

1 (B) The environmental quality incentives program.

2 (C) The conservation stewardship program, not including the grassland
3 conservation initiative under section 1240L-1.

4 (D) The healthy forests reserve program established under section 501 of
5 the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571).

6 (E) The conservation reserve program established under subchapter B of
7 chapter 1 of subtitle D.

8 (F) The programs established by the Secretary to carry out the Watershed
9 Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), except for any
10 program established by the Secretary to carry out section 14 (16 U.S.C. 1012) of
11 that Act.

12 (2) ELIGIBLE ACTIVITY.—The term ‘eligible activity’ means a practice, activity,
13 agreement, easement, or related conservation measure that is available under the statutory
14 authority for a covered program.

15 (3) ELIGIBLE LAND.—The term ‘eligible land’ means any agricultural or
16 nonindustrial private forest land or associated land on which the Secretary determines an
17 eligible activity would help achieve conservation benefits.

18 ~~(2) Eligible activity.—The term eligible activity means a conservation activity for~~
19 ~~any of the follow~~
20 ~~ing:~~

21 ~~(A) Water quality restoration or enhancement projects, including nutrient~~
22 ~~management and sediment reduction.~~

23 ~~(B) Water quantity conservation, restoration, or enhancement projects~~
24 ~~relating to surface water and groundwater resources, including—~~

25 ~~(i) the conversion of irrigated cropland to the production of less~~
26 ~~water intensive agricultural commodities or dryland farming; or~~

27 ~~(ii) irrigation system improvement and irrigation efficiency~~
28 ~~enhancement.~~

29 ~~(C) Drought mitigation.~~

30 ~~(D) Flood prevention.~~

31 ~~(E) Water retention.~~

32 ~~(F) Air quality improvement.~~

33 ~~(G) Habitat conservation, restoration, and enhancement.~~

34 ~~(H) Erosion control and sediment reduction.~~

35 ~~(I) Forest restoration.~~

36 ~~(J) Other related activities that the Secretary determines will help achieve~~
37 ~~conservation benefits.~~

38 ~~(3) Eligible land.—~~

39 ~~(A) In general.—The term eligible land means—~~

40 ~~(i) land on which agricultural commodities, livestock, or forest-~~
41 ~~related products are produced; and~~

42 ~~(ii) lands associated with the lands described in clause (i).~~

43 ~~(B) Inclusions.—The term eligible land includes—~~

44 ~~(i) cropland;~~

45 ~~(ii) grassland;~~

46 ~~(iii) rangeland;~~

1 ~~(iv) pastureland;~~
2 ~~(v) nonindustrial private forest land; and~~
3 ~~(vi) other land incidental to agricultural production (including~~
4 ~~wetlands and riparian buffers) on which significant natural resource issues~~
5 ~~could be addressed under the program.~~

6 (4) Eligible partner.— The term eligible partner means any of the following:

7 (A) An agricultural or silvicultural producer association or other group of
8 producers.

9 (B) A State or unit of local government.

10 (C) An Indian tribe.

11 (D) A farmer cooperative.

12 (E) A water district, irrigation district, acequia, rural water district or
13 association, or other organization with specific water delivery authority to
14 producers on agricultural land.

15 (F) A municipal water or wastewater treatment entity.

16 (G) An institution of higher education.

17 (H) An organization or entity with an established history of working
18 cooperatively with producers on agricultural land, as determined by the Secretary,
19 to address—

20 (i) local conservation priorities related to agricultural production,
21 wildlife habitat development, or nonindustrial private forest land
22 management; or

23 (ii) critical watershed-scale soil erosion, water quality, sediment
24 reduction, or other natural resource issues.

25 (I) An organization described section 1265A(3)(B).

26 (J) A conservation district.

27 (5) PARTNERSHIP AGREEMENT.—The term ‘partnership agreement’ means the
28 programmatic agreement entered into between the Secretary and an eligible partner,
29 subject to the terms and conditions under section 1271B.

30 ~~(5) Partnership agreement.—The term partnership agreement means an~~
31 ~~agreement entered into under section 1271B between the Secretary and an eligible~~
32 ~~partner.~~

33 (6) Program.— The term program means the regional conservation partnership
34 program established by this subtitle.

35 (7) PROGRAM CONTRACT.—

36 (A) IN GENERAL.—The term ‘program contract’ means the contract
37 between the Secretary and a producer entered into under this subtitle.

38 (B) EXCLUSION.—The term ‘program contract’ does not include a contract
39 under a covered program.

40
41 **SEC. 1271B. [16 U.S.C. 3871b] REGIONAL CONSERVATION PARTNERSHIPS.**

42 (a) Partnership Agreements Authorized.— The Secretary may enter into a partnership
43 agreement with an eligible partner to implement a project that will assist producers with
44 installing and maintaining an eligible activity on eligible land.

1 ~~(b) Length.—A partnership agreement shall be— for a period not to exceed 5 years,~~
2 ~~except that the Secretary may extend the agreement one time for up to 12 months when an~~
3 ~~extension is necessary to meet the objectives of the program.~~

4 (b) Length.—

5 (1) IN GENERAL.—A partnership agreement shall be—

6 (A) for a period not to exceed 5 years; or

7 (B) for a period that is longer than 5 years, if the longer period is necessary
8 to meet the objectives of the program, as determined by the Secretary.

9 (2) RENEWAL.—A partnership agreement may be renewed under subsection (e)(5)
10 for a period not to exceed 5 years.

11 (3) EXTENSION.—A partnership agreement, or any renewal of a partnership
12 agreement, may each be extended 1 time for a period not longer than 12 months, as
13 determined by the Secretary.

14 (c) Duties of Partners.—

15 (1) In general.— Under a partnership agreement, the eligible partner shall—

16 (A) define the scope of a project, including—

17 ~~(i) the eligible activities to be implemented;~~

18 ~~(ii) the potential agricultural or nonindustrial private forest land~~
19 ~~operations affected;~~

20 (i) 1 or more conservation benefits that the project shall achieve;

21 (ii) the eligible activities on eligible land to be conducted under the
22 project to achieve conservation benefits;

23 (iii) the implementation timeline for carrying out the project,
24 including any interim milestones;

25 ~~(iii iv)~~ the local, State, multistate, or other geographic area
26 covered; and

27 ~~(iv v)~~ the planning, outreach, implementation, and assessment to be
28 conducted;

29 (B) conduct outreach and education to producers for potential participation
30 in the project;

31 (C) at the request of a producer, act on behalf of a producer participating
32 in the project in applying for assistance under section 1271C;

33 (D) leverage financial or technical assistance provided by the Secretary
34 with additional ~~funds~~ contributions to help achieve the project objectives;

35 (E) conduct an assessment ~~of the project's effects; and of—~~

36 (i) the progress made by the project in achieving each conservation
37 benefit defined in the partnership agreement, including in a quantified
38 form to the extent practicable; and

39 (ii) as appropriate, other outcomes of the project; and

40 (F) at the conclusion of the project, report to the Secretary on its results
41 and funds leveraged.

42 (2) Contribution.— ~~An eligible~~

43 (A) IN GENERAL.—An eligible partner shall provide a significant portion
44 of the overall costs of the scope of the project that is the subject of the agreement
45 entered into under subsection (a), as determined by the Secretary.

1 (B) FORM.—A contribution of an eligible partner under this paragraph
2 may be in the form of—

3 (i) direct funding;

4 (ii) in-kind support; or

5 (iii) a combination of direct funding and in-kind support.

6 (C) TREATMENT.—Any amounts expended during the period beginning on
7 the date on which the Secretary announces the approval of an application under
8 subsection (e) and ending on the day before the effective date of the partnership
9 agreement by an eligible partner for staff salaries or development of the
10 partnership agreement may be considered to be a part of the contribution of the
11 eligible partner under this paragraph.

12 (d) Duties of Secretary.—The Secretary shall—

13 (1) establish a timeline for carrying out the duties of the Secretary under a
14 partnership agreement, including—

15 (A) entering into program contracts with producers;

16 (B) providing financial assistance to producers; and

17 (C) in the case of a partnership agreement that is funded through an
18 alternative funding arrangement or grant agreement under section 1271C(d),
19 providing the payments to the eligible partner for carrying out eligible activities;

20 (2) identify in each State a program coordinator for the State, who shall be
21 responsible for providing assistance to eligible partners under the program;

22 (3) establish guidance to assist eligible partners with carrying out the assessment
23 required under subsection (c)(1)(E);

24 (4) provide to each eligible partner that has entered into a partnership agreement
25 that is not funded through an alternative funding arrangement or grant agreement under
26 section 1271C(d)—

27 (A) a semiannual report describing the status of each pending and
28 obligated contract under the project of the eligible partner; and

29 (B) an annual report describing how the Secretary used amounts reserved
30 by the Secretary for that year for technical assistance under section 1271D(f); and

31 (5) ensure that any eligible activity effectively achieves the conservation
32 benefits identified in the partnership agreement under subsection (c)(1)(A)(i).

33 (d e) Applications.—

34 (1) Competitive process.— The Secretary shall conduct a simplified competitive
35 process to select applications for partnership agreements and may assess and rank
36 applications with similar conservation purposes as a group.

37 (2) Criteria used.— In carrying out the process described in paragraph (1), the
38 Secretary shall make public the criteria used in evaluating applications.

39 ~~(3) Content.—An application to the Secretary shall include a description of—~~

40 (3) CONTENTS.—The Secretary shall develop a simplified application that
41 includes a description of—

42 (A) the scope of the project, as described in subsection (c)(1)(A);

43 (B) the plan for monitoring, evaluating, and reporting on progress made
44 toward achieving the project's objectives;

45 (C) the program resources requested for the project, ~~including the covered~~
46 ~~programs to be used~~ and estimated funding needed from the Secretary;

1 (D) each eligible partner collaborating to achieve project objectives,
2 including their roles, responsibilities, capabilities, and ~~financial~~ contribution; and

3 (E) any other elements the Secretary considers necessary to adequately
4 evaluate and competitively select applications for funding under the program.

5 (4) Priority to certain applications.— The Secretary may give a higher priority to
6 applications that—

7 (A) assist producers in meeting or avoiding the need for a natural resource
8 regulatory requirement;

9 (B) have a high percentage of producers in the area to be covered by the
10 agreement;

11 (C) significantly leverage non-Federal financial and technical resources
12 and coordinate with other local, State, or national efforts;

13 ~~(D) deliver high percentages of applied conservation to address
14 conservation priorities or regional, State, or national conservation initiatives;~~

15 (D) build new partnerships with local, State, and private entities to include
16 a diversity of stakeholders in the project;

17 (E) deliver a high percentage of applied conservation—

18 (i) to achieve conservation benefits; or

19 (ii) in the case of a project in a critical conservation area under
20 section 1271F, to address the priority resource concern for that critical
21 conservation area;

22 (F) implement the project consistent with existing watershed, habitat, or
23 other area restoration plans;

24 ~~(E)~~ (G) provide innovation in conservation methods and delivery, including
25 outcome-based performance measures and methods; or

26 ~~(F)~~ (H) meet other factors that are important for achieving the purposes of
27 the program, as determined by the Secretary.

28 (5) RENEWALS.—If the Secretary determines that a project that is the subject of a
29 partnership agreement has met or exceeded the objectives of the project, the Secretary
30 may renew the partnership agreement through an expedited noncompetitive process if the
31 1 or more eligible partners that are parties to the partnership agreement request the
32 renewal in order—

33 (A) to continue to implement the project under a renewal of the
34 partnership agreement; or

35 (B) to expand the scope of the project under a renewal of the partnership
36 agreement, as long as the expansion is within the objectives and purposes of the
37 original partnership agreement.

38 (f) Nonapplicability of Adjusted Gross Income Limitation.—The adjusted gross income
39 limitation described in section 1001D(b)(1) shall not apply to an eligible partner under the
40 program.

41
42 **SEC. 1271C. [16 U.S.C. 3871c] ASSISTANCE TO PRODUCERS.**

43 (a) In General.—A producer may receive financial or technical assistance to conduct
44 eligible activities on eligible land through a program contract entered into with the Secretary.

45 (b) Program Contracts.—

46 (1) IN GENERAL.—The Secretary shall establish a program contract to be entered

1 into with a producer to conduct eligible activities on eligible land, subject to such terms
2 and conditions as the Secretary may establish.

3 (2) APPLICATION BUNDLES.—

4 (A) IN GENERAL.—An eligible partner may submit to the Secretary, on
5 behalf of producers, a bundle of applications for assistance under the program
6 through program contracts to address a substantial portion of the conservation
7 benefits to be achieved by the project, as defined in the partnership agreement.

8 (B) PRIORITY.—The Secretary may give priority to applications described
9 in subparagraph (A).

10 ~~(a) In General.—The Secretary shall enter into contracts with producers to provide~~
11 ~~financial and technical assistance to—~~

12 ~~(1) producers participating in a project with an eligible partner; or~~

13 ~~(2) producers that fit within the scope of a project described in section 1271B or a~~
14 ~~critical conservation area designated under section 1271F, but who are seeking to~~
15 ~~implement an eligible activity on eligible land independent of an eligible partner.~~

16 ~~(b) Terms and Conditions.—~~

17 ~~(1) Consistency with program rules.—~~

18 ~~(A) In general.—Except as provided in subparagraph (B) and paragraph~~
19 ~~(2), the Secretary shall ensure that the terms and conditions of a contract under~~
20 ~~this section are consistent with the applicable rules of the covered programs to be~~
21 ~~used as part of the partnership agreement, as described in the application under~~
22 ~~section 1271B(d)(3)(C).~~

23 ~~(B) Adjustments.—~~

24 ~~(i) In general.—The Secretary may adjust the rules of a covered~~
25 ~~program, including—~~

26 ~~(I) operational guidance and requirements for a covered~~
27 ~~program at the discretion of the Secretary so as to provide a~~
28 ~~simplified application and evaluation process; and~~

29 ~~(II) nonstatutory, regulatory rules or provisions to better~~
30 ~~reflect unique local circumstances and purposes if the Secretary~~
31 ~~determines such adjustments are necessary to achieve the purposes~~
32 ~~of the covered program.~~

33 ~~(ii) Limitation.—The Secretary shall not adjust the application of~~
34 ~~statutory requirements for a covered program, including requirements~~
35 ~~governing appeals, payment limits, and conservation compliance.~~

36 ~~(iii) Irrigation.—In States where irrigation has not been used~~
37 ~~significantly for agricultural purposes, as determined by the Secretary, the~~
38 ~~Secretary shall not limit eligibility under section 1271B or this section on~~
39 ~~the basis of prior irrigation history.~~

40 ~~(2) Alternative funding arrangements.—~~

41 ~~(A) In general.—For the purposes of providing assistance for land~~
42 ~~described in subsection (a) and section 1271F, the Secretary may enter into~~
43 ~~alternative funding arrangements with a multistate water resource agency or~~
44 ~~authority if—~~

45 ~~(i) the Secretary determines that the goals and objectives of the~~
46 ~~program will be met by the alternative funding arrangements;~~

1 (ii) ~~the agency or authority certifies that the limitations established~~
2 ~~under this section on agreements with individual producers will not be~~
3 ~~exceeded; and~~

4 (iii) ~~all participating producers meet applicable payment eligibility~~
5 ~~provisions.~~

6 (B) ~~Conditions.—As a condition of receiving funding under subparagraph~~
7 ~~(A), the multistate water resource agency or authority shall agree—~~

8 (i) ~~to submit an annual independent audit to the Secretary that~~
9 ~~describes the use of funds under this paragraph;~~

10 (ii) ~~to provide any data necessary for the Secretary to issue a report~~
11 ~~on the use of funds under this paragraph; and~~

12 (iii) ~~not to use any of the funds provided pursuant to subparagraph~~
13 ~~(A) for administration or to provide for administrative costs through~~
14 ~~contracts with another entity.~~

15 (C) ~~Limitation.—The Secretary may enter into not more than 20~~
16 ~~alternative funding arrangements under this paragraph.~~

17 (c) ~~Payments.—~~

18 (1) ~~In general.—In accordance with statutory requirements of the covered~~
19 ~~programs involved, the Secretary may make payments to a producer~~ Subject to section
20 1271D, the Secretary may make payments to a producer in an amount determined by the
21 Secretary to be necessary to achieve the purposes of the program.

22 (2) ~~Payments to certain producers.—The Secretary may provide payments for a~~
23 ~~period of 5 years—~~

24 (A) ~~to producers participating in a project that addresses water quantity~~
25 ~~concerns and in an amount sufficient to encourage conversion from irrigated to~~
26 ~~dryland farming; and~~

27 (B) ~~to producers participating in a project that addresses water quality~~
28 ~~concerns and in an amount sufficient to encourage adoption of conservation~~
29 ~~practices and systems that improve nutrient management.~~

30 (3) ~~Waiver authority.—To assist in the implementation of the program, the~~
31 ~~Secretary may waive the applicability of the limitation in section 1001D(b)(2) of this Act~~
32 ~~for participating producers if the Secretary determines that the waiver is necessary to~~
33 ~~fulfill the objectives of the program.~~

34 (d) Funding Through Alternative Funding Arrangements or Grant Agreements.—

35 (1) IN GENERAL.—A partnership agreement entered into with an eligible partner
36 may be funded through an alternative funding arrangement or grant in accordance with
37 this subsection.

38 (2) DUTIES OF THE SECRETARY.—The Secretary shall—

39 (A) under a funding agreement under paragraph (1)—

40 (i) use funding made available to carry out this subtitle to provide
41 funding directly to the eligible partner; and

42 (ii) provide technical and administrative assistance, as mutually
43 agreed by the parties; and

44 (B) enter into not more than 15 alternative funding arrangements or grant
45 agreements with 1 or more eligible partners each fiscal year.

46 (3) DUTIES OF ELIGIBLE PARTNERS.—Under a funding agreement under paragraph

1 (1), the eligible partner shall—

2 (A) carry out eligible activities on eligible land in agreement with
3 producers to achieve conservation benefits on a regional or watershed scale, such
4 as—

5 (i) infrastructure investments relating to agricultural or
6 nonindustrial private forest production that would—

7 (I) benefit multiple producers; and

8 (II) address natural resource concerns such as drought,
9 wildfire, or water quality impairment on the land covered by the
10 project;

11 (ii) projects addressing natural resources concerns in coordination
12 with producers, including the development and implementation of
13 watershed, habitat, or other area restoration plans;

14 (iii) projects that use innovative approaches to leveraging the
15 Federal investment in conservation with private financial mechanisms, in
16 conjunction with agricultural production or forest resource management,
17 such as—

18 (I) the provision of performance-based payments to
19 producers; and

20 (II) support for an environmental market; or

21 (iv) other projects for which the Secretary determines that the goals
22 and objectives of the program would be easier to achieve through the
23 funding agreement under paragraph (1); and

24 (B) submit to the Secretary, in addition to any information that the
25 Secretary requires to prepare the report under section 1271E(b), an annual report
26 that describes the status of the project, including a description of—

27 (i) the use of the funds awarded under paragraph (1);

28 (ii) any subcontracts awarded;

29 (iii) the producers receiving funding through the funding
30 agreement under paragraph (1);

31 (iv)(I) the progress made by the project in addressing each natural
32 resource concern defined in the funding agreement under paragraph (1),
33 including in a quantified form to the extent practicable; and

34 (II) as appropriate, other outcomes of the project; and

35 (v) any other reporting data the Secretary determines are necessary
36 to ensure compliance with the program rules.

37
38 **SEC. 1271D. [16 U.S.C. 3871d] FUNDING.**

39 (a) Availability of Funds.—The Secretary shall use ~~\$100,000,000~~ \$300,000,000 of the
40 funds of the Commodity Credit Corporation for each of fiscal years ~~2014 through 2018~~ 2019
41 through 2023 to carry out the program.

42 (b) Duration of Availability.— Funds made available under subsection (a) shall remain
43 available until expended.

44 ~~(c) Availability of funds and Acres.—~~

45 ~~(1) In addition to the funds made available under subsection (a), the Secretary~~
46 ~~shall reserve 7 percent of the funds and acres made available for a covered program for~~

1 each of fiscal years 2014 through 2018 in order to ensure additional resources are
2 available to carry out this program.

3 ~~(2) Unused funds and acres.—Any funds or acres reserved under paragraph (1)~~
4 ~~for a fiscal year from a covered program that are not committed under this program by~~
5 ~~April 1 of that fiscal year shall be returned for use under the covered program.~~

6 ~~(d c)~~ Allocation of Funding.— Of the funds ~~and acres~~ made available for the program
7 under subsection (a) ~~and reserved for the program under subsection (e)~~, the Secretary shall
8 allocate—

9 ~~(1) 25 percent of the funds and acres to projects based on a State competitive~~
10 ~~process administered by the State Conservationist, with the advice of the State technical~~
11 ~~committee~~ 50 percent of the funds to projects based on a State or multistate competitive
12 process administered by the Secretary at the local level with the advice of the applicable
13 State technical committees established under subtitle G; and

14 ~~(2) 40 percent of the funds and acres to projects based on a national competitive~~
15 ~~process to be established by the Secretary; and~~

16 ~~(3 2) 35 percent of the funds and acres~~ 50 percent of the funds to projects for
17 critical conservation areas designated under section 1271F.

18 ~~(e d)~~ Limitation on Administrative Expenses.—~~None of the funds made available or~~
19 ~~reserved for the program~~

20 (1) IN GENERAL.— Except as provided in paragraph (2), none of the funds made
21 available for the program, including for a partnership agreement funded through an
22 alternative funding arrangement or grant agreement under section 1271C(d), may be used
23 to pay for the administrative expenses of eligible partners.

24 (2) PROJECT DEVELOPMENT AND OUTREACH.—Under a partnership agreement that
25 is not funded through an alternative funding arrangement or grant agreement under
26 section 1271C(d), the Secretary may advance reasonable amounts of funding for not
27 longer than 90 days for technical assistance to eligible partners to conduct project
28 development and outreach activities in a project area, including—

29 (A) providing outreach and education to producers for potential
30 participation in the project;

31 (B) establishing baseline metrics to support the development of the
32 assessment required under section 1271B(c)(1)(E); or

33 (C) providing technical assistance to producers.

34 (e) Technical Assistance.—

35 (1) IN GENERAL.—At the time of project selection, the Secretary shall identify and
36 make publicly available the amount that the Secretary shall use to provide technical
37 assistance under the terms of the partnership agreement.

38 (2) LIMITATION.—The Secretary shall limit costs of the Secretary for technical
39 assistance to costs specific and necessary to carry out the objectives of the program.

40 (3) THIRD-PARTY PROVIDERS.—The Secretary shall develop and implement
41 strategies to encourage third-party technical service providers to provide technical
42 assistance to eligible partners pursuant to a partnership agreement.

43 **SEC. 1271E. [16 U.S.C. 3871e] ADMINISTRATION.**

44 (a) Disclosure.— In addition to the criteria used in evaluating applications as described
45 in section ~~1271B(d)~~ 1271B(e)(2), the Secretary shall make publicly available information on
46 projects selected through the competitive process described in section ~~1271B(d)~~ 1271B(e)(1).

1 (b) Reporting.— Not later than ~~December 31, 2014~~ December 31, 2019, and every two
2 years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of
3 Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report
4 on the status of projects funded under the program, including—

5 (1) a summary of—

6 (A) the progress made towards achieving the conservation benefits defined
7 for the projects; and

8 (B) any other related outcomes of the projects;

9 ~~(4 2)~~ (2) the number and types of eligible partners and producers participating in the
10 partnership agreements selected;

11 ~~(2 3)~~ (3) the number of producers receiving assistance;

12 ~~(3 4)~~ (4) total funding committed to projects, including from Federal and non-Federal
13 resources; and

14 ~~(4 5)~~ (5) a description of how the funds under section ~~1271C(b)(2)~~ 1271C(d) are
15 being administered, including—

16 (A) any oversight mechanisms that the Secretary has implemented;

17 (B) the process through which the Secretary is resolving appeals by
18 program participants; and

19 (C) the means by which the Secretary is tracking adherence to any
20 applicable provisions for payment eligibility ~~-and~~

21 (6) in the case of a project within a critical conservation area under section 1271F,
22 the status of each priority resource concern for each designated critical conservation area,
23 including—

24 (A) the priority resource concerns for which each critical conservation
25 area is designated;

26 (B) conservation goals and outcomes sufficient to demonstrate that
27 progress is being made to address the priority resource concerns;

28 (C) the partnership agreements selected to address each conservation goal
29 and outcome; and

30 (D) the extent to which each conservation goal and outcome is being
31 addressed by the partnership agreements.

32 (c) Compliance With Certain Requirements.—The Secretary may not provide assistance
33 under the program to a producer unless the producer agrees, during the program year for which
34 the assistance is provided—

35 (1) to comply with applicable conservation requirements under subtitle B; and

36 (2) to comply with applicable wetland protection requirements under subtitle C.

37 (d) Historically Underserved Producers.—To the maximum extent practicable, in
38 carrying out the program, the Secretary and eligible partners shall conduct outreach to beginning
39 farmers and ranchers, veteran farmers and ranchers, socially disadvantaged farmers and ranchers,
40 and limited resource farmers and ranchers to encourage participation by those producers in a
41 project subject to a partnership agreement or funding agreement under 1271C(d).

42 (e) Regulations.—The Secretary shall issue regulations to carry out the program.

43
44 **SEC. 1271F. [16 U.S.C. 3871f] CRITICAL CONSERVATION AREAS.**

45 (a) Definitions.—In this section:

46 (1) CRITICAL CONSERVATION AREA.—The term ‘critical conservation area’ means

1 a geographical area that contains a critical conservation condition that can be addressed
2 through the program.

3 (2) PRIORITY RESOURCE CONCERN.—The term ‘priority resource concern’ means a
4 natural resource concern located in a critical conservation area that can be addressed
5 through—

6 (A) water quality improvement, including through reducing erosion,
7 promoting sediment control, and addressing nutrient management activities
8 affecting large bodies of water of regional, national, or international significance;

9 (B) water quantity improvement, including improvement relating to—

10 (i) drought;

11 (ii) groundwater, surface water, aquifer, or other water sources; or

12 (iii) water retention and flood prevention;

13 (C) wildlife habitat restoration to address species of concern at a Federal,
14 State, or local level; and

15 (D) other natural resource improvements, as determined by the Secretary,
16 within the critical conservation area.

17 ~~(a b)~~ In General.—(b) Applications.—In administering funds under section ~~1271D(d)(3)~~
18 1271D(d)(2), the Secretary shall select applications for partnership agreements and ~~producer~~
19 program contracts within critical conservation areas designated under this section that address 1
20 or more priority resource concerns for which the critical conservation area is designated.

21 ~~(b c)~~ Critical Conservation Area Designations.—

22 (1) IN GENERAL.— The Secretary shall identify 1 or more priority resource
23 concerns that apply to each critical conservation area designated under this section after
24 the date of enactment of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat.
25 649), including the conservation goals and outcomes sufficient to demonstrate that
26 progress is being made to address the priority resource concern.

27 (~~4~~ 2) Priority.— In designating critical conservation areas under this section, the
28 Secretary shall give priority to geographical areas based on the degree to which the
29 geographical area—

30 (A) includes multiple States with significant agricultural production;

31 (B) is covered by an existing regional, State, binational, or multistate
32 agreement or plan that has established objectives, goals, and work plans and is
33 adopted by a Federal, State, or regional authority;

34 (C) contains 1 or more priority resource concerns; or

35 ~~(C) would benefit from water quality improvement, including through~~
36 ~~reducing erosion, promoting sediment control, and addressing nutrient~~
37 ~~management activities affecting large bodies of water of regional, national, or~~
38 ~~international significance;~~

39 ~~(D) would benefit from water quantity improvement, including~~
40 ~~improvement relating to—~~

41 ~~(i) groundwater, surface water, aquifer, or other water sources; or~~

42 ~~(ii) a need to promote water retention and flood prevention; or~~

43 (E D) contains producers that need assistance in meeting or avoiding the
44 need for a natural resource regulatory requirement that could have a negative
45 impact on the economic scope of the agricultural operations within the area.

46 (3) REVIEW AND WITHDRAWAL.—The Secretary may—

1 (A) review designations of critical conservation areas under this section
2 not more frequently than once every 5 years; and

3 (B) withdraw designation of a critical conservation area only if the
4 Secretary determines that the area is no longer a critical conservation area.

5 ~~(2 3) Expiration.—Critical conservation area designations under this section shall~~
6 ~~expire after 5 years, subject to redesignation, except that the Secretary may withdraw~~
7 ~~designation from an area if the Secretary finds the area no longer meets the conditions~~
8 ~~described in paragraph (1).~~

9 (3 4) Limitation.— The Secretary may not designate more than 8 geographical
10 areas as critical conservation areas under this section.

11 (d) Outreach to Eligible Partners and Producers.—The Secretary shall provide outreach
12 and education to eligible partners and producers in critical conservation areas designated under
13 this section to encourage the development of projects to address each priority resource concern
14 identified by the Secretary for that critical conservation area.

15 (e e) Administration.—

16 (1) In general.— Except as provided in paragraph (2), the Secretary shall
17 administer any partnership agreement or ~~producer~~ program contract under this section in
18 a manner that is consistent with the terms of the program.

19 (2) Relationship to existing activity.— The Secretary shall, to the maximum
20 extent practicable, ensure that eligible activities carried out in critical conservation areas
21 designated under this section complement and are consistent with other Federal and State
22 programs and water quality and quantity strategies.

23 ~~(3) Additional authority.—For a critical conservation area described in~~
24 ~~subsection (b)(1)(D), the Secretary may use authorities under the Watershed Protection~~
25 ~~and Flood Prevention Act (16 U.S.C. 1001 et seq.), other than section 14 of such Act (16~~
26 ~~U.S.C. 1012), to carry out projects for the purposes of this section.~~