

**Agricultural Conservation Easement Program - Wetlands Reserve Easements
2018 Farm Bill Implementation Listening Session
comments from the
Wetland Conservation Policy Coalition**

The Wetland Conservation Policy Coalition (“Coalition”) is composed of several conservation and landowner organizations working to improve the Wetlands Reserve Easement (WRE), including The Nature Conservancy, Ducks Unlimited, Wildlife Mississippi, the Association of Fish and Wildlife Agencies, Pheasants Forever/Quail Forever, California Waterfowl Association, the Mississippi River Trust, and the Mississippi River Landowners Alliance.

WRE is one of our Nation’s most successful voluntary conservation programs. The program restores previously converted wetlands and provides willing landowners and producers a financially viable alternative to farming marginal land while still retaining property ownership. A study recently conducted by Doug Lawrence, a respected natural resource economist and former USDA leader, demonstrated that when land is enrolled in WRE, there are significant savings from government expenditures on commodity and crop insurance programs on these lands. For example, enrolling 100,000 acres of cropland in WRE annually would save approximately \$292 million over 10 years. In addition to these benefits, WRE also improves water quality and creates habitat for migratory birds, at-risk species, and resident wildlife, which in turn boosts rural economies as sportsmen and women as well as other wildlife enthusiasts utilizing these lands for recreation.

In the 25 years since WRE’s inception, almost 3 million acres have been restored and protected with the cooperation of more than 15,000 landowners and producers. The program continues to be popular with America’s landowners. Demand for WRE continually exceeds available funding with less than 25% of eligible applications accepted. The current backlog comprises more than 1,000 applications representing 180,000 acres, or \$400 million.

This Coalition has several specific recommendations to improve WRE.

Section 2604. Wetland Reserve Easements

1. The Coalition recommends the Secretary and NRCS provide a minimum of \$30 million in funding annually, beginning in FY19, for wetland reserve enhancement partnership (WREP) opportunities. WREPs are an excellent opportunity to leverage funding and target financial resources to address priority areas for wetland restoration. Partner requests for enhancement projects consistently exceeded available funding throughout the 2014 Farm Bill.
2. The relative importance and utilization of agricultural and wetland easements vary throughout the country from state to state. The Coalition recommends NRCS use discretion and remain flexible when allocating ACEP funding to the two easement types

but continue to base decisions on historical percentages dictated by landowner and producer demand.

3. We recommend NRCS conduct a review of WRE application and acquisition procedures to streamline and increase efficiency of the enrollment process. The various procedural changes and policy additions promulgated throughout the life of the program have made the enrollment process cumbersome and lengthy. Greater efficiency would simplify program implementation, enhance customer service, increase landowner and producer interest, and reduce withdrawal of application submissions.
4. The Coalition appreciates the recent focus on management of existing Wetland Reserve Easements. We recommend that NRCS continue to focus on management through science-based forest management and vegetation management that support migratory waterfowl and other wetland species.

Section 2503. Administrative Requirements for Conservation Programs

1. The Coalition recommends an annual date be designated by which FSA must provide NRCS with a 25% cropland compliance report. This will allow NRCS to efficiently determine ACEP-WRE acreage limitations and identify which counties remain open for new enrollment.

Section 1704. Adjusted Gross Income Limitations

1. The WRE Coalition strongly supports the reestablishment of waiver authority of the adjusted income test for ACEP-WRE. We encourage NRCS to establish a process to allow for waiver requests that results in a timely determination by the Chief. In determining criteria for environmentally sensitive land of special significance for waiving the AGI limitation for ACEP-WRE, we recommend the Secretary give the most consideration to those lands that can demonstrate significant linkages with the conservation objectives of migratory bird, wetlands conservation, and water quality programs, plans, or initiatives.
2. The Coalition recommends that FSA work with the IRS to develop a more efficient AGI certification process. Increased efficiency, such as an automated certification system, would greatly reduce certification time, enhance customer service and effectively eliminate the requirement that producers must refile because the IRS was unable to provide certification within 120 days of application submission. WRE and all programs requiring AGI certification would benefit from a more efficient AGI certification process.

On behalf of the Wetland Conservation Policy Coalition, thank you in advance for your consideration of these important recommendations.