

- (A) The agricultural conservation easement program.
- (B) The environmental quality incentives program.
- (C) The conservation stewardship program.
- (D) The healthy forests reserve program established under section 6571 of this title.

(2) Eligible activity

The term “eligible activity” means a conservation activity for any of the following:

- (A) Water quality restoration or enhancement projects, including nutrient management and sediment reduction.
- (B) Water quantity conservation, restoration, or enhancement projects relating to surface water and groundwater resources, including—
 - (i) the conversion of irrigated cropland to the production of less water-intensive agricultural commodities or dryland farming; or
 - (ii) irrigation system improvement and irrigation efficiency enhancement.
- (C) Drought mitigation.
- (D) Flood prevention.
- (E) Water retention.
- (F) Air quality improvement.
- (G) Habitat conservation, restoration, and enhancement.
- (H) Erosion control and sediment reduction.
- (I) Forest restoration.
- (J) Other related activities that the Secretary determines will help achieve conservation benefits.

(3) Eligible land

(A) In general

The term “eligible land” means—

- (i) land on which agricultural commodities, livestock, or forest-related products are produced; and
- (ii) lands associated with the lands described in clause (i).

(B) Inclusions

The term “eligible land” includes—

- (i) cropland;
- (ii) grassland;
- (iii) rangeland;
- (iv) pastureland;
- (v) nonindustrial private forest land; and
- (vi) other land incidental to agricultural production (including wetlands and riparian buffers) on which significant natural resource issues could be addressed under the program.

(4) Eligible partner

The term “eligible partner” means any of the following:

- (A) An agricultural or silvicultural producer association or other group of producers.
- (B) A State or unit of local government.
- (C) An Indian tribe.
- (D) A farmer cooperative.
- (E) A water district, irrigation district, rural water district or association, or other organization with specific water delivery authority to producers on agricultural land.

(F) A municipal water or wastewater treatment entity.

(G) An institution of higher education.

(H) An organization or entity with an established history of working cooperatively with producers on agricultural land, as determined by the Secretary, to address—

- (i) local conservation priorities related to agricultural production, wildlife habitat development, or nonindustrial private forest land management; or
- (ii) critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource issues.

(5) Partnership agreement

The term “partnership agreement” means an agreement entered into under section 3871b of this title between the Secretary and an eligible partner.

(6) Program

The term “program” means the regional conservation partnership program established by this subchapter.

(Pub. L. 99-198, title XII, §1271A, as added Pub. L. 113-79, title II, §2401, Feb. 7, 2014, 128 Stat. 745.)

§ 3871b. Regional conservation partnerships

(a) Partnership agreements authorized

The Secretary may enter into a partnership agreement with an eligible partner to implement a project that will assist producers with installing and maintaining an eligible activity on eligible land.

(b) Length

A partnership agreement shall be for a period not to exceed 5 years, except that the Secretary may extend the agreement one time for up to 12 months when an extension is necessary to meet the objectives of the program.

(c) Duties of partners

(1) In general

Under a partnership agreement, the eligible partner shall—

- (A) define the scope of a project, including—
 - (i) the eligible activities to be implemented;
 - (ii) the potential agricultural or nonindustrial private forest land operations affected;
 - (iii) the local, State, multistate, or other geographic area covered; and
 - (iv) the planning, outreach, implementation, and assessment to be conducted;

(B) conduct outreach and education to producers for potential participation in the project;

(C) at the request of a producer, act on behalf of a producer participating in the project in applying for assistance under section 3871c of this title;

(D) leverage financial or technical assistance provided by the Secretary with additional funds to help achieve the project objectives;

(E) conduct an assessment of the project's effects; and

(F) at the conclusion of the project, report to the Secretary on its results and funds leveraged.

(2) Contribution

An eligible partner shall provide a significant portion of the overall costs of the scope of the project that is the subject of the agreement entered into under subsection (a), as determined by the Secretary.

(d) Applications

(1) Competitive process

The Secretary shall conduct a competitive process to select applications for partnership agreements and may assess and rank applications with similar conservation purposes as a group.

(2) Criteria used

In carrying out the process described in paragraph (1), the Secretary shall make public the criteria used in evaluating applications.

(3) Content

An application to the Secretary shall include a description of—

(A) the scope of the project, as described in subsection (c)(1)(A);

(B) the plan for monitoring, evaluating, and reporting on progress made toward achieving the project's objectives;

(C) the program resources requested for the project, including the covered programs to be used and estimated funding needed from the Secretary;

(D) each eligible partner collaborating to achieve project objectives, including their roles, responsibilities, capabilities, and financial contribution; and

(E) any other elements the Secretary considers necessary to adequately evaluate and competitively select applications for funding under the program.

(4) Priority to certain applications

The Secretary may give a higher priority to applications that—

(A) assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

(B) have a high percentage of producers in the area to be covered by the agreement;

(C) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, or national efforts;

(D) deliver high percentages of applied conservation to address conservation priorities or regional, State, or national conservation initiatives;

(E) provide innovation in conservation methods and delivery, including outcome-based performance measures and methods; or

(F) meet other factors that are important for achieving the purposes of the program, as determined by the Secretary.

(Pub. L. 99-198, title XII, §1271B, as added Pub. L. 113-79, title II, §2401, Feb. 7, 2014, 128 Stat. 746.)

§ 3871c. Assistance to producers

(a) In general

The Secretary shall enter into contracts with producers to provide financial and technical assistance to—

(1) producers participating in a project with an eligible partner; or

(2) producers that fit within the scope of a project described in section 3871b of this title or a critical conservation area designated under section 3871f of this title, but who are seeking to implement an eligible activity on eligible land independent of an eligible partner.

(b) Terms and conditions

(1) Consistency with program rules

(A) In general

Except as provided in subparagraph (B) and paragraph (2), the Secretary shall ensure that the terms and conditions of a contract under this section are consistent with the applicable rules of the covered programs to be used as part of the partnership agreement, as described in the application under section 3871b(d)(3)(C) of this title.

(B) Adjustments

(i) In general

The Secretary may adjust the rules of a covered program, including—

(I) operational guidance and requirements for a covered program at the discretion of the Secretary so as to provide a simplified application and evaluation process; and

(II) nonstatutory, regulatory rules or provisions to better reflect unique local circumstances and purposes if the Secretary determines such adjustments are necessary to achieve the purposes of the covered program.

(ii) Limitation

The Secretary shall not adjust the application of statutory requirements for a covered program, including requirements governing appeals, payment limits, and conservation compliance.

(iii) Irrigation

In States where irrigation has not been used significantly for agricultural purposes, as determined by the Secretary, the Secretary shall not limit eligibility under section 3871b of this title or this section on the basis of prior irrigation history.

(2) Alternative funding arrangements

(A) In general

For the purposes of providing assistance for land described in subsection (a) and section 3871f of this title, the Secretary may enter into alternative funding arrangements with a multistate water resource agency or authority if—

(i) the Secretary determines that the goals and objectives of the program will be met by the alternative funding arrangements;