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When Worlds Collide - Conservation, Environment and the 2018 Farm Bill: Laurie Peterson (U.S. Department of Agriculture) Arkansas Bar Association Env/Ag Law Committee Presentation

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Ms. Laurie Peterson undertook a presentation at the November 13th joint Arkansas Bar Association Environmental/Agricultural Law Committee meeting in Little Rock, Arkansas, titled:

When Worlds Collide – Conservation, Environment and the 2018 Farm Bill (“Presentation”)

Ms. Peterson is an Attorney Advisor in the Office of the General Counsel of the United States Department of Agriculture based in Little Rock, Arkansas.

By way of summary, Ms. Peterson’s Presentation addressed the interrelated topics of conservation, environment, and the yet to be enacted Farm Bill:

- What Could Be Changing or Evolving?
- 2018 Farm Bill and the Gulf Between
- The GULF
- The Conservation Programs
- What I THINK will Happen

What Could Be Changing or Evolving?

Ms. Peterson notes various programs that may be the subject of change/evolution:

- Clean Water Act – Farming use of pesticide and Concentrated Animal Feeding Operations (CAFO)
- NEPA – Forest Service requirements for NEPA and waivers for logging industry, New Categorical Exclusions are possible
- Endangered Species Act – Environmental Protection Agency’s role could be changing.
- Conservation Stewardship Program – promotes sustainability and stewardship in rural communities, does this go away?
- Forest Management Planning – Roadless Initiative, logging, prescriptive burning.

She notes a key development will be when the Farm Bill is eventually enacted and the components.

2018 Farm Bill and the Gulf Between

In terms of the Farm Bill, Ms. Peterson notes that it provides policies that support:

- Food Safety
- Production Agriculture
- Environmental Quality
- Crop Insurance
- Animal Disease Prevention
- Conservation
- Research
- Renewable Energy
- New Foreign Market Access

Additional points include:

- The Farm Bill has traditionally enjoyed widespread bipartisan support
- Need to pass a Farm Bill to fund various programs
- U.S. House of Representatives is focused on agricultural production and conservation while the Senate has addressed environmental issues

The GULF

- Current Farm Bill conflict involves:
- Farm Subsidies
- Conservation
- Work Requirements for Food Stamp Recipients
- Differences between the House and Senate proposed changes to the Supplemental Nutrition Assistance Program were discussed

The Conservation Programs

They are in there . . . But will they stay?

- Ms. Peterson noted that since the New Deal programs of the 1930s, the federal government has used two general types of policy instruments in pursuit of conservation goals:
- Paying farmers to divert farmland into some form of conservation use such as grassland, forest, or wetlands
- Paying farmers to install and maintain farming practices on working farmland that reduces erosion and runoff or protects wildlife habitat
- The five major programs that implement one or both of the conservation strategies were identified as:
- Conservation Reserve Program (CRP) – pays farmers to convert cropland (and some grassland) to conservation uses)
- Agricultural Conservation Easement Program (ACEP) – Perpetual Easement Acquisition Program
- The Environmental Quality Incentives Program (EQIP) partially subsidizes of the cost of installing approved conservation structures or equipment on working farmland
- Conservation Stewardship Program (CSP) pays farmers an annual fee to maintain a suite of approved conservation management practices on working farmland
- Regional Conservation Partnership Program (RCP), funds projects at a regional or watershed scale that are undertaken by governmental or nonprofit entities

What I THINK Will Happen

Ms. Peterson believes:

- The Farm Bill will finally pass through the Senate
- Forests will have more management freedom, some see this as an erosion of EPA, NEPA, ESA, CWA protections of the environment

- NRCS and FSA Conservation programs will still provide protection for our environment and income to our farmers
- SNAP – will continue with a bolstered work requirement
- Most of the 39 programs orphaned by the lapse of the 2014 Farm Bill will reemerge with some funding

A copy of the slides can be found [here](#).