

**Bob Dole**



**NEWS**

**U.S. SENATOR FOR KANSAS**

**FROM:**

**SENATE MAJORITY LEADER**

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## **CONSERVATION REFORM**

DOLE INTRODUCES RESOURCE ENHANCEMENT ACT OF 1995;  
BILL TO FORGE "NEW COVENANT" BETWEEN AGRICULTURE AND THE ENVIRONMENT

WASHINGTON - Senate Majority Leader Bob Dole late yesterday introduced the Resource Enhancement Act of 1995 on the floor of the U.S. Senate. Senator Dole's statement follows:

When Republicans took control of Congress in January, we promised the American people that we would rein in the federal government, and shift power back where it belongs -- to the states and to the people. The Senate has worked hard to fulfill that promise. We are tackling regulatory reform, tax reform and private property rights -- and we're just getting started.

Today, I am joined by Senator Lugar, Senator Craig and Senator Grassley, to introduce the Resource Enhancement Act of 1995. This bill outlines practical and necessary reforms to the environmental provisions of the 1995 Farm Bill.

### Achieving Balanced Environmental Reform

The 1985 Farm Bill included three environmental provisions which revolutionized farm policy. Swampbuster, Sodbuster and the Conservation Reserve Program provided the first link between the preservation of soil and wetlands, and farm program participation.

No doubt about it, these programs have been successful. But over the past decade, we have learned many valuable lessons. Now it is clear that substantive reform is needed. These provisions were not intended to put high-quality land in the CRP. They were not intended to allow the U.S. Fish and Wildlife Service or the Army Corps of Engineers to usurp the authority of the USDA.

In 1985, no one anticipated that a blanket "highly erodible land" designation -- based on 1930's wind data -- would reduce property values in 13 Western Kansas counties. In 1985, no one expected that existing drainage ditches or tiles in farmed fields would be labeled "abandoned" and thus be prevented from repair.

In my view, this legislation achieves balanced reform by building on the intent of the original legislation. The primary focus of the 1985 Farm Bill was preventing soil erosion. We have made good progress towards that goal, but much remains to be done. Now we must expand our focus to include water quality and wildlife habitat improvements. Soil conservation and the conservation reserve program are crucial to achieving those goals.

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In the past, farm program participation was tied to conservation compliance. However, the trend in farm spending is clear. Since 1985, commodity credit corporation spending on wheat has declined over 40%. Spending on milo has declined a staggering 69%. At this pace, any linkage will soon vanish. If we aim to fulfill the intent of conservation and wetlands laws -- and we should -- we must adjust to today's conditions.

Earlier this year, I spoke to the American Farm Bureau Federation's annual meeting. Farmers there told me that they are willing to accept less government support -- if the government will stop interfering in their businesses.

#### Major Goals of Reform

Our bill is a prescription for judicious reform. In my view, it is a remedy desperately needed to save farmers from a terminal case of over-regulation.

This legislation will accomplish three basic goals:

- 1) Reduce unnecessary regulatory burdens, while maintaining basic environmental objectives;
- 2) Restore respect for basic private property rights;
- 3) Promote voluntary compliance of conservation and environmental objectives.

#### Conservation Compliance

Flexibility will be the guiding principle of conservation compliance. The current system of measuring erosion and regulating compliance will be clarified and codified.

#### Conservation Reserve Program

The Conservation Reserve Program will be reauthorized and modified. In addition to protecting highly-erodible land, the program will incorporate water quality goals, wetlands protection and wildlife preservation.

#### Swampbuster/Wetlands

Many farmers tell me that the current Swampbuster regulations allow the government to infringe on their property rights. However, the conservation community tells me that Swampbuster is one of the most important wetlands protection laws ever enacted. Our bill addresses the need for deregulation by exempting frequently-cropped and nuisance wetlands. At the same time, we aim to further wetlands protection by directing USDA to enroll wetlands in the CRP.

This bill is the result of months of hard work and cooperation among conservation, wildlife and farm groups. I believe its impact will be good for the environment, good for wildlife preservation and good for farmers. It is my hope that this legislation will represent a new covenant between the environmental and farm communities. I urge my colleagues to join me in this effort to give the American people better, not bigger government.

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### Conservation Reserve Program

- 1) In addition to protecting highly-erodible land, the program incorporates water quality goals, wetlands protection and wildlife preservation.
- 2) Change soil erosion criteria to require minimum Erodibility Index (EI) of "eight":
  - \* Whole fields may be enrolled if:
    - a) At least 80% of field has an EI of eight or greater, and;
    - b) Area of field that has an EI less than eight cannot be farmed economically.
- 3) Establishes a water quality enrollment minimum of 1.5 million acres for partial fields, such as filter strips, contour grass strips, etc.
- 4) Establishes a limited partial field "nuisance premium":
  - \* Premium can not exceed 150% of average rental rates in conservation priority areas;
  - \* Premium can not exceed 125% of average rental rates in all other areas
- 5) Permits enrollment of up to 1.5 million acres of farmed wetlands.
- 6) Subjects all contracts -- both new and renewals -- to the same enrollment criteria.
- 7) Establishes a renewal rate floor at 80% of average county contract rate.
- 8) Provides 5, 10 and 15-year contract options.
- 9) Codifies wildlife habitat as the "tie-breaker" criteria for CRP enrollments.

### Wetlands Reserve Program

- 1) Requires contract options of 20 or 30 years and removes USDA authority to buy permanent easements.
- 2) Reauthorizes Wetlands Reserve Program through the year 2002.
- 3) Permits enrollment of water quality acres, such as tailwater pits, settlement ponds, etc.
- 4) Includes Water Bank Program acres as eligible lands for the Wetlands Reserve Program.
- 5) Codifies wildlife habitat as the "tie-breaker" criteria for Wetlands Reserve Program enrollments.



**S. 3173 AGRICULTURE RESOURCE ENHANCEMENT ACT OF 1995**  
sponsored by  
Senator Dole, Senator Lugar, Senator Grassley, Senator Craig

Major Goals

- 1) Reduce unnecessary regulatory burdens, while maintaining and enhancing basic environmental objectives;
- 2) Restore respect for basic private property rights;
- 3) Promote and enhance voluntary compliance of conservation and environmental objectives.

Conservation Compliance Provisions

- 1) The current system of measuring erosion and regulating compliance will be clarified and codified.
- 2) Administers balanced penalties for compliance violations:
  - \* Penalties determined by the degree of the violation
  - \* No penalty assessed for good faith violations
- 3) Adds flexibility to compliance plans:
  - \* USDA will add new technologies to the technical guides as they are developed and tested
- 4) Allows producers to petition USDA to add new conservation measures to county office technical guides.
- 5) Permits producers to substitute alternative measures listed in technical guides if equivalent soil savings are achieved.
- 5) Requires USDA to act on requests for variances within 15 days.
- 6) Permits producers to request new determinations of highly-erodible land.

Swampbuster

- 1) Exempts land cropped six years out of ten and parcels of one acre or less.
- 2) Provides balanced penalties for Swampbuster violations:
  - \* Penalties determined by the degree of the violation
  - \* No penalty assessed for good faith violations
- 3) Improves mitigation by allowing wetlands restoration or enhancement, or the creation of new wetlands.
- 4) Removes restrictions on lands eligible for mitigation.
- 5) Wetland delineations remain valid until requested by producer.
- 6) Under the Swampbuster and Clean Water Acts, USDA is solely responsible for wetland identifications of all agricultural lands.