

## Summary of State Technical Committee References in the Farm Bill

### Areas of FB that site State Technical Committees by Program:

The table below sites the Sections of the Food Security Act of 1985 as amended by the AIA of 2018 that reference State Technical Committees.

Program	Section of the Food Security Act of 1985	Section of the Agriculture Improvement Act	Program Element	Statutory Language	Role of State Technical Committee
Conservation Reserve Enhancement Program (CREP)	Section 1231A	2202	Payments- Riparian Buffer Management Payments- Limitation	The amount of payments received by an owner or operator under subparagraph (A) shall not be greater than 100 percent of the normal and customary projected management cost, as determined by the Secretary, in consultation with the applicable State technical committee established under section 1261(a); and (II) technical guide standards of the applicable field office of the Natural Resources Conservation Service; and...	Provide guidance to the agency on the normal and customary riparian buffer management costs for the state.
Conservation Reserve Enhancement Program (CREP)	1231A	2202	Forested Riparian Buffer Practice- Food Producing Woody Plants	In the case of an agreement under subsection(b)(1) that includes forested riparian buffers as an eligible practice, the Secretary shall allow an owner or operator—to plant	Provide recommendations to the agency for the plants species that contribute to the conservation of soil, water quality, and wildlife

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				<p>food-producing woody plants in the forested riparian buffers, on the conditions that—the plants shall contribute to the conservation of soil, water quality, and wildlife habitat; and the planting shall be consistent with—recommendations of the applicable State technical committee...</p>	<p>habitat of forested riparian buffers in the state.</p>
<p>Conservation Reserve Enhancement Program (CREP)</p>	<p>Section 1231B</p>	<p>2203</p>	<p>Drought and Water Conservation Agreements</p>	<p>In the case of an agreement under subsection (b)(1) to address regional drought concerns, in accordance with the conservation purposes of the CREP, the Secretary, in consultation with the applicable State technical committee (1) notwithstanding subsection(a)(2), enroll other agricultural land on which the resource concerns identified in the agreement can be addressed if the enrollment of the land is critical to the accomplishment of the purposes of the agreement;</p>	<p>Provide guidance to the agency on the purposes of CREP for the state as those purposes are applied to agreements.</p>

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				<p>(2) permit dryland agricultural uses with the adoption of best management practices on enrolled land if the agreement involves the significant long-term reduction of consumptive water use and dryland production is compatible with the agreement; and</p> <p>(3) calculate annual rental payments consistent with existing administrative practice for similar drought and water conservation agreements under this subtitle and ensure regional consistency in those rates.</p>	
Farmable Wetland Program	Section 1231B	2203	Owner or Operator Enrollment Limitations-Buffer Acreage	The maximum size of any buffer acreage described in subsection (b)(2) that an owner or operator may enroll in the conservation reserve under this section shall be determined by the Secretary in consultation with the State Technical Committee.	Provide recommendations to the agency for maximum number of acres to be enrolled as farmable wetlands in the program for the state.
Pilot Programs	Section 1231C	2204	Soil Health and Income	The term 'eligible land' means cropland that—is selected by	Provide guidance to the agency on the scope of

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			Protection Pilot Program	<p>the owner or operator of the land for proposed enrollment in the pilot program under this subsection; and as determined by the Secretary—</p> <p>(1) is located within 1 or more States that are part of the prairie pothole region, as selected by the Secretary based on consultation with State Committees of the Farm Service Agency and State technical committees from that region.</p>	cropland located within the prairie pothole region, eligible for inclusion for this program.
Pilot Programs	Section 1231C	2204	Soil Health and Income Protection Pilot Program-Contract Requirements	<p>A contract described in paragraph (2) shall—be entered into by the Secretary, the owner of the eligible land, and (if applicable) the operator of the eligible land; and provide that, during the term of the contract—</p> <p>(1) the lowest practicable cost perennial conserving use cover crop for the eligible land, as determined by the applicable State conservationist after considering the advice of the</p>	Provide guidance to the agency on the lowest practicable cost perennial conserving use cover crop for the eligible land for pilot projects within this program in the state.

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				applicable State technical committee, shall be planted on the eligible land.	
Pilot Programs	Section 1231C	2204	Soil Health and Income Protection Pilot Program- Harvesting, Haying, and Grazing Outside Applicable Period	<p>The harvesting for seed, haying, or grazing of eligible land under subparagraph (A)(ii)(III) outside of the primary nesting season established for the applicable county shall be subject to the conditions that—with respect to eligible land that is so hayed or grazed, adequate stubble height shall be maintained to protect the soil on the eligible land, as determined by the applicable State conservationist after considering the advice of the applicable State technical committee; and with respect to eligible land that is so harvested for seed—</p> <p>(I) the eligible land shall not be eligible to be insured or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and</p>	Provide guidance to the agency on adequate stubble height to be maintained to protect the soil on the eligible land for this program in the state.

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				(II) the rental payment otherwise applicable to the eligible land under this subsection shall be reduced by 25 percent.	
Duties of the Secretary	Section 2206	2206	Specified Activities Permitted	The Secretary, in coordination with the applicable State technical committee established under section 1261(a), shall permit certain activities or commercial uses of established cover on land that is subject to a contract under the conservation reserve program if—those activities or uses—are consistent with the conservation of soil, water quality, and wildlife habitat; are subject to appropriate restrictions during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved in accordance with Federal or State law; contribute to the health and vigor of the established cover;	Provide guidance on permitted certain activities or commercial uses of established cover on land that is subject to a contract under the conservation reserve program and those activities or uses are consistent with the conservation of soil, water quality, and wildlife habitat, and are subject to appropriate restrictions. Provide guidance on when the program can assist in the response to a natural disaster event without permanent damage to the established cover.

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				<p>and are consistent with a site-specific plan, including vegetative management requirements, stocking rates, and frequency and duration of activity, taking into consideration regional differences, such as climate, soil type, and natural resources; and the Secretary, in coordination with the State technical committee, includes contract modifications—</p> <p>(i) without any reduction in the rental rate for—</p> <p>(l) emergency haying, emergency grazing, or other emergency use of the forage in response to a localized or regional drought, flooding, wildfire, or other emergency, on all practices, outside the primary nesting season, when—</p> <p>(aa) the county is designated as D2 (severe drought) or greater according to the United States Drought Monitor;</p>	

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				<p>(bb) there is at least a 40 percent loss in forage production in the county; or</p> <p>(cc) the Secretary, in coordination with the State technical committee, determines that the program can assist in the response to a natural disaster event without permanent damage to the established cover.</p>	
Duties of the Secretary	Section 2206	2206	Authorized Activities on Grasslands	<p>For eligible land described in section 1231(b)(3), the Secretary shall permit the following activities:</p> <p>(1) Common grazing practices, including maintenance and necessary cultural practices, on the land in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality.</p> <p>(2) Haying, mowing, or harvesting for seed production, subject to appropriate restrictions during the nesting season for birds in the local area that are</p>	Provide guidance to the agency on appropriate restrictions on haying, mowing, or harvesting for seed production, during the nesting season for birds in the local area that are economically significant, in significant decline, or conserved in accordance with Federal or State law.



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				<p>economically significant, in significant decline, or conserved in accordance with Federal or State law, as determined by the Secretary in consultation with the State technical committee.</p> <p>(3) Fire presuppression, fire-related rehabilitation, and construction of fire breaks.</p> <p>(4) Grazing-related activities, such as fencing and livestock watering.</p>	
Eligible Land; State Law Requirements	SEC. 2209	2209		<p>The Secretary shall revise paragraph (4) of section 1410.6(d) of title 7, Code of Federal Regulations, to provide that land enrolled under a Conservation Reserve Enhancement Program agreement initially established before January 1, 2014 (including an amended or successor Conservation Reserve Enhancement Program agreement, as determined by the Secretary), shall not be ineligible for enrollment in the conservation</p>	<p>Provide recommendations to the agency when land enrolled under a Conservation Reserve Enhancement Program agreement initially established before January 1, 2014 (including an amended or successor Conservation Reserve Enhancement Program agreement, as determined by the Secretary), shall not be ineligible for enrollment in the conservation reserve program.</p>

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				<p>reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) under that paragraph if the Deputy Administrator (as defined in section 1410.2(b) of title 7, Code of Federal Regulations (or successor regulations)), on recommendation from and in consultation with the applicable State technical committee established under section 1261(a) of the Food Security Act of 1985 (16 U.S.C. 3861(a)) determines, under such terms and conditions as the Deputy Administrator, in consultation with the State technical committee, determines to be appropriate, that making that land eligible for enrollment in that program is not contrary to the purposes of that program.</p>	
Environmental Quality Incentives Program	Section 1240B	2304	Establishment and Administration-	Each State, in consultation with the State technical committee established under	Provide guidance to the agency for the state on not more than 10 practices to

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			Payments- Increased Payment for High Priority Practices- State Determination	<p>section 1261(a) for the State, may designate not more than 10 practices to be eligible for increased payments under subparagraph (B), on the condition that the practice, as determined by the Secretary—</p> <ul style="list-style-type: none"> <li>(i) addresses specific causes of impairment relating to excessive nutrients in groundwater or surface water;</li> <li>(ii) addresses the conservation of water to advance drought mitigation and declining aquifers;</li> <li>(iii) meets other environmental priorities and other priority resource concerns identified in habitat or other area restoration plans; or</li> <li>(iv) is geographically targeted to address a natural resource concern in a specific watershed.</li> </ul>	be eligible for increased payments that meet the criteria established by the statute.
Environmental Quality Incentives Program	Section 1240B	2304	Establishment and Administration- Wildlife Habitat	In determining the practices eligible for payment under paragraph (1) and targeted for funding under subsection (f),	At least annually, participate in determination of the practices eligible for payment and targeted for

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			Incentive Program-State Technical Committee	the Secretary shall consult with the relevant State technical committee not less often than once each year.	funding for the program in the state.
Environmental Quality Incentives Program	Section 1240B	2304	Establishment and Administration-Conservation Incentive Contracts-Identification of Eligible Priority Resource Concerns for States	The Secretary, in consultation with the applicable State technical committee under section 1261(a), shall identify watersheds (or other appropriate regions or areas within a state) and the corresponding priority resources concerns for those watersheds or other regions or areas that are eligible to be the subject of a stewardship contract under this section.	Provide recommend watersheds (or other appropriate regions or areas within a state) and the corresponding priority resources concerns for those watersheds or other regions or areas that are eligible to be the subject of a stewardship contract for this program.
Commodity Credit Corporation	Section 1241	2501	Allocations Review and Update-Review	Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary, acting through the Chief of the Natural Resources Conservation Service and the Administrator of the Farm Service Agency, shall conduct a review of conservation programs and authorities under this title that utilize	Participate in the review of and provide recommendations for consideration of conservation programs and authorities under this title that utilize annual allocation formulas to determine the sufficiency of the formulas in accounting for relevant natural resource concerns, resource inventories,

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				annual allocation formulas to determine the sufficiency of the formulas in accounting for relevant natural resource concerns, resource inventories, evaluations and reports, recommendations from State technical committees established under section 1261(a), State-level economic factors, level of agricultural infrastructure, or related factors that affect conservation program costs.	evaluations and reports considering State-level economic factors, level of agricultural infrastructure, or related factors that affect conservation program costs.
Delivery of Technical Assistance	Section 1242	2502	Review of Conservation Practice Standards- Consultation	In conducting the review under paragraph (1), the Secretary shall consult with eligible participants, State technical committees established under section 1261(a), crop consultants, cooperative extension and land grant universities, nongovernmental organizations, and other qualified entities.	Participate in the review process of conservation practice standards or interim practice standards for the state.
Delivery of Technical Assistance	Section 1242	2502	Review of Conservation Practice	Not later than 1 year after the date of enactment of the Agriculture Improvement Act	Providing recommendations on innovations or scientific and technological

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			Standards-Expedited Revision of Standards	<p>of 2018, the Secretary shall develop an administrative process for—</p> <p>(A) expediting the establishment and revision of conservation practice standards;</p> <p>(B) considering conservation innovations and scientific and technological advancements with respect to any establishment or revision under subparagraph (A);</p> <p>(C) allowing local flexibility in the creation of—</p> <p style="padding-left: 20px;">(i) interim practice standards and supplements to existing practice standards to address the considerations described in subparagraph (B); and</p> <p style="padding-left: 20px;">(ii) partnership-led proposals for new and innovative techniques to facilitate implementing agreements and grants under this title; and</p> <p>(D) soliciting regular input from State technical committees established under section 1261(a) for</p>	<p>advancements of conservation practice standards or interim practice standards for the state.</p>

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				recommendations that identify innovations or advancements described in subparagraph (B).	
Administrative Requirements for Conservation Programs	Section 1244	2503	Review and Guidance for Practice Costs and Payment Rates-Guidance Review	The Secretary shall— (A) issue guidance to States to annually review and adjust the estimates for practice costs and rates of payments made to producers to reflect the evaluation factors described in paragraph (1)(B); and (B) determine the appropriate practice costs and rates of payments for each State by— (i) annually reviewing each conservation program payment schedule and payment rate used in the State; and (ii) consulting with the State technical committee established under section 1261(a) in that State.	Participate in annual review of each conservation program payment schedule and payment rate used in the state.
Administrative Requirements for Conservation Programs	Section 1244	2503	Source Water Protection Through Targeting of Agricultural	In encouraging practices under paragraph (1), the Secretary shall— (i) work collaboratively with community water systems and	Work collaboratively with the agency and community water systems to identify, in the State, local priority areas for the protection of

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			Practices- Collaboration with Water Systems and Increased Incentives	State technical committees established under section 1261(a) to identify, in each State, local priority areas for the protection of source waters for drinking water; and (ii) subject to subparagraph (B), for practices described in paragraph (1), offer to producers increased incentives and higher payment rates than are otherwise statutorily authorized by the applicable conservation programs administered by the Secretary.	source waters for drinking water; and identify practices to offer to producers increased incentives and higher payment rates than are otherwise statutorily authorized by the applicable conservation programs.
Establishment of State Technical Committees	Section 1261	2822		(a) ESTABLISHMENT.—The Secretary shall establish a technical committee in each State to assist the Secretary in the considerations relating to implementation and technical aspects of the conservation programs under this title. (b) STANDARDS.— The Secretary shall review and update as necessary— (1) standard operating procedures to standardize the operations of State technical committees; and (2) standards to be used by State technical committees in the development of technical guidelines for the implementation of the conservation provisions of this title. (c) COMPOSITION.—Each State technical committee shall be composed of agricultural producers and other professionals that represent a variety of disciplines in the soil, water, wetland, and wildlife sciences. The technical committee for a State shall include representatives from among the following: (1) The Natural Resources Conservation Service.	



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				<p>(2) The Farm Service Agency.</p> <p>(3) The Forest Service.</p> <p>(4) The National Institute of Food and Agriculture.</p> <p>(5) The State fish and wildlife agency.</p> <p>(6) The State forester or equivalent State official.</p> <p>(7) The State water resources agency.</p> <p>(8) The State department of agriculture.</p> <p>(9) The State association of soil and water conservation districts.</p> <p>(10) Agricultural producers representing the variety of crops and livestock or poultry raised within the State.</p> <p>(11) Owners of nonindustrial private forest land.</p> <p>(12) Nonprofit organizations within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 with demonstrable conservation expertise and experience working with agriculture producers in the State.</p> <p>(13) Agribusiness.</p> <p>(14) The State Cooperative Extension Service and land grant university in the State.</p>	
Establishment of State Technical Committees	Section 1262	2822		<p>(a) IN GENERAL.—Each State technical committee established under section 1261 shall meet regularly to provide information, analysis, and recommendations to appropriate officials of the Department of Agriculture who are charged with implementing the conservation provisions of this title.</p> <p>(b) PUBLIC NOTICE AND ATTENDANCE.—Each State technical committee shall provide public notice of, and permit public attendance at, meetings considering issues of concern related to carrying out this title.</p> <p>(c) ROLE.—</p> <p>(1) IN GENERAL.—The role of State technical committees is advisory in nature, and such committees shall have no implementation or enforcement authority. However, the Secretary shall give strong consideration to the</p>	

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				<p>recommendations of such committees in administering the programs under this title.</p> <p>(2) ADVISORY ROLE IN ESTABLISHING PROGRAM PRIORITIES AND CRITERIA.—Each State technical committee shall advise the Secretary in establishing priorities and criteria for the programs in this title, including the review of whether local working groups are addressing those priorities.</p> <p>(d) FACA REQUIREMENTS.—</p> <p>(1) EXEMPTION.—Each State technical committee shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).</p> <p>(2) LOCAL WORKING GROUPS.—For purposes of the Federal Advisory Committee Act (5 U.S.C. App.), any local working group established under this subtitle shall be considered to be a subcommittee of the applicable State technical committee.</p>	
Agricultural Conservation Easements Program	Section 1265C	2604	Wetland Reserve Easements- Easements-Terms and Conditions of Easement- Compatible Uses- Compatible User Authorization	<p>In evaluating and authorizing a compatible economic use under clause (i), the Secretary shall—</p> <p>(l) request and consider the advice of the applicable State technical committee established under section 1261(a) about the 1 or more types of uses that may be authorized to be conducted on land subject to a wetland reserve easement, including the frequency, timing, and intensity of those uses;</p>	<p>Provide guidance to the agency on 1 or more types of uses that may be authorized to be conducted on land subject to a wetland reserve easement, including the frequency, timing, and intensity of those uses; to facilitate the practical administration and management of that land; and ensure that an authorized use furthers the functions and values for which the wetland reserve</p>

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				<p>(II) consider the ability of an authorized use to facilitate the practical administration and management of that land; and</p> <p>(III) ensure that an authorized use furthers the functions and values for which the wetland reserve easement was established.</p>	easement was established for the state.
Agricultural Conservation Easements Program	Section 1265C	2604	Wetland Reserve Easements- Administration- Alternative Plant Communities	The Secretary, in coordination with State technical committees established under section 1261(a) and pursuant to State-specific criteria and guidelines, may authorize the establishment or restoration of a hydrologically appropriate native community or alternative naturalized vegetative community as part of a wetland reserve easement plan for land subject to a wetland reserve easement if that hydrologically appropriate native or alternative naturalized vegetative community shall—	Provide guidance on state-specific criteria and guidelines, may authorize the establishment or restoration of a hydrologically appropriate native community or alternative naturalized vegetative community as part of a wetland reserve easement plan for land subject to a wetland reserve easement if that hydrologically appropriate native or alternative naturalized vegetative community shall— (A) substantially support or benefit migratory waterfowl or other wetland wildlife; or

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				(A) substantially support or benefit migratory waterfowl or other wetland wildlife; or (B) meet local resource concerns or needs (including as an element of a regional, State, or local wildlife initiative or plan).	(B) meet local resource concerns or needs (including as an element of a regional, State, or local wildlife initiative or plan).
Regional Conservation Partnership Program	Section 1271D	2705	Funding- Allocation of Funding	Of the funds made available for the program under subsection (a) the Secretary shall allocate— (1) 50 percent of the funds to projects based on a State or multistate competitive process administered by the Secretary at the local level with the advice of the applicable State technical committees established under subtitle G; (2) 50 percent of the funds and acres to projects for critical conservation areas designated under section 1271F.	Provide guidance to the agency on allocation of funds utilizing a competitively competitive process for distribution.
Feral Swine Eradication and Control Pilot Program	Section 2408	2408	Coordination	The Secretary shall ensure that the Natural Resources Conservation Service and the Animal and Plant Health	Provide guidance to NRCS and Animal and Plant Health Inspection Service

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				Inspection Service coordinate for purposes of this section through State technical committees established under section 1261(a) of the Food Security Act of 1985 (16 U.S.C. 3861(a)).	on program coordination in the state.