

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1440

To amend the Soil Conservation and Domestic Allotment Act to provide for comprehensive site-specific resource management plans on land used for the production of agricultural commodities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1993

Mr. ENGLISH of Oklahoma (for himself, Mr. DE LA GARZA, Mr. COMBEST, Mr. PENNY, Mrs. CLAYTON, Mr. MINGE, and Mr. BARLOW) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Soil Conservation and Domestic Allotment Act to provide for comprehensive site-specific resource management plans on land used for the production of agricultural commodities, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Site-Specific Agricul-  
5       tural Resource Management Act of 1993”.

6       **SEC. 2. REFERENCES.**

7       Except as otherwise specifically provided, whenever in  
8       this Act a section or other provision is amended, repealed,

1 or referenced, such amendment, repeal, or reference shall  
2 be considered to be made to that section or other provision  
3 of the Soil Conservation and Domestic Allotment Act (16  
4 U.S.C. 590a et seq.).

5 **SEC. 3. FINDINGS.**

6 (a) FINDINGS.—Congress finds that—

7 (1) agricultural land users are required to de-  
8 velop and implement an increasing number of plans  
9 that have conservation and environmental benefits as  
10 a primary purpose;

11 (2) within the Department of Agriculture, there  
12 are as many as fifteen programs that provide for the  
13 development of such plans, and currently some agri-  
14 cultural land users may have six different conserva-  
15 tion and environmentally-related plans in effect with  
16 regard to their land;

17 (3) future legislation may mandate additional  
18 requirements for agricultural land users;

19 (4) most plans are single purpose in nature,  
20 and requirements imposed by one plan may conflict  
21 with the purposes, objectives, or requirements of  
22 another plan;

23 (5) the complexity of the planning process is  
24 such that it is difficult for many agricultural land

1 users to coordinate the various requirements into  
2 their individual farming or ranching operations;

3 (6) there is a need to approach conservation  
4 and environmental problems on agricultural land on  
5 a more rational basis in order to promote practical  
6 and economically feasible site-specific resource meas-  
7 ures that take into consideration the economic vital-  
8 ity of agricultural land units involved; and

9 (7) to ensure consistency, all pertinent con-  
10 servation and environmental requirements on agri-  
11 cultural land should be coordinated, through a single  
12 agency of the Government, into one integrated re-  
13 source management plan for the land unit.

14 **SEC. 4. PURPOSE.**

15 (a) It is the purpose of this Act to—

16 (1) assist agricultural land users in meeting  
17 conservation and environmental requirements on  
18 such lands, while maintaining viable farming or  
19 ranching operations;

20 (2) provide that a single Federal agency, the  
21 Soil Conservation Service, be responsible for working  
22 with other governmental agencies and agricultural  
23 land users in the development and implementation of  
24 integrated resource management plans for agricul-  
25 tural lands;

1           (3) provide a more efficient and effective meth-  
2           od to coordinate Federal, State, and local conserva-  
3           tion and environmental requirements with respect to  
4           individual land units;

5           (4) help ensure that a site-specific approach en-  
6           compassing all resources will be used in an inter-  
7           related manner when developing and implementing  
8           plans on agricultural land for conservation and envi-  
9           ronmental purposes; and

10          (5) help ensure that a balance is maintained  
11          among productivity, efficient management of re-  
12          sources, and environmental quality with respect to  
13          the agricultural land unit.

14 **SEC. 5. ESTABLISHMENT OF PROGRAM.**

15          The Act is amended by adding at the end the follow-  
16          ing new section:

17 **“SEC. 18. COMPREHENSIVE RESOURCE MANAGEMENT**  
18 **PLANNING.**

19          “(a) DEFINITIONS.—As used in this section—

20               “(1) AGRICULTURAL LAND.—The term ‘agricul-  
21               tural land’ means crop land, pastureland, native pas-  
22               ture, rangeland, orchards, vineyards, and any other  
23               land used to produce or support the production of  
24               an annual or perennial crop of a commodity, aqua-  
25               culture product, nursery product, or livestock. The

1 term ‘agricultural land’ shall not include Federal  
2 lands subject to the Forest and Rangeland Renew-  
3 able Resources Planning Act of 1974 or the Na-  
4 tional Forest Management Act of 1976.

5 “(2) AGRICULTURAL LAND USER.—The term  
6 ‘agricultural land user’ means any landowner, lease-  
7 holder, tenant, sharecropper, or other person re-  
8 quired to meet conservation and environmental re-  
9 quirements on agricultural land.

10 “(3) STATE.—Notwithstanding section 17(a),  
11 the term ‘State’ means any State of the United  
12 States, the District of Columbia, the Commonwealth  
13 of Puerto Rico, the Commonwealth of the Northern  
14 Mariana Islands, the Virgin Islands, Guam, Amer-  
15 ican Samoa, and the Trust Territory of the Pacific  
16 Islands.

17 “(b) ESTABLISHMENT.—Within one hundred and  
18 eighty days of enactment of this Act, the Secretary of Ag-  
19 riculture, acting through the Soil Conservation Service,  
20 shall issue regulations establishing a program to develop  
21 site-specific integrated resource management plans for ag-  
22 ricultural land.

23 “(c) PROGRAM REQUIREMENTS.—Notwithstanding  
24 any other provision of other law—

1           “(1) the regulations issued under this section  
2 shall establish procedures under which all plans re-  
3 quired by the agencies of the Department of Agri-  
4 culture pursuant to any provision of law or regula-  
5 tion with respect to soil, water, and other resource  
6 conservation and environmental concerns on agricul-  
7 tural land are to be integrated into a single com-  
8 prehensive site-specific plan for the land involved;

9           “(2) the regulations shall provide that, with re-  
10 spect to any such single comprehensive site-specific  
11 plan developed under paragraph (1), the Soil Con-  
12 servation Service shall be responsible for, among  
13 other things, determining compliance with the terms  
14 of the plan and any permit, exemption, and waiver  
15 issued in connection therewith;

16           “(3) the procedures shall ensure that, on or  
17 after January 1, 1996, a single comprehensive site-  
18 specific plan shall be in place with respect to any ag-  
19 ricultural land for which more than one plan is re-  
20 quired by agencies of the Department of Agriculture;

21           “(4) during the period of January 1, 1994,  
22 through December 31, 1994, the Soil Conservation  
23 Service shall give priority to developing (A) single  
24 comprehensive plans that are requested by agricul-  
25 tural land users and (B) single comprehensive plans

1 that are targeted to specific watersheds or other  
2 areas or regions determined by the Soil Conservation  
3 Service to be environmentally sensitive, taking into  
4 consideration the lands described in section 1238C  
5 of the Food Security Act of 1985 (16 U.S.C.  
6 3838C);

7 “(5) the regulations shall provide that all re-  
8 quests for cost-sharing or other assistance available  
9 under any program or activity of the Department of  
10 Agriculture with respect to a conservation practice  
11 on agricultural land for which a single comprehen-  
12 sive plan is in effect, and all requests for permits,  
13 exemptions, or waivers under such programs or ac-  
14 tivities with respect to such land, shall be made  
15 through and approved by the Soil Conservation Serv-  
16 ice;

17 “(6)(A) the head of each agency or entity of the  
18 Government, other than the agencies of the Depart-  
19 ment of Agriculture, may enter into agreements with  
20 the Secretary of Agriculture under which any con-  
21 servation and environmental requirements with re-  
22 spect to agricultural land under any program or ac-  
23 tivity of such agency will be incorporated into the  
24 single comprehensive plan developed by the Soil Con-  
25 servation Service for the land involved;

1           “(B) agreements entered into under subpara-  
2           graph (A) may provide for the manner in which  
3           cost-share or other assistance available from the  
4           other agency with respect to a conservation practice  
5           on agricultural land for which a single comprehen-  
6           sive plan has been developed will be coordinated with  
7           any cost-share or other assistance available from the  
8           Department of Agriculture;

9           “(C) agreements entered into under subpara-  
10          graph (A) may provide for the delegation to the Soil  
11          Conservation Service of the responsibility for (i) re-  
12          ceiving, processing, and approving requests for cost-  
13          sharing or other assistance, permits, exemptions, or  
14          waivers under such program or activity and (ii) per-  
15          forming any other responsibilities and functions in  
16          connection with such program or activity;

17          “(D) agreements entered into under subpara-  
18          graph (A) shall provide for the reimbursement to the  
19          Secretary of Agriculture, on an annual basis, of such  
20          sums as are necessary to cover the costs of the Soil  
21          Conservation Service of performing any function of  
22          activity delegated to it under the agreement, and  
23          any funds reimbursed under this section shall re-  
24          main available to the Soil Conservation Service until  
25          expended.

1           “(7) the Secretary of Agriculture may enter  
2           into agreements with any State, including any agen-  
3           cy or subdivision thereof, under which (A) any con-  
4           servation and environmental requirements with re-  
5           spect to agricultural land under any program or ac-  
6           tivity of the State will be incorporated into the single  
7           comprehensive plan developed by the Soil Conserva-  
8           tion Service for the land involved, and (B) any cost-  
9           sharing or other assistance available from the State  
10          with respect to any practice on agricultural land for  
11          which a single comprehensive plan has been devel-  
12          oped will be coordinated with any Federal cost-share  
13          or other assistance to be provided.

14          “(d) CRITERIA FOR COMPREHENSIVE RESOURCE  
15          MANAGEMENT PLANS.—The Secretary of Agriculture,  
16          acting through the Soil Conservation Service, shall estab-  
17          lish criteria and standards to be used in the development  
18          of comprehensive site-specific resource management plans  
19          for agricultural land. In establishing such criteria and  
20          standards, the Soil Conservation Service shall consult with  
21          Federal and State agencies, including the technical com-  
22          mittee in each State established under section 1261 of the  
23          Food Security Act of 1985 (16 U.S.C. 3861), that have  
24          expertise in, or whose programs and activities involve, con-

1 servation and environmental measures on agricultural  
2 lands.

3 “(e) REQUIREMENTS FOR INDIVIDUAL PLANS.—

4 Each individual comprehensive resource management plan  
5 shall be developed using the criteria and standards estab-  
6 lished under subsection (d) and shall, among other  
7 things—

8 “(1) be specifically designed for the land unit,  
9 and each subpart thereof, described in the plan;

10 “(2) provide, to the extent possible, various  
11 management alternatives which the agricultural land  
12 user may use to meet the conservation and environ-  
13 mental concerns with respect to the land unit in-  
14 volved;

15 “(3) encompass soil, water, plant, and animal  
16 resources;

17 “(4) take into consideration the ability of agri-  
18 cultural land users to manage natural resources for  
19 meeting agricultural production, conservation, envi-  
20 ronmental, and quality of life objectives;

21 “(5) provide for systems that promote the effi-  
22 cient long-term production of food and fiber and the  
23 maintenance and enhancement of natural resources;  
24 and

1           “(6) take into consideration the economic, so-  
2           cial, and environmental costs and benefits of the var-  
3           ious management alternatives described.

4           “(f) REVISION OF PLANS.—The Soil Conservation  
5 Service shall revise any plan—

6           “(1) upon request of the agricultural land user  
7           involved, to reflect anticipated changes in the oper-  
8           ation of the unit, providing that the conservation  
9           and environmental requirements with respect to the  
10          unit will continue to be met if the changes are imple-  
11          mented; and

12          “(2) to reflect any changes in the conservation  
13          and environmental requirements with respect to the  
14          land unit.

15          “(g) PROMPT COMPLETION AND NOTIFICATION.—  
16 Any revision of a plan under subsection (f) shall be com-  
17 pleted and provided to the land user as promptly as pos-  
18 sible after the request or notification of change in require-  
19 ments.

20          “(h) LIABILITY PROTECTION.—Any agricultural land  
21 user who, as determined by the Secretary of Agriculture,  
22 has properly applied, or who is properly implementing, a  
23 comprehensive resource management plan developed for  
24 an agricultural land unit under this section shall be  
25 deemed to be in compliance with all conservation and envi-

1 ronmental requirements covered by the plan with respect  
2 to such land unit.”.

3 **SEC. 6. EFFECTIVE DATE.**

4 This Act and the amendments made by this Act shall  
5 be effective on the date of enactment.

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