



United States Department of Agriculture
NEW MEXICO

NRCS STATE TECHNICAL COMMITTEE MEETING
Albuquerque NM USDA Conference RM 629, November 14, 2019

Introductions:

Kris Graham Chavez welcomed everyone to the meeting and began participant introductions.

State Conservationist Xavier Montoya Remarks:

Be flexible- Many changes are coming in through FY2020. The CSP interim rule is published, and everyone is encouraged to provide comments. With the Farm Bill, CSP is a part of EQIP, so public land is now eligible in CSP. The State Soil Health Act provides opportunities for collaboration. There is a need for a soil health subcommittee to the state technical committee.

USDA has issued new rules on hemp, which allows for hemp producers to be eligible for USDA programs. The rules are still being worked out.

There will be a new Assistant State Conservationist for Programs. Kris Graham Chavez will take on a new position as the Assistant State Conservationist for Field Development to fill a gap created by the agency reorganization. So, this will be the last time Kris will coordinate and organize State Technical Committee meetings.

Programs: Kris Graham Chavez

State Technical Committee and Local Work Groups- see slides. Overview of the responsibilities of the State Technical Committee. There are handbooks available through Kris, and the slides will be available on the website.

Regional Conservation Partnership Program (RCPP)- see slides. Some RCPP projects are closing out, and some are in the process of being renewed.

Resource Technology: Steve Kadas and Santiago Misquez

1. NRCS State Wildlife Plan presented by NRCS State Wildlife Biologist and Environmental Compliance Officer Santiago Misquez. Introduction on 2019 State Wildlife Management Plan. NRCS was required to prepare an NRCS state wildlife action plan to specify priorities for the WHIP program. There are no funds for the WHIP program, but the NRCS State Wildlife Action Plan is used to prioritize funding for EQIP. The previous version of the NRCS plan expired based on the New Mexico State Wildlife Action Plan. The state plan describes the species of greatest conservation need (SGCN).

An issue with much discussion within NRCS due to CSP enhancements is the term “species of concern.” This term does not necessarily refer to species that are important to a landowner. A draft document for identifying species of concern for New Mexico includes the federally listed candidate and proposed species, state-identified SGCN and rare plants, pollinators and beneficial insects and some game species. It does not cover common species.



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Questions and comments from the committee:

- The motto of the USFWS Partners Program is “Keeping common species common.”
- Could tribally important species, like mule deer, be included? Yes, tribally significant species could be included, like pinyon and sage.

The NRCS plan is 23 pages in draft and the participation of the State Technical Committee is encouraged.

2. NRCS Soil Health Initiative: NRCS State Resource Conservationist Steve Kadas. Since the Healthy Soil Act passed, there has been a growth in initiatives. NRCS will be promoting Soil Health Management Systems per the FY2020 Business Plan. To include providing financial assistance for those systems, training, and working with partners.

CART Overview: Kenneth Branch and Athena Cholas

The Conservation Assessment Ranking Tool (CART)- is a significant change in how NRCS will evaluate the resource concerns and rank applications. It intends to streamline the first seven steps of the conservation planning process, reduce errors, and make the process more consistent. It will allow for greater reliance on GIS data. The software will allow for better enforcement of program rules. For EQIP, there must be a resource concern addressed with a planned practice, which means that the combined score for existing conditions and existing practices must be below the threshold. If the score for existing is above the threshold then CSP could be used for the planned practices. If the score for existing is above the threshold, then CSP could be used for the planned practices. There is a planner override, and states can develop local protocols. The foundation of CART is the newly released national resource concern list and planning criteria. It specifies the assessment methods that must be used to determine if there is a resource concern. State technical committee members can provide input on local adaptation of the assessment tools and what to allow in terms of planner overrides. As in the past, local ranking questions will be customized by the ranking pool and local priorities. Questions can be answered directly by GIS, be true or false questions, or have a graded priority. In the past, each state would determine the average practice cost for each practice, which impacts the efficiency score. The vulnerability score provides additional emphasis on funding projects with the most significant conservation need.

Questions and comments from the committee:

- Can states change the threshold scores? No, States, for now, cannot change the points assigned to thresholds, existing conditions, existing practices or planned practices. Maybe in the future.
- Can other agencies have access to CART? It is a goal for CART to be used as a tool by partners to assist with planning or to customize their programs.
- Will there be a notice in the federal register for comments on CART? There is no indication that a comment period will be available in the Federal Register. Local Work Groups and State technical committee members can comment directly to the state.
- What are the water quality questions used in CART? Specific questions used to evaluate a resource, like water quality, are available in the document, “CART Resource Concern Assessment, 20190816.”



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- Will CART automatically use GIS layers or allow for the use of Google Earth or other tools? One of the goals of CART is to streamline and reduce the potential for errors. Therefore, the automatic use of GIS data is encouraged as much as possible. The GIS data used can be developed by other agencies.

EQIP and EWP: Kenneth Branch

1. Environmental Quality Incentives Program (EQIP) – see slides.

Questions and comments from the committee:

- With more farmers aging and doing succession planning, is there going to be a need for registration at SAM.gov with the new Farm Bill? No, SAM.gov is no longer required.
- If NRCS can pay on the part of a system (e.g., a pipeline), what happens if the rest is not installed? NRCS could collect payments if the rest of the system is not installed.
- Can individual tribes apply for WaterSmart? Eligibility is based on the Bureau of Reclamation projects.

FY18 Financial Assistance NM Initiatives –\$17,567,700 Total

FY 2019 and 2020 State Initiatives

FY 2019 and 2020 National Initiatives –

- StrikeForce - \$4,000,000 Allocated; \$4,174,903 Obligated
- WLFW LPCI - \$4,000,000 Allocated; \$574,890 Obligated
- NWQI - \$350,000 Allocated; \$398,382 Obligated
- Joint Chiefs - \$153,800 Allocated; \$0 Obligated
- WaterSMART - \$2,500,000 Allocated; \$2,507,379 Obligated

FY 2019 EQIP Applications and Contracts – Every year we continue to get more applications.

Amended Policies:

- Control of Land- Old Policy/New Policy – Applicant will need to establish control at the time of enrollment.
- Dependent Practices- Pay when practice meet standards and specs regardless of whether the participant has fully implemented the entire system.
- Payments when a Participant has Died- this section was removed – all issues go to NHQ.

Ag Improvement Act of 2018 –

Organic Payments-

- Cannot exceed 140,000 during 2019-2023
- Removed \$20,000 annual payment limit

New Veteran Farmer/Rancher Definition:



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- Veteran that was discharged under conditions other than dishonorable.

AND

- Has not operated a farm or ranch/has operated a farm or ranch for not more than 10 years.

OR

- Who first obtained status as a veteran “during the most recent 10-year period”?

Waiting on Guidance:

- Water Conservation or Irrigation Efficiency
- Conservation Assessment and Ranking Tool (CART)

Industrial Hemp Rule: Full details/info can be found at: <https://www.ams.usda.gov/rules-regulations/hemp> Research only purposes

EQIP 2020:

State Priority Resource Concerns

- CART will be used to assess and rank all applications
- Resource Concerns have been changed/consolidated
- Weighted averages for each resource concern

Cropland Priority Resource Concerns:

- Water 50%
- Soils 50%

AFO Priority Resource Concerns-

Pasture Priority Resource Concerns-

Rangeland Priority Resource Concerns-

- Plants 25%
- Animals 25%
- Soils 25%
- Energy 25%

Forest Priority Resource Concern-

WaterSMART Initiative – BOR works with water and irrigation districts to improve operations water delivery systems, water districts, and water basis.

NM received 2.5 million Initial Allocation –

Source Water Protection –

Payment Schedule- Payment Schedule is posted

- Payment Percentage Rate



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- Practice Caps
 - Recommended Caps
2. Emergency Watershed Protection Program (EWP)

Ute Park Fire –Successes in Mastication, Reseeding, Debris Removal, Structure Protection, and Diversion Set-Up. See slides.

ACEP, CSP and CIG: Athena Cholas

1. Agricultural Conservation Easement Program (ACEP)-

1. ~~Some changes to consider by Jan/Feb 2020~~

- ~~• Paint required for metal coating~~
- ~~• Labor for rock grade~~

Agriculture Land Easements (ALE): NRCS would like to keep the same priorities for ALE as last year (see slides). Consideration of land served by an acequia, grassland of special significance, or eastern side of the state to protect habitat for lesser prairie chicken.

Questions and comments from the committee:

- USFWS Partners Program supports easement funding to protect habitat for lesser prairie chicken. A group has met, and there is interest from landowners. What would they need to do to get ALE funding? The funding would need to go to an eligible entity, so we need to make sure the group understands the ALE requirements. If there is potential for ALE enrollments, NRCS can consider ranking questions or a separate ranking pool.
 - Comment: Around Taos, when there are development and water rights lost on the development footprint, then the lost water rights revert to Taos Pueblo. Response: NRCS would need to consider input from Taos Pueblo in that situation before dedicating or prioritizing funding for easements that could potentially deny Taos Pueblo additional water.
 - It will take time to get land enrolled in easements to protect acequia water rights. It is a tool worth keeping in mind.
2. Conservation Stewardship Program (CSP) - Farm Bill requires NRCS to evaluate

The CSP interim rule is published, and comments are due by January 13, 2020. You can find the NRCS Federal Register Notices at www.nrcs.usda.gov (search for “federal register”). The comment period for some practice standards is also open.

A significant change in the federal rule is that public land will be eligible and will benefit many ranchers in New Mexico who had little private land to enroll. Another change is removing the annual payment limit. It used to be \$40,000/year or \$80,000 for joint ventures. Now there is just the contract cap of \$200,000 or \$400,000 for joint ventures. A participant could potentially get \$150,000 in the first year, \$50,000 in the second year and no other payments after that. Comments from the public are encouraged as these changes create tax issues.



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Renewals offered participants a chance for another 5-year contract. If the renewal option gets refused, the new rules will make the participant ineligible for two years.

The payment for comprehensive conservation plans creates an opportunity to provide technical assistance.

Identified challenges include the technical capacity of staff and partners. Participants don't want a connection to government restrictions, are hesitant to use consultants, and outreach is limited. The payments have allowed participants to buy equipment, encourage them to try something new, and make improvements in the land. In New Mexico adoption of many enhancements has been slow and could be due to lack of technical information, lack of success stories, or the payments are not enough. The payment for resource-conserving crop rotation is an example of low adoption. In addition to contracting the crop rotation supplemental payment, a producer could also get payments for nutrient management, cover crop, and integrated pest management. However, these enhancements might require new equipment, new technical information, and record-keeping software. More information and technical assistance are needed to determine if the payment rates are not enough or what other support is lacking.

Also, they have the challenge of adapting enhancements to local needs. There is an enhancement to reduce attractants to human subsidized predators. In California, Nevada, and Utah, there has been a massive increase in ravens due to trash, and now the ravens are severely impacting the Mojave Desert tortoise. Is there a similar issue in NM? Are there other predator issues? Is this enhancement usable in New Mexico?

CSP is used mostly on rangeland. The two most used enhancements require the use of consultants. Although some consultants are doing a great job, NRCS has limited ability to promote a consultant over another. The enhancement for the wildlife refuge area has changed from an 18-month deferment to a 12-month deferment, so we should see this used more often.

New enhancements need state-level technical guidelines. Committee members and local working groups are encouraged to provide input on state guidelines.

The local working groups have recommended that CSP keep statewide ranking pools and use the EQIP priority resource concerns as much as possible. The tentative spending plan leaves 18% unallocated in the event there is a sizeable tribal application. There are no payment limits for tribes, so these contracts can be in the millions.

CSP Changes:

- Now \$ based [funding allocation](#), no acre-limits
- Requires funding for organic and transitioning to organic.
- No more annual payment limit
- Public land can be enrolled
- Participants who choose to not renew are ineligible for 2 years.
- Agency must do more to promote Soil Health



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76 Contracts Total from 2017-2019 for NM CSP

Grazing management activities are getting a high sign-up

New Management Intensive Rotational Grazing- New Mexico rules of thumb and requirements need to be outlined.

LWG Recommendations: [Keep state level fund accounts, use same priority resource concerns as EQIP.](#)

Tentative spending plan: Agland: Standard 20%, Irrigated Agland: Standard 5%, NIPF: Standard 5%

~~Feeding Management—Feed Additive~~

~~ALE—Multiple ranking pools?~~

~~State priority is agricultural land~~

Wetland Reserve Easements (WRE):

The NRCS geographic area rate cap (GARC) for WRE easement compensation is 90% of the appraised market value not to exceed \$5,000 per acre. On a case by case basis, NRCS can request to exceed the per acre limit for properties with valuable water rights. Does the state technical committee support to keep the GARC rate at a maximum of 90%?

Questions and comments from the committee:

- How many applications does NRCS get for WRE? NRCS has one in the process of closing and one new application.
- Since there are few applications, there is no reason to change the GARC.

No concerns were brought up about the payment rate, and the committee approved the current WRE GARC.

WRE can allow grazing and will reduce the easement payment when the grazing right is approved. The grazing must benefit a wildlife species. NRCS is considering offering a grazing rights option for wetlands to benefit the Pecos sunflower. NRCS would still restrict grazing timing and intensity. Pecos sunflower is one species considered. Are there others to consider?

Questions and comments from the committee:

- When grazing has stopped, the vegetation gets rank and the land losing wildlife value. USFWS Partners Program supports NRCS provided grazing rights for Pecos sunflower with appropriate restrictions.

Other easement funding: WREP, Healthy Forest Reserve, Floodplain Easements, and Voluntary Public Access and Habitat Incentive Program (VPA-HIP) are different ways that easements can get funded. See slides for details.



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Questions and comments from the committee:

- For the VPA-HIP, do tribes set their own rules for access? Yes, as part of the proposal tribes would need to describe the tribal access program (what forms of recreation are allowed, what time of year, number of people.)
- The State Department of Game and Fish has an open gate program. It has not requested federal funds.

Voluntary Public Access and Habitat Incentive Program (VPA-HIP) Applications are due Nov. 27

3. Conservation Innovation Grants (CIG)-

- Input on state priorities?
- Input on reporting of accomplishments?

The state priorities developed last year will be kept for 2020 unless comments are received. In the past, there was interest from conservation districts to use CIG for the purchase of no-till drills. That is no longer a priority because equipment purchased with federal funds needs to return at the end of the grant, or the grantee must pay back the market value of the equipment at the end of the grant.

Due to audits, there are stricter requirements for grantees. Grantees will need to keep detailed records of the required match and provide to NRCS when requested.

Questions and comments from the committee:

- How long are CIG grants? Three years.

4. Payment Schedules-

The Farm Bill requires NRCS to evaluate whether practice costs and rates of payment encourage participation. (are they too much or too little?); prioritize the most effective practices and account for regional, state, and local variability. (are there enough scenarios to cover the most common needs).

The FY2020 EQIP payment schedule has been released and is now posted at <https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/programs/financial/?cid=nrceprd1328426>.

The scenarios show the line items that are used to develop the practice cost and rate. The scenarios have not been posted yet. Committee members are encouraged to take a look when they are posted to see if the line items correctly estimate the total cost of practice implementation. Examples of changes being considered for FY2021 are adding a cost for expensive paint required for metal structures and increasing the labor cost for rock grade stabilization structures.

Changes to the FY2020 payment schedule include: added a scenario to a high tunnel that includes shade cloth, added rain garden scenario to stormwater runoff control, and added new scenarios for feed management. Committee members are encouraged to look at the feed



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management practice since it is [pays for feed additives and feed management as a tool](#)~~intended~~ to reduce water quality issues associated with confined animal feeding operations.

Any suggested changes to the payment schedule should be sent to Athena or Kenneth by the end of January 2020.

Conservation Reserve Program CRP: Joilynn Gray

CRP rules are not published yet, so the information is taken from past program rules. Input from the state technical committee was significant for state-level rules.

CRP General and Continuous Sign-up- This may be one of the biggest CRP general sign-ups in recent history.

CRP is one of the largest conservation programs at the USDA. CRP payments encourage land stewardship.

2018 Farm Bill reauthorizes CRP, including CREP and FWP.

ECP Emergency Conservation Program – provides up to 75% cost-share for installing those practices to restore the land.

Partner Updates:

1. Kris suggested a State Technical Committee meeting when more changes to the Farm Bill occur.
 - a. Susan Rich State Forestry is in the process of updating the New Mexico Forest Action Plan and welcomes all members of the committee to participate.
2. Gwen Kolb: A burn will be done next week in Milnesand to improve habitat for lesser prairie chicken. USFWS will lead the prescribed fire. The goal is widespread use of fire in the area, not just isolated patches. They will call the project Shinnery Oak Grassland Restoration.
 - a. Xavier would like NRCS to be involved since NRCS was trying to do more prescribed burns and suggested Gwen contact Steve and Brenda.

State Conservationist Xavier Montoya closed the meeting.