



National Association of Conservation Districts

January 19, 2021

Acting Chief Kevin Norton
Natural Resources Conservation Service
1400 Independence Ave. SW
Washington, DC 20250

Dear Acting Chief Norton,

The National Association of Conservation Districts (NACD) represents America's nearly 3,000 conservation districts and the more than 17,000 men and women who serve on their governing boards. Conservation districts are local units of government established under state law to carry out natural resource management programs at the local level. Conservation districts work with millions of cooperating landowners and operators to help them manage and protect land and water resources on private and public lands in the United States.

NACD knows that conservation decision-making is best conducted at the local level. NACD appreciates the long history and relationship NRCS and conservation districts have of working together to implement conservation practices, which has demonstrated time and again the successes of locally-led conservation. We commend NRCS for hosting the December 2020 listening session and focusing on the critical issue of water quantity in the west. Knowing that water quantity isn't always recognized as a priority resource concern at the national level, any path forward should be taken in consultation with Local Work Groups and State Technical Committees. These local stakeholder groups best understand the situation on the ground, the resource needs and the conservation solutions to tackle them.

Congress has routinely given NRCS the authority to assist in water quantity resource protection through several farm bill conservation programs. Both the Environmental Quality Incentives Program (EQIP) and the Conservation Stewardship Program (CSP) can encourage producers to make water quantity improvements on their operation through more efficient irrigation infrastructure, crop changes that require less water and tillage changes that reduce runoff and increase moisture retention. These and other practices will ultimately help capture more of the rainwater that falls and reduce the reliance of and depletion of aquifer and surface water resources.

The 2018 Farm Bill increased the ability for NRCS to address water quantity concerns by allocating 10 percent of all authorized conservation program dollars to address source water protection. Conservation measures that support water quantity can protect source water as well. All farm bill conservation programs can delivery on water quantity goals from individual conservation practices implemented through EQIP and CSP to farmland and wetland preservation through the Agricultural Conservation Easement Program (ACEP).

Additionally, Congress authorized NRCS to enter into EQIP contracts with irrigation districts, groundwater management districts and acequias. The practices implemented through the EQIP



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contracts held by these entities will ultimately make water quantity improvements for agricultural producers. It is vital that as states receive their allocations for NRCS programs, the Local Work Groups have had robust conversations about the natural resource priorities in their area so State Technical Committees can ensure that these programs address water quantity concerns in areas where it is needed.

It is also critical for NRCS to continue to prioritize the Watershed and Flood Prevention Program. This program has the flexibility to address multiple natural resource concerns including water quantity. These projects are organized by local sponsors who have first-hand knowledge of the resource concerns in their local areas. The authorities of the program not only allow structures to be constructed but also allow various land treatment solutions. This program should be a component of whatever water quantity plan NRCS has for the West.

Acequias

Acequias are a priority where western water quantity and conservation intersect. Acequias are centuries-old irrigation systems managed by local units of government. In many cases, they serve small acreage, low income, minority and other underserved farmers. The 2014 Farm Bill allowed acequias to participate in the Regional Conservation Partnership Program (RCPP), and since then, acequia projects have improved surface water conservation and water quality on agricultural lands and have provided for riparian habitats benefiting wildlife and plant species. NACD was supportive of the change in the 2018 Farm Bill that extended eligibility within EQIP to acequias. Expanding acequias' eligibility to the full EQIP program ensures these unique and historic irrigation systems can continue to provide conservation benefits and economic stability to low income, minority and underserved farmers.

NACD is glad to see this provision implemented by NRCS. However, we believe there are a few changes that could be made to increase acequias', and by extension underserved farmers', access to this program, which will ultimately benefit water quantity concerns. We believe the EQIP funding for "water management agencies" – which includes acequias – should be allocated outside the traditional state allocations for EQIP funding to ensure that larger water management agencies are not competing directly with individual landowners for funding. We also believe that the land eligibility definition within EQIP should be flexible to allow the entirety of an acequia's infrastructure to be eligible for conservation improvements. The definition of eligibility for acequias in the RCPP program should be extended to the EQIP program.

While NACD appreciates NRCS's attention to water quantity concerns in the western United States, which many times center around reduced water quantity, we want to ensure that NRCS also recognizes that water quantity concerns can also stem from too much water on the landscape and further investing in programs such as the Watershed and Flood Prevention Operations Program and the Watershed Rehabilitation Program are vitally important. Water quantity concerns, both excess and reduced quantity, are not only important natural resource concerns limited the Western United States but can present problems throughout the country.



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Ultimately, if NRCS ensures that State Technical Committees, in consultation with Local Work Groups, have the discretion and authority to direct NRCS program dollars to the natural resource concerns that have been identified through this process, water quantity issues in the western U.S, as well as all resource concerns throughout the country, can be sufficiently addressed. Conservation districts were created to be the local partners of NRCS, and we encourage the agency to continue recognizing the value of locally-led conservation delivery.

Sincerely,

Tim Palmer
President
National Association of Conservation Districts