

July 6, 2026

Mr. J'Que C. Jones
National Agricultural Engineer
Conservation Engineering Division
USDA-NRCS
1400 Independence Avenue
South Building, Room 4949
Washington, DC 20250

Submitted via www.regulations.gov

Subject: Agricultural Group Comments Regarding Natural Resources Conservation
Service Proposed Revisions to the National Handbook of Conservation Practices,
Docket ID NRCS-2026-0034

Dear Mr. Jones:

The undersigned state and national agricultural organizations appreciate the opportunity to provide comments to the USDA-Natural Resources Conservation Service (NRCS) on the proposed revisions to the National Handbook of Conservation Practices (NHCP) published in the Federal Register on June 5, 2026, in the above-referenced docket.

Our organizations are members of the Agricultural Nutrient Policy Council (ANPC), a coalition of more than 50 state and national agricultural trade associations and agribusinesses committed to advancing sound water quality policy. Collectively, our organizations and members own and operate farms and ranches, as well as the businesses and organizations that support and serve agricultural producers. Together, we help farmers and ranchers produce and bring to market row crops, specialty crops, livestock, and poultry, while helping ensure Americans have access to a safe, affordable, and abundant supply of food, fiber, and fuel.

We appreciate NRCS giving stakeholders an early opportunity to review and provide comments on preliminary drafts of proposed revisions to the Conservation Practice Standards (CPS). A comment was filed on April 7, 2026, by several ANPC members with feedback on the proposed revisions.

As NRCS evaluates proposed revisions to various CPS, we encourage the agency to identify opportunities to enhance flexibility wherever possible. Increased flexibility will allow for site-specific conservation planning, additional farmer and rancher innovation, and economic feasibility at the farm gate. Further, we welcome NRCS improvements to the CPS that clarify intent and function of practices and preserve professional engineering. However, we caution NRCS to avoid expanding unnecessarily prescriptive design requirements. Maintaining practical, achievable requirements for manure-, waste-, and nutrient-related practices should be a high priority for NRCS in this set of revisions. Finally, we encourage NRCS to clearly distinguish between mandatory CPS criteria and programmatic, regulatory, or guidance-level provisions.

ANPC largely continues to support the set of proposed revisions, but we do want to highlight the following remaining questions and comments:

I. Appreciation for Incorporation or Partial Adoption of Prior Recommendations

We commend NRCS for the following positive responses to our April 7, 2026, comments:

Composting Facility (CPS 317): Adjusted setbacks and improved overall clarity are welcome. We continue to recommend that “all weather access” be retained only as a consideration (not mandatory criteria); that moisture management language use permissive phrasing such as “may need”; and that timber-related requirements be addressed under roof and cover standards rather than this CPS. Regional variation in separation distances should be explicitly acknowledged to avoid unintentionally limiting adoption where equivalent protection can be demonstrated.

Alley Cropping (CPS 311): Reduction of purposes from ten to five and movement of secondary benefits to the Considerations section improves focus and readability while preserving needed discretion on species selection and row spacing. We encourage further clarification that harvest (beyond periodic coppicing) is an allowable management objective to support economic feasibility and broader adoption.

On-Farm Secondary Containment (CPS 319): Clarifications regarding water table and floodplain considerations, reorganization of Operation & Maintenance, and related updates are helpful. We reiterate our prior recommendations that pipe connections not be mandatorily restricted to the top of tanks; that detailed seasonal high-water table calculations be moved to considerations or framed as site-specific and soil-dependent; that the three-foot tank separation be a consideration rather than a fixed requirement; and that language on impermeable barriers beneath piping be replaced with performance-based requirements for liquid-tight pipes and connections.

Well Decommissioning (CPS 351) and Monitoring Well (CPS 353): Expanded definitions, provisions for contaminated sites, and movement of certain items to Considerations or Operation sections represent progress. To avoid creating unnecessary participation barriers in states with less stringent well codes, we recommend explicit clarification that licensed well driller requirements apply primarily when contamination is suspected or as required by applicable state code.

Amendments for Treatment of Agricultural Waste (CPS 591): Improvements to clarity, duplication reduction, Safety Data Sheet requirements (including ecological information), and approval language distinguishing NRCS State Conservation Engineer review from manufacturer approval are appreciated and align with our prior suggestions. These changes will support more practical implementation and better conservation outcomes.

II. Key Areas Where Prior Recommendations Were Not Adopted

We respectfully urge NRCS to reconsider the following standards, where our April 7, 2026, recommendations for improved practicality, flexibility, and reduced waste were not incorporated in the current set of proposed revisions:

Energy-Related Practices (CPS 372 – Combustion System Improvement; CPS 374 – Energy Efficient Agricultural Operation; CPS 670 – Energy Efficient Lighting System; and related CPS 672): We strongly recommended eliminating or modifying requirements that mandate destruction (or disposal/recycling) of replaced engines, equipment, power plants, or lighting components. The proposed standards retain or add explicit criteria requiring such destruction/disposal/recycling. While preventing double-dipping is appropriate, mandatory destruction of serviceable assets is wasteful, increases material disposal burdens, raises costs, and may discourage producer participation. We again recommend alternative compliance approaches, such as reduced payment rates where replaced equipment is reused or resold (with appropriate documentation) or safeguards ensuring environmentally sound management without mandating destruction as a condition of program eligibility. This approach would preserve program integrity while promoting practical, economically feasible participation and avoiding unnecessary waste.

Herbaceous Weed Treatment (CPS 315): The qualifying criteria remain insufficiently defined. Clearer thresholds, descriptors, or examples of weed presence, density, or impact that warrant treatment would improve consistency in application, reduce uncertainty for producers and planners, and support more targeted and effective use of the practice.

Short Term Storage of Animal Waste and By-Products (CPS 318): We recommended specific, practical refinements: replacing “cannot be land applied” with “cannot be readily agronomically utilized due to weather or cropping conditions”; reconsidering solids content thresholds with graduated, performance-based design criteria tied to percent solids and demonstrated stackability; revising site selection criteria that assume overly conservative baseline dimensions; and restoring explicit recognition of cropping conditions (in addition to weather) as valid constraints on daily land application. These changes were not adopted. Incorporating them would meaningfully improve clarity and workability for producers managing short-term stacking and land application timing.

Livestock Pipeline (CPS 516): Stricter velocity, sediment, and pressure requirements remain without sufficient justification or allowance for engineering discretion. We recommend restoring flexibility for qualified engineers, including Professional Engineers, to determine appropriate site-specific specifications consistent with sound engineering practice.

Water Well (CPS 642): We recommended including procedures or guidance for situations in which all planning steps are followed but a dry or insufficient

well results. This practical clarification for participants and planners does not appear to have been added.

Waste Treatment (CPS 629) and Waste Separation Facility (CPS 632):

Recommendations to treat operating cost analyses, monitoring requirements, and certain design clarifications (e.g., confirming that settling basins should not be used for scraped manure storage while preserving liquid management flexibility) as considerations rather than mandatory criteria were not fully adopted. These determinations are best left to the professional judgment of the producer and designer, with clear distinction from mandatory CPS requirements.

Addressing these items would further strengthen the standards' practicality and adoption without compromising resource protection goals.

III. Standards Addressed in Our April 7, 2026, Comments but Not Included in the Current FR Proposal

Several standards for which we provided detailed feedback in our April 7, 2026, comments are not among the 32 proposed revisions in this docket. These include:

Conservation Crop Rotation (CPS 328), Waste Treatment Lagoon (CPS 359), Controlled Traffic Farming (CPS 334), Field Border (CPS 386), Irrigation Canal or Lateral (CPS 320), Irrigation Ditch Lining (CPS 428), Irrigation Water Management (CPS 449), Mulching (CPS 484), Stripcropping (CPS 585), Pest Management for Conservation Systems (CPS 595), Pumping Plant (CPS 533), Saturated Buffer (CPS 604), and Waste Recycling (CPS 633).

We continue to support the recommendations set forth in our April 7, 2026, comments on these practices. We encourage NRCS to include them in future revision batches or to issue clarifying guidance that incorporates the flexibility, clarity, and practicality improvements we suggested. For example, allowing multi-species cover crops to count toward crop diversity requirements in CPS 328 and reinforcing removal of the cover requirement and clearer differentiation of treatment lagoons from storage facilities in CPS 359 would provide such improvements. If any of these standards are being addressed through separate processes, we welcome clarification and the opportunity for additional input.

Thank you again for the opportunity to provide these early comments. We would welcome the opportunity to answer any questions you might have about these comments or if further clarification is needed. If you should have any questions, please contact Lauren Lurkins, Senior Advisor to the ANPC at lauren@lurkinsstrategies.com or (309) 530-0398.

Sincerely,

American Farm Bureau Federation
American Soybean Association
Illinois Corn Growers Association
Illinois Farm Bureau

Illinois Soybean Growers
Indiana Pork Producers Association
Iowa Farm Bureau
Michigan Farm Bureau
Minnesota Agricultural Water Resource Center
Minnesota Farm Bureau Federation
Minnesota Pork Producers Association
Missouri Corn Growers Association
Missouri Farm Bureau Federation
National Association of Wheat Growers
National Cattlemen's Beef Association
National Corn Growers Association
National Council of Farmer Cooperatives
National Pork Producers Council
Nebraska Farm Bureau
North Carolina Farm Bureau
Ohio AgriBusiness Association
Ohio Farm Bureau
Ohio Pork Council
Ohio Soybean Association
The Fertilizer Institute
U.S. Poultry & Egg Association
United Egg Producers
Virginia Farm Bureau Federation