



## 2023 Farm Bill Platform

American Flood Coalition Action (AFCA) is a nonprofit organization dedicated to advancing national solutions to the challenges posed by flooding and sea level rise. We support proactive reforms that aid flood-affected communities and protect Americans, our economy, and military installations. As Congress works to enact a bipartisan farm bill, AFCA offers the following 10 proposals to empower farmers and rural communities to lead on innovative flood solutions.

### **PRIORITY A**

#### **Make USDA disaster assistance more responsive, so that communities have the resources and capabilities to recover swiftly after a disaster**

- 1) Allow Emergency Watershed Protection Program disaster assistance to improve the level of protection above the existing level at the time of the disaster (H.R.5250 — Flooding Prevention, Assessment, and Restoration Act of 2023 / H.R.5257 — Protecting Farmers from Natural Disasters Act)
- 2) Authorize reimbursements for pre-approved Emergency Watershed Protection Program project work (S.757 / H.R.1670 — Making Access To Cleanup Happen Act of 2023)
- 3) Provide NRCS the discretion to fund Emergency Watershed Protection Program emergency work by temporarily transferring funds from other NRCS programs

### **PRIORITY B**

#### **Elevate flooding as a priority in USDA conservation programs which enable producers to lead on innovative practices that reduce flooding**

- 4) Add flood prevention to the statutory purpose of the the Regional Conservation Partnership Program (H.R.3972 — Flood Resiliency and Land Stewardship Act)
- 5) Include report language in the farm bill that emphasizes the role of USDA field staff in providing technical assistance for flood adaptation and resilience

## **PRIORITY C**

### **Develop data at USDA to determine conservation practices' effect as a flood solution**

- 6) Improve USDA data collection and research of conservation practices, informing producers' understanding of which practices help reduce flood risk and increase profitability (S.98 – Agriculture Innovation Act of 2023)
- 7) Direct USDA to conduct a National Agricultural Flood Vulnerability Assessment (H.R.5250 – Flooding Prevention, Assessment, and Restoration Act of 2023)
- 8) Conduct a pilot project to study the flood-reduction benefits of layering multiple conservation practices within a watershed

## **PRIORITY D**

### **Strengthen USDA's Small Watershed Programs which enable communities to address flooding across jurisdictional boundaries and at the watershed scale**

- 9) Increase the federal cost share for the Watershed Rehabilitation Program (H.R.5250 – Flooding Prevention, Assessment, and Restoration Act of 2023)
- 10) Double mandatory funding for the Watershed and Flood Prevention Operations Program



# Restoring Watersheds Above Pre-disaster Conditions through EWP

## H.R.5250 Flooding Prevention, Assessment, and Restoration Act

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### **Allow Emergency Watershed Protection (EWP) Program disaster assistance to improve the level of protection above the existing level at the time of the disaster**

This change to program authorization would allow NRCS to provide federal cost share assistance through EWP to help communities recover from flood disasters and make critical watershed improvements that would reduce repeated damage during future disasters. Codifying this in statute would elevate long-term flood resilience as a priority in addition to flood recovery.

### **Why should EWP Program enhancements be implemented?**

Existing agency regulations prohibit NRCS from using EWP disaster assistance to improve the level of protection above the existing level at the time of disaster.<sup>1</sup> If a project sponsor wishes to improve upon the pre-disaster level of protection, then EWP regulations require the sponsor to pay for the entirety of the improvements (i.e., 100% non-federal cost share). These restrictions limit NRCS' ability to make smart, cost-effective investments that restore the watershed while simultaneously making critical improvements that could reduce recurring damage from repeat disasters.

### **How should EWP Program enhancements be implemented?**

AFCA supports using language in the bipartisan H.R.5250 Flooding Prevention, Assessment, and Restoration Act of 2023 to enhance the EWP program with the following language:

Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended by adding at the end the following:

“(c) Level Of Restoration.—In carrying out this section, the Secretary may undertake measures that increase the level of protection above that which would be necessary to address the immediate impairment of the watershed if the Secretary determines that such restoration is in the best interest of the long-term health and the protection of the watershed from repetitive impairments.”.



# **MATCH Act of 2023**

## **Making Access to Cleanup Happen Act**

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### **Authorize reimbursements for pre-approved EWP project work**

Authorize USDA to reimburse state and local governments for pre-approved project work incurred under the Emergency Watershed Protection program to expedite flood recovery and watershed rehabilitation.

### **Why should EWP Program enhancements be implemented?**

Under EWP, project sponsors can start counting their time and in-kind services as their non-federal cost share contribution only after their project is approved by NRCS. In the wake of a major disaster, communities need resources to respond swiftly to protect life and property. Waiting for NRCS to approve all activities can delay recovery work by preventing state and local governments from accessing EWP disaster relief.

### **How should EWP Program enhancements be implemented?**

AFCA supports using language in the bipartisan [S.757](#) and [H.R.1670 Making Access To Cleanup Happen Act of 2023](#) as a starting point to enhance the EWP Program. AFCA recommends that Congress directs USDA to designate a list of watershed rehabilitation activities that potential EWP program sponsors could carry out prior to project approval. AFCA also recommends that Congress directs USDA to establish a procedure for potential EWP sponsors to consult with state NRCS offices about additional pre-approval watershed rehabilitation work. These activities should count towards the program's required 25% sponsor match.



## EWP Emergency Fund

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### **Provide USDA the discretion to fund Emergency Watershed Protection (EWP) Program emergency work by temporarily transferring funds from other NRCS programs.**

Provide USDA and the Natural Resource Conservation Service (NRCS) the discretion to fund EWP emergency work by temporarily transferring funds to an EWP emergency fund from other NRCS programs. Later Congressional disaster supplementals would refund the programs that were borrowed from during the disaster response.

### **Why should an EWP emergency fund be created?**

Congress typically funds USDA disaster programs like EWP through emergency supplementals. If there is no funding on hand after a disaster, NRCS' emergency response is hamstrung, and if Congress cannot act fast it can take months for a community to begin the recovery process.

### **How should an EWP emergency fund be implemented?**

Amend the EWP statute to incorporate language authorizing an emergency fund for EWP project work that could be funded through other farm bill conservation programs. This language is based on an existing statute authorizing an emergency fund for the U.S. Army Corps of Engineers. AFCA offers the following language for consideration:

Emergency Watershed Protection Program ([16 U.S.C. 2203](#)): amend by inserting after paragraph (b):

#### (c) Emergency fund

(1) There is authorized an emergency fund to be expended in preparation for emergency response to any natural disaster.

(2) The appropriation of such moneys for the initial establishment of this fund and for its replenishment on an annual basis, is authorized provided that pending the appropriation of sums to such emergency fund, the Secretary may allot, from existing farm bill conservation programs, such sums as may be necessary for the immediate work, such appropriations to be reimbursed from the appropriation herein authorized when made.

<sup>1</sup> [33 U.S.C. 701n](#). Emergency response to natural disasters.



# **Flood Resiliency and Land Stewardship Act H.R.3972**

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

## **Add flood prevention to the statutory purpose of the Regional Conservation Partnership Program (RCPP)**

Amend the purpose sections of the USDA Regional Conservation Partnership Program to elevate flood prevention as a natural resource concern.

### **Why should flood prevention be added to RCPP?**

In 2021 farmers reported \$685.9 million in losses tied to flooding and hurricanes, but none of the five major USDA conservation programs specifically mention flood prevention or mitigation in their statutory purpose sections. The best flood solutions often require collaboration from multiple partners and across jurisdictional boundaries. While RCPP already supports some activities that reduce flooding, the program's federal authorization does not explicitly mention flood prevention or mitigation as a key purpose.

### **How can flood prevention be added to RCPP?**

[The Flood Resiliency and Land Stewardship Act](#) would formally add flood prevention, mitigation, and resiliency to RCPP's statutory purpose, enabling the program to better assist agricultural producers, communities, and nongovernmental stakeholders in implementing regional and watershed-scale flood solutions.

The best flood solutions often require collaboration from multiple partners and across jurisdictional boundaries. H.R. 3972 would improve RCPP and place flood prevention alongside other important natural resource priorities such as soil health, water quality, and wildlife conservation. This would provide greater flexibility and support for partners to address regional flooding issues together.



## Report Language for Flood Resilience

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

**Include report language in the farm bill that emphasizes the role of USDA field staff in providing technical assistance for flood adaptation and resilience**

### The Role of USDA Field Staff in Flood Resilience

Insufficient support for technical assistance in federal programs—along with complex eligibility, application, and documentation requirements—leaves many underserved, rural, and smaller communities behind in recovering from and adapting to flooding and other natural disasters. USDA field staff, extension service agents, and technical service providers perform an important role in assisting producers with adapting to flooding. They go into the field to provide specialized instruction on the latest innovations in agricultural practices, and into communities to meet people where they are. They help producers and communities access USDA programs and implement impactful practices covered by those programs that reduce flooding.

### Proposed Report Language

AFC Action offers the following report language for consideration:

Technical assistance for flood resilience—The Committee recognizes the critical role that USDA field staff, extension service agents, and other technical service providers perform to assist producers with implementing impactful conservation practices, including practices that help producers reduce flooding and become more resilient to natural disasters. The Committee directs USDA to assess its list of approved conservation practices to ensure there is appropriate support for producers to maximize flood resilience, and encourages the Department to promote staff training on innovative soil health, natural resources, sustainability, and watershed management techniques that contribute to flood resilience in order to ensure their ability to provide specialized technical support for producers.



## **Agriculture Innovation Act of 2023**

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### **Improve USDA data collection and research of conservation practices, informing producers' understanding of which practices help reduce flood risk and increase profitability**

Direct USDA to strengthen agricultural data collection, research, and distribution to connect farmers and ranchers with the most effective conservation practices that help them reduce their flood risk.

#### **Why are improvements to data collection necessary?**

USDA does not broadly collect and disseminate data regarding the economic impacts and flood reduction benefits of the covered practices found in its conservation programs. Flood reduction is often cited as a co-benefit to other conservation outcomes — such as soil health or water quality — so less analysis is undertaken to understand flooding. Assessing the economic and flood reduction benefits of practices will help all producers leverage whatever programs will result in the greatest benefits for their working lands, including flood reduction.

#### **How should innovations to data collection be structured?**

AFCA supports using language in the bipartisan [S.98 Agriculture Innovation Act of 2023](#) as a starting point to enhance data collection and research in USDA conservation programs. This is an effective starting framework to ensure data and research concerning the efficacy of conservation practices are appropriately collected, processed, and made available to producers. AFCA suggests incorporating language to ensure that data regarding flood prevention, among other co-benefits realized through conservation practices, are captured during the data acquisition process.





# National Agricultural Flood Vulnerability Assessment

## H.R.5250 Flooding Prevention, Assessment, and Restoration Act

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### **Direct USDA to conduct a National Agricultural Flood Vulnerability Assessment**

Direct the USDA Secretary to conduct a national agricultural flood vulnerability assessment. This assessment would analyze the flood risk facing America's agricultural lands, include analysis detailing how ongoing producer-level conservation practices and broader government initiatives to manage flooding impacts flood risk within and across watersheds, as well as recommendations for additional practices and initiatives that can be taken to produce co-benefits.

### **Why should there be a National Agricultural Flood Vulnerability Assessment?**

There has never been a national flood-risk analysis that details the flood vulnerability facing America's farmlands. There are examples of comparable products in Iowa,<sup>1</sup> Michigan,<sup>2</sup> and Nebraska.<sup>3</sup> The Iowa vulnerability assessment analyzed 25 million acres of agricultural land to classify flood risk, and emphasized the importance of future mitigation assessments to ensure food security, protect jobs, and reduce downstream flood impacts for the state's urban regions.

### **How should a National Agricultural Flood Vulnerability Assessment be implemented?**

AFCA supports using language in the bipartisan H.R.5250 Flooding Prevention, Assessment, and Restoration Act of 2023 to create a National Agriculture Vulnerability Study:

Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a national agriculture flood vulnerability report containing the results of a conservation effects assessment project studying flood risk on agricultural lands, including—

(continued on next page)

<sup>1</sup> University of Iowa "[Agricultural flood vulnerability assessment and risk quantification in Iowa](#)"

<sup>2</sup> University of Michigan / Michigan State University / NOAA "[Moving Michigan Farms towards Climate and Weather Resiliency: the Creation of a 'Weather and Climate Ready' Assessment Tool](#)"

<sup>3</sup> University of Nebraska-Lincoln "[Weather Ready Nebraska](#)"

(1) an analysis of economic losses of crops and livestock resulting from flooding under different recurrence scenarios;

(2) an analysis of the downstream effects of mitigation activities carried out as part of a watershed management approach;

(3) an analysis of available Federal and State data relating to flood risk, as applicable to agricultural land, including data relating to riverine flooding, coastal flooding, storm surge, extreme precipitation, and flash flooding; and

(4) a description of ongoing producer-level conservation practices and broader government initiatives to manage flooding impact and flood risk within and across watersheds, and recommendations for additional practices and initiatives to further address such impact and risk.



## Watershed Pilot Project

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### **Conduct a pilot project to study the flood-reduction benefits of layering multiple conservation practices within a watershed.**

Direct the USDA Secretary to run a pilot project that studies the flood-reduction benefits of layering multiple conservation practices in a HUC-12 watershed.<sup>1</sup> This project would saturate a watershed with as many conservation and production practices as possible to manage flood risk within the watershed, mitigate downstream flooding, and produce transferable research.

### **Why should a watershed pilot project be implemented?**

USDA has not extensively studied the flood-reduction benefits realized when combining or layering multiple conservation practices, particularly as part of a watershed management approach. Conducting new, innovative research at the watershed level is imperative to equip producers and communities with the best available information to adapt to flooding. Results from the pilot would provide a powerful case example of what is possible when a concerted effort is taken to retain waters on farmland and address flooding at the watershed scale.

### **How should a watershed pilot project be implemented?**

AFCA offers the following language for consideration:

- (a) In General- The Secretary shall establish a pilot project that studies the flood-reduction benefits of layering multiple conservation practices in a HUC-12 watershed.
- (b) Duties of the Secretary- In carrying out the pilot project the Secretary shall-
  - (1) evaluate the effectiveness of saturating a watershed with as many conservation and production practices that contribute toward flood reduction as possible, including edge-of-field practices that intercept water flow in ditches and tile drainage systems, strategic usage of wetlands, and implementation of soil health or structural practices that reduce flooding.
- (c) Assistance- The Secretary may provide financial assistance to agriculture producers under the pilot project to-
  - (1) to implement conservation practices with the aim of managing flood risk within the watershed, mitigating downstream flooding around urban areas if applicable, and producing transferable research that can be applied in other regions of the country.

<sup>1</sup> A HUC-12 watershed typically covers 10,000-40,000 acres at the local sub-watershed level, and is a common area of land for this type of pilot project.



# Increase the Federal Cost Share for Watershed Rehabilitation

## H.R.5250 Flooding Prevention, Assessment, and Restoration Act

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### Increase the Federal Cost Share for the Watershed Rehabilitation Program

Grant the USDA Secretary discretionary authority to provide a variable federal cost share of up to 90% in the Watershed Rehabilitation Program.

### Why should the federal cost share be raised for the Watershed Rehabilitation Program?

The Watershed Rehabilitation Program provides technical and financial assistance for planning, design, and implementation to rehabilitate aging watershed dam projects that were originally funded under the PL-566 Watershed and Flood Prevention Operations Program. The maximum federal cost share for Rehabilitation projects is 65%, leaving local communities to cover up to 35% of project costs. For many rural and low-resource communities, these high local match requirements pose a significant barrier that prevents them from initiating rehabilitation of aged, high-hazard dams, posing a significant risk to agricultural production and rural communities. An increased federal cost share would allow local project sponsors greater access to federal resources to initiate rehabilitation work.

### How should enhancements be made to the Watershed Rehabilitation Program?

AFCA supports using language in the bipartisan H.R.5250 Flooding Prevention, Assessment, and Restoration Act of 2023 to adjust the Watershed Rehabilitation Program's federal cost share up to 90% for limited-resource areas:

Section 14(b)(2) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(b)(2)) is amended by adding the following paragraph:

“(B) LIMITED RESOURCE AREAS.—Notwithstanding subparagraph (A), the Secretary may contribute up to 90 percent of the total rehabilitation costs to a local organization for construction of a particular rehabilitation project that serves a limited resource area, as determined by the Secretary, but not to exceed 100 percent of actual construction costs incurred in the rehabilitation.



## Funding for PL-566

As Congress works to enact a bipartisan farm bill that serves agricultural producers and rural communities, American Flood Coalition Action (AFCA) urges consideration of the following request.

### **Double mandatory funding for the Watershed and Flood Prevention Operations Program.**

Increase the level of mandatory funding authorized in the farm bill for the PL-566 Watershed and Flood Prevention Operations (WFPO) Program from \$50 million to \$100 million annually.

### **Why invest in the Watershed and Flood Prevention Operations Program?**

The WFPO Program is USDA NRCS' premier program that addresses flooding on a watershed scale, providing financial and technical assistance to state, local governments, and tribes to protect and restore watersheds up to 250,000 acres. WFPO is one of the federal government's only flood prevention programs that operate on a watershed scale, providing an exceptional and proven model for how the federal government can support state and local decision makers in managing flood risk at the watershed level and across political boundaries. A modest increase in annual mandatory funding would create predictability and stability to ensure valuable projects can flow from planning to implementation in a timely manner to protect watersheds and better serve agricultural producers and the communities where they live.