provided to agricultural producers through Conservation Program Contracts (CPC). Producers select appropriate conservation practice scenarios from their conservation plan and agree to follow NRCS standards, specifications and designs provided for each practice. Each practice is established as a line item in the contract. In some cases, practice installation might include avoidance of identified cultural resources and measures to avoid effects to threatened and endangered species, but these requirements would be discovered during the conservation planning process, well before the CPC process. The CPC is generally scheduled for completion over a one to five-year period, based on the number of practices that are scheduled for installation.

To be eligible for EQIP, farmers, ranchers, forest landowners must establish or update the Farm Service Agency record for both the person(s) and the land for the application to be eligible

and evaluated. Farm records for the person must indicate the applicant controls or owns eligible land; meets adjusted gross income (AGI) and payment limitation provisions; and be in compliance with highly erodible land and wetland conservation requirements.

Once your application has been filed and both you and your land are determined to be eligible for EQIP, NRCS will evaluate the current condition of the natural resource conditions or concerns on your land. Once you have chosen the practices to apply to your land, your application will be evaluated in the national, state, or local funding pool in which you have applied. Funding pools allow EQIP to target funding to specific natural resource concerns, locations or operations, nationally, by state, and locally. Applicants not selected may reapply in the next funding cycle with the same or modified proposal.

#### Conservation Stewardship Program (CSP)

The CSP is the largest conservation program in the United States, with 70 million acres of land across the country enrolled in the program as of 2016.<sup>181</sup> The program is designed to help operators build upon and enhance their existing conservation efforts. Through this program, producers can enroll their land in a five year contract with the NRCS, during which they receive payments to do two things – annual payments for installing new conservation activities and maintaining existing practices; and supplemental payments for adopting a resource-conserving crop rotation.<sup>182</sup> The payment schedule for adopted activities is structured similarly to that for EQIP payments (described above), with a predetermined fixed payment per given activity; the payment rates for eligible activities can be found in the same general location as the EQIP payment schedules (hyperlinked above).<sup>180</sup> Payments for maintaining existing conservation practices are fixed and based on the number of resource concerns already being met and the land use type.<sup>183</sup> There is also an option in some cases for supplemental payments for adopting or improving a resource-conserving crop rotation.<sup>183</sup> At the end of the five year term, producers who have successfully met their contracted resource stewardship requirements will have the option of renewing for an additional five years, provided they select additional conservation activities they will implement to meet or exceed stewardship thresholds for an additional two priority resource concerns.<sup>181</sup>

CSP is a program designed for “working lands” – agricultural or forestry operations that are actively being managed to produce agricultural or forestry products.<sup>184</sup> Producers on these lands are given the support and financial flexibility to improve upon their existing management through a variety of activities dubbed “enhancements”. Enhancements are fine-tunings of NRCS

conservation practices with a very specific goal. For example, Cover Crop (340) is a conservation practice that has multiple benefits and applications, and might be applied to meet any of a number of goals, depending on the situation in which it is applied. Cover crop to reduce wind erosion (E340102Z) is an application of this practice with the very specific goal of reducing wind erosion below tolerable threshold levels, and thus would be planned with this objective in mind.<sup>185</sup> A producer could even take it a step further and decide to adopt the “Crop Bundle #9 – Wind Erosion – Organic” enhancement bundle – a suite of practices which have been determined to work together synergistically to provide improved conservation of a particular resource concern,<sup>186</sup> in this case wind erosion on cropland (note that despite the name, Organic bundles can be applied on any land, not just organic operations<sup>187</sup>). Enhancement bundles result in a higher payment rate,<sup>182</sup> and many land managers find that the bundled practices make sense to implement together on their land.<sup>186</sup> An example of an enhancement bundle worksheet is included in Appendix B, [Exhibit 8-1](#). An NRCS conservation planner will work one-on-one with a CSP applicant to identify the enhancements and/or enhancement bundle(s) that best support their management goals while simultaneously addressing the identified resource concern(s).<sup>186</sup>

The CSP program is open to all producers regardless of the size of their operation or the type of crops produced. Producers must, however, have the effective control of their land for the term of the proposed contract. Lands eligible for the program include private and tribal agricultural lands, cropland, grassland, pastureland, rangeland, and nonindustrial private forest land.<sup>188</sup> The CSP is an all or nothing type of enrollment – producers must enroll all agricultural or private forest land in their operation that they will have control of for the term of the contract.<sup>189</sup> Details on the application process and steps can be found on the [NRCS’s website for the CSP](#).<sup>184</sup> Applications are competitively ranked in terms of how well the applicant’s current and future management system will address national, state, and local natural resource priorities.<sup>189</sup> There is also a new CSP Grasslands Conservation Initiative which applies to certain croplands which were planted to grass or pasture, including idle or fallow, during a specific period.<sup>188</sup> More information on this program can be obtained from the local NRCS.

#### Regional Conservation Partnership Program (RCPP)

With the 2014 Farm Bill, Congress recognized the growing interest of partners in conservation by establishing the RCPP. This program combines the benefits of EQIP, CSP, the Healthy Forest Reserve Program (HFRP), the Agricultural Conservation Easement Program (ACEP), and the Public Law 83-566 Watershed Authorities (PL-566) into one umbrella program that can use any combination of these programs or any single program to address a recognized

natural resource problem on a watershed, landscape or community scale through partner involvement. HFRP and ACEP are conservation easement programs designed to protect and preserve healthy forests and productive agricultural lands, respectively, for years to come. RCPP requires an eligible partner to serve as sponsor for the project proposal and coordinate the requirement for matching funds from interested partners. Eligible partners include agricultural or silvicultural producer associations, farmer cooperatives or other groups of producers, state or local governments, American Indian tribes, municipal water treatment entities, water and irrigation districts, conservation-driven nongovernmental organizations and institutions of higher education, and conservation districts. If the project proposal includes the use of PL-566, the sponsor must meet the definition of an eligible sponsor under that authority, which is basically a unit of government with taxation authority and the capability of acquiring easements and rights-of-way.

The project sponsor submits a project proposal in response to a public announcement by NRCS. The proposal must address an eligible activity, of which erosion control is listed. The 2018 Farm Bill restructured this program to include a state pool, a multi-state pool and a Critical Conservation Area (CCA) pool. The CCA pools are regional in nature and structured by NRCS national headquarters. The other pools are vetted and ranked under the authority of the State Conservationists. This program was originally authorized under the 2014 Farm Bill and appropriations averaged about 250 million dollars per year and were funded through the individual programs mentioned above. With the 2018 Farm Bill, Congress authorized 300 million dollars per year of direct funding to RCPP. This signals the growing importance of this program.

Specifically for wind erosion, communities, conservation districts, state air quality departments, producer groups, tribes, and others will find RCPP to be an excellent means to leverage federal dollars with local and state to address a known local or regional wind erosion problem. In irrigated areas of the west that have suffered severe water shortages resulting in cutbacks to water supplies, RCPP may provide help to develop a plan, provide treatment alternatives, and financial assistance to install practices mentioned in this handbook.

## FSA Programs

These programs may be subject to changes under the most current Farm Bill or other laws. Please contact your local USDA Service Center for additional details.

## Conservation Loans

FSA Conservation Loans provide access to direct and guaranteed conservation loans for farmers and ranchers who wish to implement conservation measures on their farm or ranch but do not have the funds for the initial “up-front” costs associated with those measures.<sup>190</sup> Loans are available for conservation practices approved by the NRCS, including reducing soil erosion, improving water quality, and promoting sustainable and organic agricultural practices.<sup>190</sup> Several conservation measures that achieve these goals can also help control wind erosion. Some specific conservation practices listed on the program fact sheet that, depending on the specifics, might also help control wind erosion/dust emissions are: installing conservation structures, establishing forest cover, establishing or improving permanent pastures, and adapting other emerging or existing conservation practices, techniques or technologies. Several of the conservation practices discussed in Chapter 6 and Chapter 7 of this handbook could easily fall under these categories and thus might be eligible for a loan to implement. The eligibility of specific practices, however, should always be confirmed directly with the FSA ([www.fsa.usda.gov/farmloans](http://www.fsa.usda.gov/farmloans) or find a local FSA office at [www.farmers.gov](http://www.farmers.gov)) before proceeding with any plans or activities. Before financing for any project can be offered, the applicant must have a NRCS-approved conservation plan.<sup>190</sup>

## Conservation Reserve Program (CRP)

USDA Farm Service Agency’s (FSA) Conservation Reserve Program (CRP) is a voluntary program whereby participants enter into a contract with the FSA to repurpose environmentally sensitive agricultural land for conservation benefits instead of farming or ranching it.<sup>191</sup> These are longterm contracts, and the FSA pays participants a rental fee plus provides cost-share assistance in return for the participant establishing long-term resource conserving cover vegetation (such as approved trees or grasses).<sup>191</sup> The purpose of the program is to control soil erosion, improve water quality, and reduce loss of wildlife habitat on these environmentally sensitive lands.<sup>192</sup> Several practices identified under CRP are consistent with the NRCS practice “Conservation Cover (327)” which has been recognized by the NRCS as helping to control wind erosion. Land may be offered to be enrolled in CRP during the “general sign-up” opportunities that are periodically offered and announced by the USDA.<sup>192</sup> Land offers are bid into the program on a competitive basis during these enrollment periods and bids are ranked according to the Environmental Benefits Index (EBI).<sup>191</sup> Historically, eligible land “must be cropland that is planted or considered planted to an agricultural commodity for four of six crop years, and that is physically and legally capable of being planted (no planting restrictions due to an easement or other legally binding instrument) in a normal manner to an agricultural commodity.”<sup>191</sup> Alfalfa or

other multiyear grasses and legumes grown in a rotation not to exceed 12 years may also be eligible. “Land also must meet one of the following criteria: Have a weighted average erosion index of eight or higher; Be enrolled in a CRP contract that expires Sept. 30 or; Be located in a national or state CRP conservation priority area.”<sup>191</sup>

Another option for participating in the CRP program is through Conservation Reserve Program – continuous enrollment. Under the continuous enrollment authority, environmentally sensitive land devoted to certain conservation practices may be offered and enrolled at any time.<sup>191</sup> Eligible practices are published by the FSA and can be found on their website as a subheading under the [CRP program information](#).<sup>193</sup> Depending on the conservation practice identified, some might also help to control wind erosion even though the primary focus may be to address a different resource concern. For example, vegetation established to enhance water quality and/or control water erosion might also provide some protection from wind erosion as a secondary benefit. Acceptance of offered land under continuous enrollment is not competitive – offers are automatically accepted if land and producer eligibility requirements for the program are met and enrollment levels do not exceed the statutory cap.<sup>194</sup> Historically, in order to be eligible, “land must be cropland that is planted or considered planted to an agricultural commodity four of six crop years, and is physically and legally capable of being planted (no planting restrictions due to an easement or other legally binding instrument) in a normal manner to an agricultural commodity. Certain marginal pastureland that may be devoted to riparian buffers is also eligible.”<sup>194</sup>

The Conservation Reserve Program (CRP) Grasslands is a part of the CRP that helps those who own or operate grasslands, including rangeland or pasturelands, protect their lands while retaining the right to use the land for livestock grazing.<sup>195</sup> Emphasis is placed on “support for grazing operations, plant and animal biodiversity, and eligible land containing shrubs and forbs under the greatest threat of conversion.”<sup>195</sup> Participants receive rental payments from the FSA in return for following an approved CRP conservation plan. FSA will provide cost-share of no more than 50 percent of the participant’s costs for establishing approved practices on eligible land.<sup>195</sup> Land must be currently planted in a grass cover in order to be eligible.<sup>196</sup> Small livestock operations with 100 or fewer grazing dairy cows or equivalent can submit applications to enroll up to 200 acres per farm.<sup>196</sup> Acceptance of offered land is competitive and all offers are ranked by the FSA.<sup>196</sup> Ranking criteria is published in the FSA fact sheet [Conservation Reserve Program \(CRP\) – Grasslands](#),<sup>196</sup> however interested parties should contact the FSA directly to inquire about the most up to date criteria at the time of their application, and the dates for the current signup period. Conservation practices under the CRP Grasslands program potentially could have a

preventative impact on controlling wind erosion by preserving grass cover on lands that might otherwise be converted to cropland or non-agricultural use, however this is speculation and not guaranteed.

#### Conservation Reserve Enhancement Program (CREP)

The CREP is similar to the CRP-continuous enrollment program in that land may be offered and enrolled on a continuous basis, however one may only enroll land if the state in which the land is in has a CREP agreement.<sup>197</sup> CREP is a partnership to address high priority conservation concerns.<sup>197</sup> Historically, farmers and ranchers have been paid an annual rental rate, along with other federal and state incentives as applicable, in return for removing environmentally sensitive land from production and instead establishing permanent vegetation that will enhance further conservation of the natural resources on that land.<sup>197</sup> Participation is voluntary, and the contract period is typically 10–15 years.<sup>197</sup> Interested producers should contact their local FSA office to find out if their state has an active CREP agreement.

#### Emergency Conservation Program (ECP)

ECP provides assistance to certain agricultural producers in restoring farmland and conservation structures that have been damaged by natural disasters, and for implementing emergency water conservation measures during a severe drought.<sup>198</sup> Assistance cannot be used to remedy or address conservation problems that existed before the applicable natural disaster.<sup>198</sup> Assistance may be used, however, to restore certain conservation structures that previously existed.<sup>198</sup> Restoring windbreaks/shelterbelts or access-control fences that have been damaged by a natural disaster might possibly be an eligible activity under this program, for example. This suggestion is provided as a speculative illustration only however, and inquiries about the specific eligibility of any proposed activity should be directed to a local FSA office, where more information about this program and producer eligibility requirements can also be obtained.

#### Emergency Forest Restoration Program (EFRP)

EFRP provides financial assistance to eligible owners of nonindustrial private forest (NIPF) land for use in the emergency restoration of land damaged by natural disasters.<sup>199</sup> The FSA County Committee inspects the damage to determine if forest land is eligible for EFRP.<sup>199</sup> The



natural disaster must have resulted in damage that if untreated would impair or endanger the natural resources on the land and/or materially affect future use of the land. The land also must be suitable for growing trees and have existing tree cover (or had tree cover immediately before the natural disaster occurred).<sup>199</sup> Due to this being an emergency restoration program, it is possible that any wind erosion-controlling measures covered may be limited to restoring pre-existing conditions, however this suggestion is speculative and inquiries about the eligibility of any specific proposed activity should be directed to a local FSA office.