

DEPARTMENT OF AGRICULTURE**Commodity Credit Corporation****Farm Service Agency****Record of Decision for the Programmatic Environmental Impact Statement on the Conservation Reserve Program**

AGENCIES: Commodity Credit Corporation and Farm Service Agency, USDA.

ACTION: Record of decision.

SUMMARY: The Farm Service Agency (FSA) prepared a Final Programmatic Environmental Impact Statement (PEIS) for the Conservation Reserve Program (CRP) and the Notice of Availability was published in the **Federal Register** on January 17, 2003. This document presents the Record of Decision (ROD) regarding FSA implementation of the re-authorized CRP according to the provisions of the Farm Security and Rural Investment Act of 2002, Public Law 107-121 (2002 Farm Bill). The CRP is implemented through FSA on behalf of the Commodity Credit Corporation (CCC) and is governed by regulations published in 7 CFR part 1410. This decision record summarizes the reasons for FSA selecting the Proposed Action Alternative based on the program's expected environmental and socioeconomic impacts and benefits as documented in the PEIS, all of which were considered in this decision.

FOR FURTHER INFORMATION CONTACT: Don Steck, USDA/FSACEPD/Stop 0513, 1400 Independence Ave., SW., Washington, DC 20250-0153, (202) 690-0224, or e-mail at: don_steck@wdc.usda.gov. The final CRP PEIS, including appendices and this ROD, are available on the FSA Environmental Compliance Web site at: <http://www.fsa.usda.gov/dafp/cepd/epb/impact.htm#final>.

More detailed information on these programs may also be obtained from the FSA Web site at: <http://www.fsa.usda.gov/pas/default.asp> (general) <http://www.fsa.usda.gov/dafp/cepd/default.htm> (CRP, CREP, ECP, & NEPA).

Record of Decision**I. The Decision****A. Programmatic Environmental Impact Statement (PEIS) Proposed Action Alternative as the Basis for Implementing and Expanding CRP**

Based on a thorough evaluation of the resource areas affected by CRP, a detailed analysis of four program

alternatives, and a comprehensive review of public comments on the Draft PEIS, CCC has selected the Proposed Action Alternative to implement and expand the re-authorized CRP in accordance with the provisions of the 2002 Farm Bill.

B. Overview

CRP is the Federal Government's single largest conservation program for private lands. Through voluntary partnerships between individuals and the Government, CRP provides incentives and assistance to farmers and ranchers for establishing conservation practices that have a beneficial impact on resources both on and off the farm. CRP encourages participants to voluntarily plant permanent vegetative cover on land that is subject to erosion. This vegetation safeguards millions of acres of American topsoil from erosion, provides food and habitat for wildlife, and protects water quality by reducing runoff and sedimentation.

CRP provides annual rental payments and cost-share assistance to participants for establishing long-term, resource-conserving covers on eligible land. CRP, in most cases, makes annual rental payments based on the dry land agricultural rental value of the land, and provides cost-share assistance for up to 50 percent of the participant's costs in establishing approved conservation practices. Participants enroll in CRP contracts for 10 to 15 years. FSA administers the program, with technical support provided by the Natural Resources Conservation Service (NRCS), U.S. Forest Service, Cooperative State Research and Education Extension Service, State forestry agencies, local Soil and Water Conservation Districts, and others.

C. Programmatic Changes to CRP

To implement the Proposed Action, FSA would incorporate the provisions of the recently enacted 2002 Farm Bill into the CRP regulations and revise the CRP Handbook. The 2002 Farm Bill, which governs Federal farm programs for the next 6 years, was signed into law on May 13, 2002. The 2002 Farm Bill reauthorizes CRP through 2007 and stipulates the following changes be made to CRP:

- Increase the acreage enrollment authority to up to 39.2 million acres;
- Expand the Farmable Wetlands Program (FWP) nationwide with an aggregate acreage cap of up to 1 million acres;
- Change the cropping history requirement to be 4 out of 6 years prior to the enactment of the 2002 Farm Bill;

- Provide a 1-year extension for certain contracts on land planted to hardwood trees;
- Allow participants to enroll entire fields through certain continuous CRP practices when more than 50 percent of the field is enrolled as a buffer and the remainder of the field is infeasible to farm;
- Allow participants to continue existing vegetative cover, where practicable and consistent with the objectives of CRP; and
- Provide for managed haying (including for biomass), grazing, and construction of wind turbines on CRP lands.

II. Description of the Conservation Reserve Program

CRP was initiated by Congress in Title XII of the Food Security Act of 1985, Public Law 99-198, was extended by the Food, Agriculture, Conservation and Trade Act of 1990, Public Law 104-624, and then extended to 2002 by the Federal Agriculture Improvement and Reform Act of 1996, Public Law 107-171. It has currently been authorized to continue through 2007 by the 2002 Farm Bill.

A. Conservation Reserve Program—General Sign-up

CRP General Sign-up was established in its current form in 1985. This long-term land retirement program offers participants an annual per-acre rental payment and up to half the cost of establishing a permanent long-term conserving cover, in exchange for retiring environmentally-sensitive cropland from production for a minimum of 10 years to a maximum of 15 years. Producers offer land for competitive bidding based on an Environmental Benefits Index (EBI) during periodic announced signups. The current EBI is a form of environmental targeting which ranks offers based on environmental indices and cost.

B. Continuous CRP (CCRP)

CCRP is a program initiated by FSA in 1996, with 4 million acres reserved for enrollment of highly-environmentally sensitive land that would produce optimal environmental benefits for soils, water quality, and wildlife habitat enhancement through the implementation of high-priority conservation practices such as riparian buffers, filter strips, and grass waterways. Land eligible for these high-priority practices can be enrolled at any time and the land does not have to compete with other lands for enrollment under CRP general sign-up.