

## **Tennessee State Technical Committee Meeting**

Lane Agri-Park · 315 John R. Rice Boulevard · Murfreesboro, Tennessee

February 11, 2020

### *Minutes*

#### **Present:**

Michelle Beasley, USDA-Natural Resources Conservation Service (NRCS)

Dustin Boler, U.S. Fish and Wildlife Service

Greg Brann, Tennessee Association of Conservation Districts

Kyle Brazil, Central Hardwoods Joint Venture

Brandi Broughton, USDA- Farm Service Agency

Katherine Burse, USDA-NRCS

Jamie Carpenter, USDA-NRCS

Brian Flock, Tennessee Wildlife Resources Agency

Nicholle Gerah, Cumberland River Compact

Kelly German, USDA-NRCS

Pat Gibson, USDA-NRCS

Emily Granstaff, U.S. Fish and Wildlife Service

J. S. Griffin, Tennessee Association of Utility Districts

Kelly Gupton, USDA-NRCS

Chris Hancock, USDA-NRCS

Robin Mayberry, USDA-NRCS

Jason McAfee, USDA-NRCS

John McClurkan, Tennessee Department of Agriculture

Andy Neal, USDA-NRCS

Bill Norfleet, USDA-NRCS

Mike Oliver, USDA-NRCS

Dee Pederson, USDA-NRCS

Sam Pesnell, USDA-NRCS

Alex Richman, Tennessee Forestry Association

Holt Shoaf

Tammy Swihart, USDA-NRCS

Leon Tillman, USDA-NRCS

Forbes Walker, University of Tennessee

Matt Walker, USDA-NRCS

John Woodcock, Tennessee Division of Forestry

Suzanne Senecal, USDA-NRCS

As Acting State Conservationist for Mr. Sheldon Hightower, Jamie Carpenter, Assistant State Conservationist for Programs, served as the facilitator of today's meeting.

#### **Welcome/Opening Remarks: Jamie Carpenter, USDA-NRCS**

- Welcome to our State Technical Committee Meeting. We appreciate you coming out and joining us this morning in this dreary weather. Mr. Hightower is away this week at a national leadership meeting.
- Although the Farm Bill passed in December of 2018, NRCS operated in transition authority to work under the 2014 Farm Bill during fiscal year (FY) 2019. The authority expired on December 30, 2019. Since that time, we have been and still are in a holding pattern until comments on the Federal Register are reviewed and released.

- Allen Persinger was selected as the Assistant State Conservationist for Easements for the State of Montana. This is a great opportunity for him. If you have any questions and/or concerns about easements, please feel free to contact me at [jamie.carpenter@usda.gov](mailto:jamie.carpenter@usda.gov).
- Currently, USDA-NRCS is streamlining its delivery on technology. Matt and his team are working on that, and we are very appreciative of all that they are doing. National headquarters is providing guidance on CART (conservation ranking assessment tool).

### **NRCS Pay Schedule Overview: Kelly Gupton and Jason McAfee, USDA-NRCS**

- **Kelly Gupton:**
  - **Team Composition**
    - I work with NRCS at the state office. Since 2014, I have been working with Jason McAfee and Michelle Beasley on the NRCS environmental quality incentive program (EQIP) pay schedule. Robin Mayberry and Tammy Swihart provided assistance as well.
    - In 2013-2014, the agency changed from collecting receipts to a more streamline approach. Today the team consists of five levels:
      1. National payment schedule core team (leads).
      2. National technical leads.
      3. Regional teams.
      4. State teams.
      5. State advisory groups, including NRCS state/area/field staffs, partners, and counties.
  - **Flow of Communication**

The flow of communication begins at the national level and down to the Appalachian region of which Tennessee is and a member, and vice versa. States submit their ideas to the regional teams for review, followed by the regional teams forwarding the states' ideas to the national level for approval. The national team conducts quality assurance, provides comments, and either approves or declines the states' ideas. Regions must stay within the national guidelines and rules, e.g., number of scenarios, etc.
  - **FY 2020 Deadlines**

The most important deadlines for FY2020 are:

    - February 14 – for national scenario requests and updates.
    - April 3 – for submitting regional scenarios. This is also the deadline for states to submit new ideas, i.e. for EQIP, etc.
    - New Fiscal Year (October) – States need to be ready for implementation immediately after the beginning of the new fiscal year. The implementation of this year's pay schedule is scheduled to roll out on October 7<sup>th</sup>.
  - **Payment Schedule Application (PSA) Tool**
    - The PSA tool is all electronic. EQIP, regional conservation partnership program (RCPP), conservation stewardship program (CSP), and other programs are run through the tool. Costs, as well as scenarios, can be requested through the tool, which then forwards the costs to Protracts.
    - The database consists of cost components that are used to develop scenarios to treat resource concerns. A typical scenario would be the conservation practice standard, 314 Brush Management.
    - Examples of other components include equipment installation, materials, and mobilization.

- Components are used for EQIP cost basis. States may request to modify components if necessary.
- **NRCS Pay Schedule Availability/Location**  
The pay schedules are no longer posted to the electronic field office technical guide (eFOTG). National uploads the pay schedules and practice scenarios to NRCS's public website. You can find the pay schedule by entering "NRCS 2020 Pay Schedules" on Google.
- **Feedback**  
Tennessee collects feedback all year long, including what to delete, modify, costs, payment rates, things we need and don't have, things we don't offer but maybe we should, things we should not offer, etc. We keep the feedback on file to use as a reference for the following year's pay schedule. Feedback runs through appropriate lines. Partners or agencies outside NRCS can channel their information through their NRCS contacts or directly to me or Jason. (Kelly Gupton at [kelly.gupton@usda.gov](mailto:kelly.gupton@usda.gov) or Jason McAfee at [jason.mcafee@usda.gov](mailto:jason.mcafee@usda.gov).)
- **Jason McAfee:** The process is getting more automated with streamlining of input and is now more of a regional focus. There is also a national push to archive scenarios that States have not used in the past three years to reduce the amount of conservation practice scenarios that are offered. With the information that we collect over the year, we have tried to stay consistent with the scenarios and not make those significant changes each year, unless something is needed.
- **Matt Walker:** The scenarios should not be confused with conservation planning. We still plan what needs to be planned.
- **John McClurkan:** In the past, the goal for NRCS was to establish a reasonable financial assistant amount for practices, and the focus was more on cost share.
- **Kelly Gupton:** The focus now is more on cost incentive for the landowner to implement conservation practices.
- **Jamie Carpenter:** We need to have a finished pay schedule from Kelly and Jason before the EQIP pay schedule is posted and released.

**CSP (Conservation Stewardship Program): Bill Norfleet, USDA-NRCS (See attachment.)**

**Additional Comments:**

- Tennessee's 574 active CSP GCI contracts, totaling \$1,732,222.28, were obligated in FY19 and FY20 to date.
- NRCS has paid on 407 CSP GCI payments for this fiscal year, totaling \$255,632.60, from October 1, 2019 to present date.
- Last month, 119 applications for GCI were approved into contracts.
- A total of \$1.2 million in financial assistance has been allocated for the CSP renewals for FY2020. The deadline is April 24, 2020.
- For CSP Classic, \$5.5 million in financial assistance has been allocated for this fiscal year.
- NRCS works with FSA on the GCI Grassland Conservation Initiative. FSA determines eligible base acres on the applicant's farm. GCI pays \$18 per acre. NRCS develops and maintains the contracts and provides needed technical assistance.
- March 6, 2020 is the deadline for the second round of GCI applications. FSA will be mailing a letter to those clients who had their records complete by November 17, 2019.

**Local Work Groups (LWGs) – Recommendations: Jamie Carpenter, USDA-NRCS (See attachment.)**

(NOTE: The red numbers indicate the number of occurrences throughout the 95 counties, from the local level to the county level.)

**Additional Comments:**

- **LWGs' Feedback**

At our last meeting, we addressed that we would be taking a different focus, e.g., having local work groups (LWGs), to look at resource concerns. We sent out guidance to the 95 LWGs and received their feedback, which indicated the following:

- The LWGs ranked resource concerns as (1) water quality, (2) plant condition, (3) soil erosion, (4) soil quality, (5) \_\_\_\_\_, and (6) insufficient water. These will be built into the ranking side of CART.
- Payment criteria is the LWGs' top recommendation for the State Conservationist's consideration.

- **Conservation Assessment Ranking Tool (CART)**

- **Matt Walker:** In the past we tied ranking points to practices, but now they are tied to priority resource concerns and practice vulnerability percentages based on resource concerns. These factors make ranking difficult. This is nationally driven and tied back to web soil survey.
- **Jamie Carpenter:** Plans include to roll out CART to our partners. However, additional work is needed before we can do so. We are hoping that we will be able to give a demonstration at the Tennessee State Technical meeting.

- **Fiscal Year 2021**

We should be looking at what is more administrative in nature. We will work on an action plan at the state level. As we roll out FY 2021, we want to have the same process of obtaining input from the LWGs.

**CRP (Conservation Reserve Program): Brandi Broughton, USDA-FSA (See attachment.)**

**Notes:**

- **General CRP Signup**

- Deadline: February 28, 2020.
- Environmental benefits index (EBI) point system is based on national scores.

- **Continuous CRP Signup**

New national/Tennessee practice – CP43 – Prairie Strips.

- **Clean Lakes, Estuaries, and Rivers (CLEAR) Practices**

- 15-year contracts.
- Big emphasis on contour grass strips, filter strips, and riparian buffers.

- **CLEAR 30**

- Same as CLEAR, except contracts are 30 years.
- No set aside acres.

- **Federal Crop Insurance Corporation (FCIC)**

Participants are no longer required to obtain crop insurance or file a waiver to participate CRP.

- **Highly Erodible Land Initiative (HELI)**

- No longer available under continuous signup.
- No allocation on acres.

- **New Forest Management Incentive**

Replacing tree thinning incentive (TTI).

- No cost share for management activity.
- Continuous certification no longer applies to CRP; returning to annual certification.

- **Haying/Grazing**
  - Trainings are scheduled in the near future.
  - Uncertain if all requirements need to be met; should know soon.
- **Forest Management Incentive (FMI)**
  - No signup outlined at this point.
  - \$12 million provided for FMI.
- **Soil Rental Rates**

If alternative rates are not applicable for their county, the FSA State Committee may submit a proposed alternative rate.
- **Transition Incentive Program (TIP)**
  - \$50 million allocated for FY2019 through 2023.
  - Transition may be from any owner or operator on the CRP contract.

**ECP (Emergency Conservation Program): Brandi Broughton, USDA-FSA (See attachment.)**  
Counties are still applying for the Disaster ID 1754 – 2019 Flood ECP funding.

**Tennessee Department of Agriculture Update (TDA): John McClurkan**

- **Hemp Program**

Yesterday I received an update from Danny Sutton, who is TDA's Director of Consumer and Industry Services and responsible for the State's Hemp Program. Last year there were approximately 400 growers and about 51,000 acres planted in Tennessee. The main product from hemp is CBD (cannabidiol) oil, not the fiber. Sales of the product were low in Tennessee last year. TDA is waiting on the release of USDA's final rule before finalizing its rules. If you have any questions about hemp, you can call Mr. Sutton at (615)-714-1015.
- **Word of Thanks** – I would like to thank NRCS for giving us a slot on today's agenda. This may not be taking place in other states.
- **TDA's Five Priorities** – TDA has developed five key work priorities, which are:
  1. Ag economic development.
  2. Workforce development and outreach.
  3. Healthy living.
  4. Effective/efficient government (streamlining).
  5. Natural resources stewardship and farm operations.
- **Funding Sources**

Tennessee has two funding sources for agriculture: Federal and State. Tennessee's funding has been quite robust over the last few years. We rely on our partners for funding. TDA works with the 95 soil conservation districts (SCDs) and committees throughout the State.
- **Training for Supervisors** – We are providing training for supervisors. Version 1.0 is complete and consists of 12 online chapters and associated lessons.
- **Soil Conservation Statutes**

TDA is working with the SCDs and the state association to update the existing soil conservation statutes, which were enacted in 1939. We hope to have a draft ready by this summer and to submit the document in time for the 2021 legislative cycle.
- **Conservation Reserve Enhancement Program (CREP) in TN**

TDA is working with FSA to enact a CREP program in Tennessee. Currently, rules are in flux. Once they are settled, we will finish the project by the end of the year. The targeted areas for CREP are the Clinch, Powell, Elk, and Duck River Basins and any body of water in Tennessee that is impaired due to a lack of a riparian buffer.

- **Mississippi River Basin Hypoxia**
  - We are working with internal and external groups on the Mississippi River Basin hypoxia. The “dead zone” in the Gulf of Mexico is caused by the excess amount of nutrients that causing the overgrowth of algae, which results in the decrease levels of oxygen. Every USDA conservation practice standard (CPS) is involved in this. Cover crops, along with no-till practices, have positive impacts on soil health. The State of Tennessee has the highest rate of adoption of no-till planting in the United States. Also, we only have about 100,000 acres of tile drainage land, according to the U.S. Census of Agriculture.
  - It is easy to report the number of CPSs for which we provide incentives and the number of contracts that have value. However, it is a challenge partnering with environmental agencies and showing load reductions on state waters from the work that we are doing. There are several stories on EPA’s Success Story website on which we are highlighting the success stories of the partnership among the SCDs, USDA, and TDA. This is the gold standard of our work.

**EQIP (Environmental Quality Incentive Program) – Kelly German, USDA-NRCS (See attachment.)**

***Additional Comments:***

- The EQIP interim final rule was published on December 17, 2019. The deadline to submit public comments is February 17, 2020.
- We are still reviewing funding for forestry and wildlife. We will address them at the next committee meeting.
- We are expecting approximately 2,000 applications.
- We expect the CSP ranking template to be released in the next few weeks.
- The forestry initiative focuses on reducing fire risk and improving water quality and has a very targeted approach, namely only to a few counties in east Tennessee.

**RCP (Regional Conservation Partnership Program) – Kelly German, USDA-NRCS (See attachment.)**

***Additional Comments:***

- The RCP interim final rule has not been published yet but should be out soon.
- The annual \$300 million RCP funding through FY2023 is dedicated for the nation. There is no set amount dedicated for each state.
- Outcomes need to be measurable and part of the ranking score is included in the evaluation.
- December 3, 2019 was the first deadline for RCP applications. Tennessee received no proposals for funding. We are expecting a number of proposals for the next funding announcement later this year.
- We are looking for innovative projects that are outside of EQIP and other programs.

**Proposed Grazing Lands Subcommittee: Jamie Carpenter and Tammy Swihart, USDA-NRCS**

- ***Jamie Carpenter:*** At our last meeting, we reviewed new procedures for the State Technical Committee, one of which addressed the subcommittees. Today we will follow through on that. Mr. Hightower has received a recommendation to add a new subcommittee for grazing. Tammy Swihart, our State Grazing Specialist, will serve as the consultant and NRCS-TN’s point of contact for the new grazing subcommittee.

- **Tammy Swihart:**

- I am originally from the State of Indiana and worked there for 27 years. I came to Tennessee about a year ago. I wanted to know about what is going on in the field and area offices and also about the employees' concerns for grazing and the tools that they need.
- A grazing committee with two-to-three members from each area across the State was formed a short while ago. We meet to discuss grazing options and determine what can be done statewide. We consider items that are internal (NRCS-related) and also those from external entities, e.g., partner agencies, state groups, and others, to ensure that we obtain a broad range of information on concerns, and other grazing-related matters.
- Going beyond that, we decided to submit a proposal to the State Conservationist to add a grazing land subcommittee to the State Technical Committee. The proposal was approved, and that is why I am here today to present the new subcommittee to you.
- The Grazing Land Subcommittee will meet any time and submit minutes and issues to the State Technical Committee. As the consultant, I will ensure that the subcommittee members are able to carry out these functions. Mr. Hightower will select the subcommittee chair. NRCS will serve only as a consultant, not as the chair. The meetings will be opened to the public.
- The subcommittee's objectives will include:
  - Determining the grazing status in Tennessee.
  - Evaluating NRCS's available services for further development.
  - Improving communications with other agencies.
  - Reaching out to consumer groups for their input on upcoming issues, e.g., rotational grazing, etc.

If you know of anyone who might be interested in serving on the subcommittee, please inform them about it.

- If you have any questions or wish to discuss, please feel free to contact me. I am available at (615) 277-2575 or [tammy.swihart@usda.gov](mailto:tammy.swihart@usda.gov).

**ACEP (Agricultural Conservation Easement Program) – Jamie Carpenter, USDA-NRCS**  
(See attachment.)

- **Additional Comments on Key Points on 2018 Farm Bill Changes:**

- **Interim Rule:** The interim rule is out for comment on the Federal Register. If you like something about the program or disagree/disapprove, please provide your comments by March 6, 2020.
- **Subpart A, General Provisions (Mandatory), § 1468.3 Definitions:**  
New definitions were added as “mandatory” and included (1) “Buy-protect-sell transaction” to establish the new transaction type under ACEP-ALE, and (2) “wetland restoration” addressing the new flexibility for restoration of a site to a different vegetative community than existed originally. In the past, it was limited to 30 percent.
- **Subpart B, Agricultural Land Easements (ALE), § Program Requirements:**
  - **DISCRETIONARY** – “Removed the requirement that an eligible entity provide evidence at the time of application that they have funds available to meet the minimum cash contribution requirement.”  
NOTE: This is a major change. In the past, NRCS funded 50 percent. Moving forward, NRCS will contribute 50 percent. The landowners can work with other entities for remainder.



- ***Katherine Burse, USDA-NRCS:***
  - NRCS-TN will attend the following events this month:
    - National Wild Turkey Federation (NWTF) Annual Convention – Gaylord Opryland Resort and Convention Center in Nashville on February 12-16.
    - PickTN Conference – Franklin Marriott Cool Springs in Franklin on February 20-22.
    - Tennessee Association of Conservation Districts (TACD) 76<sup>th</sup> Annual Meeting – Franklin Marriott Cool Springs in Franklin on February 23-25.
    - 68<sup>th</sup> Annual Mid-South Farm and Gin Show – Memphis Convention Center in Memphis on February 27-29.
- ***Alex Richman, Tennessee Forestry Association (TFA):***
  - TFA will be sponsoring the 2020 TFA Annual Tree Day at the State Legislature on March 10<sup>th</sup>. We will be giving away white oak tree seedlings and other items to the Governor, legislators, and staff. A reception will follow at the Sheraton SKYE Room, located at 623 Union Street in Nashville. You may RSVP through our website.

There being no further business, the meeting adjourned.

Minutes prepared by Sue Senecal, USDA-NRCS