Field Guide to the 2008 Farm Bill for Fish and Wildlife Conservation

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INTRODUCTION

This guide was prepared for fish and wildlife conservation practitioners so they can better understand the Farm Bill and how it can be used in cooperation with the United States Department of Agriculture (USDA), landowners, and producers for the conservation of fish and wildlife habitat and other ecosystem services.

Private lands are vitally important to the conservation of fish and wildlife in the U.S. because they constitute approximately 70 percent of the land ownership in the lower 48 States. In addition, 50 percent (890 million acres) of land base in the contiguous U.S. is managed as cropland, pastureland, and rangeland. The U.S. Congress recognizes the importance of farm policy to ensure the long-term sustainability of many wildlife populations and emphasized that in the passage of the 1985 Food Security Act (Public Law 99-198) and its amendments of 1990, 1996, 2002, and 2008, which all include significant conservation programs.

The Farm Bill is not just about wildlife habitat, but also addresses other resource concerns such as soil, water, energy and air. However, it is one of the most important tools enacted by Congress for restoring, enhancing, and protecting habitat on private lands and, in some cases, public lands that private landowners have control over as part of their agricultural operations. Habitat also protects the soil and water and supports the pollinators that sustain agricultural systems.

As the number of conservation programs has increased since the 1985 Farm Bill, so have the amount of funds authorized to further conservation on private lands. The 2008 Farm Bill authorized approximately $23 billion for a five year period.

Farm Bill conservation programs are administered by the USDA primarily through the Farm Services Agency (FSA) and the Natural Resources Conservation Service (NRCS). However, these agencies work in close collaboration with a variety of partners such as conservation districts, state fish and wildlife agencies, U.S. Department of Interior Fish and Wildlife Service (USFWS), USDA Forest Service (USFS), and non-government organizations. The most important partners are the private landowners and producers that provide the landscapes on which these programs are implemented to further conservation objectives.

NRCS soil conservationists review grassland management plan with Connecticut landowner. /Photo by Paul Fusco, USDA NRCS

WHAT IS THE FARM BILL?

The "Farm Bill" is a compilation of many different Acts that have been passed by the United States Congress to enhance agricultural productivity and conservation on private lands. It has its beginnings in the Agricultural Adjustment Act of 1933 (P.L. 73-10). This initial legislation was in response to the environmental catastrophe known as the Dust Bowl that occurred during the Great Depression. The legislation established agricultural policy to support the production of sustainable food and fiber and help restore confidence in agricultural markets. Periodically, the legislation is re-enacted with evolving policy conservation, addressing commodity payments such as disaster payments and price supports as well as nutrition food programs. During the last five Farm Bills, conservation programs have become increasingly significant.

The Food Security Act of 1985 (P.L. 99-198) was the first to include a conservation title that has continued to evolve and diversify the types of programs to address conservation issues primarily on private lands. There are three central provisions for this Act:

- Highly Erodible Land Conservation (HELC) provisions which includes "Sodbuster" provisions associated with conservation requirements for land broken out of permanent vegetation and planted to an agricultural commodity. HELC is also associated with the conservation compliance requirements for cropland that is actively being farmed. The intent of the HELC provisions is to address erosion problems.

- Wetland Conservation (WC) provisions, nicknamed "Swampbuster," were enacted to reduce wetland loss.

- The Conservation Reserve Program's (CRP) primary purpose was to rest highly erodible lands from crop production by establishing permanent cover.

Swampbuster and Sodbuster are disincentives: if participants do not comply with these provisions they could lose agricultural cost assistance benefits. CRP took the incentive approach and provided annual rental payments and cost-share to retire highly erodible lands from annual tillage operations. Though CRP originally focused on soil conversation, it has evolved to include plantings that are better suited to provide habitat.

Subsequent Farm Bills have included additional incentive-based conservation programs. The Food, Agriculture, Conservation and Trade Act of 1990 (P.L. 101-624) established:

- Wetlands Reserve Program (WRP) to restore, protect, and enhance wetlands

- Stewardship Incentives Program (SIP) to further forest management stewardship.

The Agriculture Improvement and Reform Act of 1996 (P.L. 104-127) established:

- Wildlife Habitat Incentives Program (WHIP) to restore and enhance habitat for fish and wildlife.

- Environmental Quality Incentives Program (EQIP) that addresses a large array of environmental issues including at-risk species habitat.

- Farm and Ranch Lands Protection Program (FRPP) to provide tools to protect agricultural lands.

- State Technical Committees (STC) to advise USDA on implementation of conservation programs.

The 2002 Farm Security and Rural Investment Act (P.L. 107-171) created:

- Grasslands Reserve Program (GRP) to restore and protect grasslands.
- Conservation Security Program (CSP) to reward farmers and ranchers for conservation stewardship and to foster further conservation enhancements.

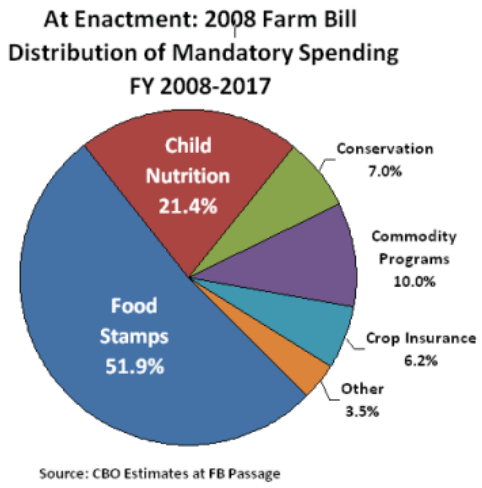
The 2008 Food, Conservation and Energy Act (P.L. 110-246) eliminated the Conservation Security Program, substantially increased conservation program funding and established:

- Conservation Stewardship Program
- Tax incentives for conservation easements and recovery actions for endangered species.
- Additional opportunities for including partners in the implementation of WHIP, EQIP and CSP by establishing the Cooperative Conservation Partnership Initiative (CCPI).
- Incentives to encourage private landowners who allow wildlife recreational access on private lands.

Once Congress authorizes a new Farm Bill, agencies decide if they must promulgate rules in the Federal Register about how the programs will be implemented. If so, public comments are solicited, reviewed, and responded to in the final rules. However, Interim Rules are often used to move forward with program delivery while comments are considered. Simultaneous with the promulgation of rules, the agencies develop national implementation policy for each program. National policy lays out the sideboards that states must use in establishing program priorities, program eligibility, conducting program sign ups, establishing cost-share or incentive rates, and other details of program delivery.

State offices of NRCS and FSA work with State Technical Committees and Local Work Groups (LWG) to further prioritize programs within their respective states. The NRCS State Conservationist can also set aside funds to address special projects or initiatives in states to emphasize species of conservation concern.

In summary, the Farm Bill is not a single piece of legislation but a dynamic series of Acts over the past eight decades that include new programs or revise existing ones that have significant effects on the environment. In this Field Guide we use the term Farm Bill to encompass all of these Acts. Although the Farm Bill includes significant conservation programs, it is the primary vehicle for agricultural policy and programs.



Congressional Budget Office, Washington,

DELIVERY OF FISH AND WILDLIFE CONSERVATION ON PRIVATE LANDS THROUGH THE FARM BILL

ORGANIZATIONS

United States Department of Agriculture

The United States Department of Agriculture (USDA) is responsible for implementation of the Farm Bill. The two primary USDA agencies responsible for implementation are the Farm Services Agency (FSA) and the Natural Resources Conservation Service (NRCS). Both agencies have a local presence in approximately 3,000 counties in the U.S. and have a long history with local conservation implementation. Their presence in every county and relationship with the agricultural community is effective in communicating conservation values with agricultural producers and other landowners. This long relationship has resulted in a trust that enhances the ability to market conservation practices. They, along with landowners and Conservation Districts, are the key for delivering conservation practices on the ground. Understanding these agencies and building strong partnerships with them is important for furthering fish and wildlife conservation efforts.

FSA administers commodity and disaster programs, plus the Conservation Reserve Program. NRCS provides technical support to the Farm Services Agency for implementation of the Conservation Reserve Program and administers many conservation programs.

Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS) provides technical and financial assistance to farmers and ranchers to further the conservation of natural resources. The agency was originally known as the Soil Conservation Service (SCS) and, like the present Farm Services Agency, found its origins in the Great Depression as a response to the Dust Bowl of the Great Plains. During the 1930's poor agricultural practices coupled with a multi-year drought led to failed crops, severe erosion, and degradation of natural resources. This resulted in many rural families moving throughout the Nation looking for new work. During the height of the Dust Bowl, Hugh Hammond Bennett, the founder of the Soil Conservation Service, provided passionate testimony before a Congressional committee that resulted in the Soil Conservation Act of April 27, 1935, which created the Soil Conservation Service within USDA. The Agency then set out to remedy environmental degradation working through the Civilian Conservation Corps and with private landowners. The work accomplished in the following decades has prevented similar dust bowls during severe droughts of the past several decades.

Dust Bowl era. /Photo by USDA NRCS

The SCS provided technical assistance to private landowners and others to address soil and natural resource conservation. This was accomplished by one-on-one assistance to farmers and ranchers, which often resulted in a Conservation Plan. The Conservation Plan included maps, soil, and plant information as well as recommendations on how to better manage, restore, or enhance resource conditions. There were financial programs available such as the Great Plains Conservation Program, Agricultural Conservation Programs, and Small Watershed Program. Because of SCS's direct working relationship with landowners, Aldo Leopold encouraged Hugh Hammond Benett, then Chief of the Soil Conservation Service, to hire biologists, which he did, to help further wildlife conservation.

SCS worked closely with local Conservation Districts that were established under state law. Specifically, SCS provided technical support where local conservation districts asked for assistance. This eventually resulted in SCS opening offices in almost every county which was encompassed by one or more local conservation districts.

The 1985 Farm Bill created provisions to keep highly erodible lands out of production and to decrease the drainage of wetlands in agricultural landscapes. However, the Conservation Reserve Program was also established as an incentive program to provide rental payments to take highly erodible lands out of production. These policy shifts began to put teeth into what was previously only conservation recommendations. The 1990 Farm Bill and subsequent amendments gave SCS a variety of conservation programs with cost-share payments, incentive payments, and easements to further specific conservation objectives long recommended through technical assistance. These new programs have become important parts of the "tool box" to further conservation on private lands.

Though SCS was originally founded primarily to address major erosion problems, its mission quickly evolved over the ensuing decades. This is reflected in the diverse technical disciplines that comprise the current workforce such as soil conservationists, soil scientists, range conservationists, engineers, hydrologists, economists, biologists, foresters, environmental specialists and more. As the mission broadened, the original name of Soil Conservation Service no longer adequately described the agency's work, so its name was changed to the Natural Resources Conservation Service.

Administratively, NRCS currently divides the country into 3 regions, each with a Regional Assistant Chief that oversees the states making up the region. All of the regions contain a Technical Support Center made up of an array of technical specialists to help states carry out technology development and delivery. Each state, including the Caribbean and the Pacific Islands Areas has a State Conservationist who oversees conservation programs within their area. The State Conservationist has a staff of technical, program, and administrative personnel to guide and direct conservation delivery. Though the structure below the State Office varies, the most common arrangement is an Area Office that oversees the Field Offices located in counties. The Field Office is the primary level of the agency that works directly with participants, often with technical specialist support from the Area or State Office. The typical Field Office staff is comprised of the District Conservationists who may have a support staff depending upon workloads and resource concerns. Normally Field Offices do not staff biologists, so they depend upon Area Office or more commonly State Office biologists for technical support. However, some District Conservationists have a fish and wildlife conservation background.

NRCS also has other major national functions such as the mapping of soils, natural resource conservation technology development, wetlands science, forestry, grazing land technology development, engineering support, and the Natural Resource Inventory. These units provide the technology and science that supports the Field Office in delivering conservation to landowners and land managers. This information eventually was incorporated within the electronic Field Office Technical Guide (FOTG) that includes sections on natural resources, conservation planning, and the standards and specifications for the delivery of conservation practices. The FOTG is the central technical resource within NRCS and can be found on NRCS state Web sites.

The fish and wildlife technical discipline within NRCS is carried out by Field Office staff with support from approximately 150 biologists in the area, State Office, National Offices and the Regional Technical Centers. However, the number of biologists within the agency has always been less than the workload would indicate. This is especially true in recent years considering the growing emphasis of the Farm Bill on fish and wildlife resources.

Though the agency's mission and program responsibility has grown over its eight decades of existence, the total number of employees has actually decreased. This has presented challenges in the delivery of Farm Bill programs, and has resulted in a growing number of partnerships with others agencies, non-government organizations, and Technical Service Providers to further conservation program delivery.

Farm Services Agency

The Farm Services Agency also traces its beginnings to 1933, in the depths of the Great Depression. A wave of discontent caused by mounting unemployment and farm failures had helped elect President Franklin Delano Roosevelt, who promised Americans a "New Deal."

One result was the establishment in 1935 of a Department of Agriculture agency with familiar initials: FSA, which stood for Farm Security Administration. Originally called the Resettlement Administration, and renamed in 1937, its original mission was to relocate entire farm communities to areas in which it was hoped farming could be carried out more profitably. But resettlement was controversial and expensive, and its results ambiguous. Other roles soon became more important, including the Standard Rural Rehabilitation Loan Program, which provided credit, farm and home management planning and technical supervision. This was the forerunner of the farm loan programs of the Farmers Home Administration.

With the passage of the second Agricultural Adjustment Act of 1938 (P.L. 74-430) and a general reorganization of the Department of Agriculture that October came new, complicated changes in conservation, crop support, and marketing legislation. Programs such as commodity marketing controls, and the policy of the Congress to assist farmers in obtaining parity prices and parity income, made the Federal government the decision-maker for the nation's farmers.

In 1953, a reorganization of USDA again made changes in the powers and duties of its price support and supply management agency. With the changes came a new name - Commodity Stabilization Service - and an increased emphasis on the preservation of farm income. Conservation programs such as the Soil Bank were introduced to bring production in line with demand by taking land out of production for periods of time ranging up to 10 years. Community, county, and state committees were formally identified for the first time as Agricultural Stabilization and Conservation committees.

The Commodity Stabilization Service became the Agricultural Stabilization and Conservation Service (ACSS) in 1961, and the new name reflected the agency's stabilization and resource conservation missions. Field activities in connection with farm programs continue to be carried out through an extensive network of state and county Service Centers.

In 1994, a reorganization of USDA resulted in the Consolidated Farm Service Agency, renamed Farm Service Agency in November 1995. The new FSA encompassed the Agricultural Stabilization and Conservation Service, Federal Crop Insurance Corporation (FCIC) and the farm credit portion of the Farmers Home Administration. In May 1996, FCIC became the Risk Management Agency.

Today, FSA's responsibilities are organized into five areas: Farm Programs, Farm Loans, Commodity Operations, Management, and State Operations. The agency continues to provide America's farmers with a strong safety net through the administration of farm commodity programs. FSA also implements ad hoc disaster programs. FSA's long-standing tradition of conserving the nation's natural resources continues through the Conservation Reserve Program. The agency provides credit to agricultural producers who are unable to receive private, commercial credit. FSA places special emphasis on providing loans to beginning, minority, and women farmers and ranchers. Its Commodity Operations division purchases and delivers commodities for use in humanitarian programs at home and abroad. FSA programs help feed America's school children and hungry people around the globe. Additionally, the agency supports the nation's disabled citizens by purchasing products made by these persons.

FSA administers and manages farm commodity, credit, conservation, disaster, and loan programs as laid out by Congress through a network of state and county offices. These programs are designed to improve the economic stability of the agricultural industry and to help farmers adjust production to meet demand. Economi-

cally, the desired result of these programs is a steady price range for agricultural commodities for both farmers and consumers.

State and county offices directly administer FSA programs. These offices certify farmers for farm programs and pay out farm subsidies and disaster payments. Currently, there are 2,346 FSA county offices in the continental U.S. FSA also has offices in Hawaii, and a few American territories.

More than 8,000 farmer county committee members serve in FSA county offices nationwide. Committee members are the local authorities responsible for fairly and equitably resolving local issues, while remaining dually and directly accountable to the Secretary of Agriculture and local producers though the elective process. They operate within official regulations designed to carry out state laws and provide a necessary and important voice in decisions affecting their counties and communities.

Committee members make decisions affecting which FSA programs are implemented county-wide, the establishment of allotment and yields, commodity price support loans and payments, the conservation reserve program, Highly Erodible Land/Wetland Compliance, incentive, indemnity, and disaster payments for commodities, and other farm disaster assistance.

The Commodity Credit Corporation

The Commodity Credit Corporation (CCC) is a government-owned and operated entity that was created to stabilize, support, and protect farm income and prices. CCC also helps maintain balanced and adequate supplies of agricultural commodities and aids in their orderly distribution. It oversees the funding for Farm Bill Programs.

On July 1, 1939, CCC was transferred to the USDA. It was reincorporated on July 1, 1948, as a corporation within USDA by the Commodity Credit Corporation (CCC) Charter Act (62 Stat.1070; 15 U.S.C. 714) http://www.fsa.usda.gov/Internet/FSA_File/charteract2008.pdf. As amended through Public Law 110-246 May 22, 2008, the CCC Charter Act aids producers through loans, purchases, payments, and other operations, and makes available materials and facilities required in the production and marketing of agricultural commodities.

The CCC Charter Act also authorizes the sale of agricultural commodities to other government agencies and foreign governments and the donation of food to domestic, foreign, or international relief agencies. CCC also assists in the development of new domestic and foreign markets and marketing facilities for agricultural commodities.

The 1996 Farm Bill significantly changed U.S. agricultural policy. Earlier, USDA made deficiency payments to producers of wheat, feed grains, cotton, and rice to make up the differences between target prices and seesawing market prices. The 1996 Farm Bill capped spending for the first time, guaranteeing farmers a series of fixed but declining "production flexibility contract" payments.

CCC is managed by a Board of Directors, subject to the general supervision and direction of the Secretary of Agriculture, who is an ex-officio director and chairperson of the Board. The Board consists of seven members, in addition to the Secretary, who are appointed by the President of the United States with the advice and consent of the Senate. All members of the Board and Corporation officers are USDA officials.

CCC has no operating personnel. Its price support, storage, and reserve programs, and its domestic acquisition and disposal activities are carried out primarily through the personnel and facilities of the FSA.

Conservation Districts

The Conservation Districts are another vision of Hugh Hammond Bennett, who was then head of the Soil Conservation Service in the 1930's. He believed that for conservation objectives to be met there must be local involvement. Bennett and others were able to persuade President Franklin Roosevelt that the soil resources of this nation were being wasted and that the government must act aggressively to reverse this trend. He convinced the president that a model soil conservation act should be developed and sent to the governors of each state for passage by their state legislatures. The purpose of the model act was to develop programs at the state and local levels to control soil erosion, which included the creation of soil conservation districts. In 1936, with the endorsement of President Roosevelt, a so-called "Standard Act" was submitted by the USDA to the governors of each state. All states eventually adopted language which led to the establishment of Conservation Districts.

Clinton County Conservation District meeting in Muscatine, Iowa. /Photo by Tim McCabe, NRCS

The local Conservation District is made up of a voluntary board of directors representing local landowners that provide guidance on local conservation priorities to NRCS and others. Some districts have taxing authority, but many are funded by a combination of state and local governments. They often receive grants from organizations to carry out specific tasks. Others are minimally funded and work primarily through volunteer assistance. Better funded Districts often have staff that complements NRCS in some Field Offices.

Local Conservation Districts are aggregated into state associations of Conservation Districts which in turn are members of the National Association of Conservation Districts. Each of these organizations represents the issues and concerns of local districts in the development of both state and national agricultural conservation policy.

The relationship between NRCS and Conservation Districts is both long and important. As indicated, the first Chief of SCS advocated their establishment and would only establish a field office in a county at the request of a local Conservation District. The districts are important partners for NRCS in determining conservation priorities.

State Technical Committees and Local Workgroups

The Food Security Act of 1985 (1985 Farm Bill) directed NRCS to establish State Technical Committees (STC) that would broaden the scope of involvement of others in the design and delivery of Farm Bill conservation programs at the state and local levels. The role of the committees was expanded by the 1996 Agriculture Improvement and Reform Act (1996 Farm Bill).

State Technical Committees serve as an advisory body to NRCS State Conservationists and have no implementation or enforcement authority. The 2008 Farm Bill was amended to clarify that State Technical Committee members may also provide information, analysis, and recommendations to other USDA agencies responsible for natural resource and conservation activities within the Farm Bill. It is the responsibility of the State Technical Committee to make recommendations on the technical and program delivery aspects of Farm Bill programs. They may provide guidance on conservation practices, ranking criteria for program participation, cost-share and incentive rates, and recommendations for achieving program balance within the state.

Statutorily required members on the State Technical Committee include NRCS, FSA, U.S. Forest Service, National Institute of Food and Agriculture (formerly the Cooperative Research Educations and Extension Service), the state fish and wildlife agency, the state forester, the state water resources agency, state department of agriculture, associations of soil and water conservation districts, agribusiness, and nonprofits with demonstrable conservation expertise that have experience in working with agricultural producers, owners of nonindustrial private forest lands, as well as agricultural producers representing the variety of crops and livestock or poultry raised in the state

To become an official member of the State Technical Committee, you should make a request to the NRCS State Conservationist. State Technical Committee meetings are open to the public. These committees are an effective venue for the fish and wildlife community to interject ideas and priorities into the implementation of Farm Bill programs at the state level.

Local Work Groups (LWG) are composed of Conservation District officials, FSA County Committees, agricultural groups representing the variety of crops and livestock or poultry raised within the local area, nonindustrial private forest land groups, and other professionals representing relevant agricultural and conservation interest, and a variety of disciplines in the soil, water, plant, wetland, and wildlife sciences who are familiar with private land agricultural and natural resource issues in the local community. LWG's offer recommendations to the State Technical Committee and NRCS as to how conservation programs should be implemented in their area. As with State Technical Committees, it is important that advocates of fish and wildlife resources be active in LWG's.

Technical Service Providers

To address staffing capacity issues in delivery of conservation, the Farm Bill provides for agreements with third party providers referred to as Technical Service Providers (TSP). This can be done directly with the third party or through a payment to landowner or producer for an approved third party provider. The technical services that can be provided are conservation planning, education and outreach, and assistance with design and implementation of conservation practices. NRCS is responsible for the criteria to certify TSPs.

NRCS has established criteria for TSPs to meet in order to be certified for participation. TSPs are certified by the types of NRCS Conservation Practices for which they qualify to plan and implement. In addition, they must meet the conservation planning training certification requirements, which can be obtained through online courses. USDA maintains a registry for TSP applicants at http://techreg.usda.gov/.

Landowner and District Conservationist discuss weed control and irrigation on a sustainable agriculture of lingenberries near Palmer, Alaska. /Photo by Ron Nicols, NRCS

SETTING PRIORITIES FOR FARM BILL CONSERVATION PROGRAMS

The Farm Bill establishes priorities for the conservation programs. The next step of priority-setting occurs through recommendations of the State Technical Committees. Membership and attendance at State Technical Committee meetings is the most important venue for ensuring that Farm Bill programs maximize benefits for fish and wildlife habitat.

Local Work Groups establish and prioritize the conservation needs at the local level. This information is transferred to State Technical Committees for establishing priorities.

Local and state priorities concurred with by NRCS are reflected in ranking criteria that each application is subject to. Specifically, points are usually rewarded for targeted state, local, and national resource concerns identified by State Technical Committees and Local Workgroups. The applications are then ranked based upon their total score and funding descends down the prioritized list until exhausted. These lists can be reprioritized in subsequent years as new applications are submitted.

FSA and NRCS can establish national, state or local emphasis areas where programs can target more specific goals. By focusing dollars on specific landscape outcomes, they can concentrate projects, further promote participation, and maximize partner collaboration.

State Technical Committees should use the best available science in setting priorities. State Wildlife Action Plans *http://www.wildlifeactionplans.org*, which were mandated by Congress for every state, can serve as tools for developing ranking criteria or establishing special fund pools to meet critical fish and wildlife needs. To be considered, people must advocate for these plans to help integrate them into program ranking criteria.

MAXIMIZING FISH AND WILDLIFE BENEFITS BY WORKING TOGETHER

The conservation provisions of the Farm Bill have continued to grow the number of conservation programs as well as the amount of money authorized for these programs. However, USDA staff has not increased; in fact the total numbers have declined over the past decades. This inverse relationship has led to some challenges in the delivery of conservation programs. In addition, most programs require the participant to provide for part of the cost of implementing practices, which can be difficult for many participants.

Increasing the funding allocations of conservation programs in the Farm Bills is a good first step. But building partnerships with NRCS and FSA and seeking opportunities to help them implement Farm Bill programs can be the key to advancing fish and wildlife resource conservation.

Achieving fish and wildlife habitat conservation is a multi-step process that includes marketing projects to landowners and producers, understanding program requirements, taking care of the administrative paper work, ranking projects, obligating dollars, designing conservation practices, and guiding implementation on the ground.

NRCS and FSA staff workload is large and staff numbers limited so they often do not have the time to "market" fish and wildlife conservation practices as well as implement them in a timely manner. This is where partners that are trained and motivated to further fish and wildlife habitat conservation can and do play a significant role. For example, groups such as the state fish and wildlife agency, Ducks Unlimited, and Pheasants Forever have spent resources identifying potential projects and then assisting the participant with applying for the programs.

NRCS has entered into cooperative agreements with many groups to implement conservation practices. For example, State fish and wildlife agencies and other groups understand that their fish and wildlife conservation missions can be achieved by leveraging Farm Bill dollars and helping get conservation on the ground. This is increasingly being done by establishing partnership biologists who are funded by dollars from NRCS, the fish and wildlife agency, non-government organizations such as Ducks Unlimited and Pheasants Forever. These positions can be administered either by NRCS, state wildlife agencies, or non-government organizations. However, if they are under the administration of NRCS, they can be housed within the NRCS office to be more readily available to agricultural producers and program software for developing conservation plans and processing program applications. Also, close proximity to NRCS or FSA can build a trust that will result in even more fish and wildlife projects and confidence in others on the staff to attempt new technologies. These positions are critical to ensure an emphasis on fish and wildlife conservation, and can be strategically located in key landscapes with significant fish and wildlife concerns.

The 2008 Farm Bill recognizes that technical capacity is often more limiting than funding for projects, and thus increased opportunities for partners to play a role in Farm Bill implementation. The Cooperative Conservation Partnership Initiative (CCPI) was designed to target assistance to producers for enhancing conservation outcomes on agricultural and nonindustrial private forest land. Areas of CCPI assistance are selected competitively through applications of eligible partners. Eligible partners include state, local and tribal governments, producer associations and cooperatives, institutions of higher education, and nongovernmental organizations.

Non- Farm Bill Funds Can Be the Tipping Point

Even if staffing capacity to deliver the Farm Bill was completely addressed, there are still other challenges. Marketing fish and wildlife conservation practices requires more than just convincing participants that it is the right thing to do. Most understand that. Many of the programs require that participants provide as much as 50 percent of the practice cost or more. Some of this can be achieved by in-kind services, but even the costs of materials and labor are limited commodities in working agricultural landscapes. To overcome this obstacle, financial help from partners can reduce or eliminate any funds required from the participant. Partners can thus maximize the effectiveness of projects for fish and wildlife conservation by targeting supplemental dollars to help participants in important landscapes. In fact, supplemental funding can be a barometer of the wildlife community's valuation of the project which is often a consideration in the ranking.

Nebraska Game and Parks Commission (NGPC) have eight Farm Bill wildlife biologists under agreement with NRCS. This was accomplished through a competitive Request for Proposals and with additional agreements with Pheasants Forever (PF), Ducks Unlimited (DU) and the Rocky Mountain Bird Observatory (RMBO). The NGPC pays 15 percent of the salary as well as provides supervision, training, and vehicles for the eight staff (six PF; one DU, & one RMBO); NRCS pays 85 percent and the other partner's funds for training and benefits. These partner biologists focus on USDA program delivery. /Photo by Steve Chick, NRCS

The Intermountain West Joint Venture recognizes that the ability of USDA to deliver conservation programs is dependent upon boots on the ground to market wildlife projects and help to implement them. To this end, they have worked cooperatively with NRCS and other partners, such as the state fish and wildlife agencies and the U.S. Fish and Wildlife Service's Partner for Fish and Wildlife Program in Arizona, California, Idaho, and Wyoming, to place shared-biologist positions in key landscapes to benefit wildlife. They offer a Capacity Grants Program so partners can help leverage Farm Bill and other program dollars.

Intermountain West Joint Venture

Delivering Habitat Conservation through Partnerships

Partners working together and pooling resources can maximize the benefits of Farm Bill programs. In Montana, NRCS has allocated approximately 20 percent of its annual EQIP funding since 2004 for Special Initiatives designed to address key resource concerns in a focused and partnership-based manner. In response, the NRCS Missoula Natural Resource Area, Montana Fish Wildlife, and Parks (FWP), the U.S. Fish and Wildlife Service, Big Blackfoot Chapter of Trout Unlimited (TU), and the Blackfoot Challenge collaborated to devise a regionally-focused initiative to address the needs of the two declining native fish species most likely to benefit from habitat conservation on private lands – the Bull Trout (listed as Threatened) and West-slope Cutthroat Trout (Montana Species of Concern) – in the Blackfoot River Watershed, a region characterized by some of the most genetically pure strains and viable populations of both species in Montana. The Initiative was designed to encourage private landowners to implement projects that will contribute substantially to the recovery of these imperiled fish species. The science foundation of the Special Initiative was the comprehensive Blackfoot River Restoration Action Plan completed by Montana FWP's Fisheries Division; the plan prioritized fish habitat restoration for native fisheries on 108 tributaries of the Blackfoot River. This plan served as the basis for the Initiative's ranking criteria. The Powell County Conservation District and TU also contributed on the ground staff time along with NRCS to carry out this project. /Photo by Glen Green, NRCS

PROVIDING CONSERVATION PLANNING TECHNICAL ASSISTANCE

NRCS Conservation Planning

NRCS uses conservation planning to help participants develop conservation plans that consider natural resources (e.g., soil, water, air, plants, and animals) and other human concerns (e.g., economic and social). The NRCS working model states that lands should already have a current conservation plan before receiving funds for any Farm Bill conservation program to ensure the most effective use of program dollars. Understanding the NRCS conservation planning process is important so partners can both communicate with NRCS staff and provide assistance in developing conservation plans where appropriate. The fundamentals of the planning process are sound and will lead to making better decisions on the ground.

NRCS conservation planning includes 9 steps:

1 - Identify Problems and Opportunities

Everyone needs a reason to plan. Planning can start with a problem, an opportunity, shared concerns, or a perceived threat. Initial opportunities and problems are first identified based on information provided by participants. There may be information available through the County Conservation Districts or through a larger-scale conservation plan.

2 - Determine Objectives

During this step, the stakeholders identify their objectives. An NRCS conservation planner guides the process so that it includes both the stakeholder needs and values and the resource concerns identified by the planner. Objectives may need to be revised and modified as new information is learned later in the inventory and analysis stages. Objectives may not be finalized until Step 4 of the planning process.

3 - Inventory Resources

In this step, appropriate natural resource, economic, cultural and social information for the planning area is collected. The information will be used to further define the problems and opportunities. It will also be used throughout the entire process to define alternatives and to evaluate the plan. It is important that as much information as possible be collected so that the plan will fit both the needs of the participant and the natural resources. Inventories can range from a farmstead or small watershed all the way up to a complete inventory of resources for a state or the entire nation.

4 - Analyze Resource Data

Studying the resource data and clearly defining existing conditions for all of the natural resources, including limitations and potential for the desired use is the next step. This step is crucial to developing plans that will work for the participant and their land. It also provides a clear understanding of the baseline conditions that will help to determine how effective a project is after it has been put into place.

5 - Formulate Alternatives

The purpose of this step is to develop options for achieving the goals for the land by solving any or all identified problems, taking advantage of opportunities, and meeting the social, economic, and environmental needs of the project.

6 - Evaluate Alternatives

Evaluate the alternatives to determine their effectiveness in addressing the participant's problems, opportunities and objectives. Attention must be given to those ecological and economic values protected by law or Executive Order.

7 - Make Decisions

At this point the landowner or participant chooses which alternative will work best for their situation. In the case of an area wide plan, public review and comment are obtained before a decision is reached.

8 - Implement the Plan

Technical assistance is provided to help with the installation of adequate and properly-designed conservation practices based on NRCS technical standards Also, assistance is given in obtaining permits, land rights, surveys, final designs, and inspections for structural practices.

9 - Evaluate the Plan

Conservation planning is an ongoing process that continues long after the implementation of a conservation practice. By evaluating the effectiveness of a conservation plan or a practice within a plan, stakeholders can decide whether to continue with other aspects of an overall plan.

PROVIDING WILDLIFE HABITAT: AN OBJECTIVE-DRIVEN APPROACH

Conservation programs administered by the U.S. Department of Agriculture under the Farm Bill have tremendous potential to impact wildlife habitat and populations on private land. Recent comprehensive reviews demonstrate that private landowners who participate in these programs have established habitats that may contribute to sustaining some regional wildlife populations.

For Farm Bill conservation programs to consistently provide habitat that supports viable wildlife populations, conservation planners must have a better understanding of species-specific habitat requirements and ecological processes. They must also have a working knowledge of the conservation programs, practices, and landowner needs and eligibility requirements. This understanding then can be translated to changes on the landscape through comprehensive planning and implementation at the ecosystem scale. Consistent application of an objective-driven approach to conservation planning is more likely to produce habitats that sustain viable wildlife populations. Under this approach, landowner conservation objectives drive the selection of management practices, and management practices then drive the selection of the appropriate program.

Red-necked Phalarope. /Photo by USFWS

FISH AND WILDLIFE BENEFITS OF CONSERVATION PROGRAMS AND PRACTICES

NRCS CONSERVATION PRACTICE STANDARDS

All conservation plans are compilations of NRCS Conservation Practices. Therefore, every project must meet the conservation practice design criteria (standard) or the producer will not be provided financial assistance if they are under a conservation program contract.

There are approximately 170 Conservation Practices that cover a large array of conservation activities from Alley Cropping to Windbreaks. Descriptions of these practices can be viewed at the NRCS web site http://www.nrcs.usda.gov/technical/standards/nhcp.html).

Some conservation practices directly relate to wildlife and fish habitat (e.g., Upland Wildlife Habitat, Wetland Wildlife Habitat, etc). However, most practices are geared toward other resources and indirectly affect fish and wildlife. Therefore, it is critical that wildlife biologists work with State Technical Committees to provide recommendations to NRCS on how to make Conservation Practice Standards more beneficial to wildlife. National Conservation Practice Standards are reviewed every 3-5 years by teams of technical specialists, and then published in the Federal Register for public comment. Once finalized, the standards are distributed to the state NRCS offices which further refine the practice to fit their specific situation. State revisions can increase or make criteria more restrictive, but they must meet the national minimums.

The Wildlife Society published a technical report in 2007 that evaluated the effects of NRCS conservation practice standards used in Farm Bill implementation on fish and wildlife resources. See the RESOURCES section for a listing of publications that provide detailed information about the benefits to fish and wildlife.

PERFORMANCE MEASUREMENTS

With money comes the responsibility of accountability. The Office of Management and Budget (OMB) helps determine the funding each agency will receive to carry out conservation, and they expect the agency to set goals and measure progress. These goals guide implementation of Farm Bill programs. For example, the NRCS National Office establishes performance objectives and priorities which are then passed to the NRCS State Office which then sets goals for each Field Office.

Measurement of conservation outcomes is not an easy task. Presently NRCS uses some Conservation Practice Standards as one way to measure progress. For example, acres of Upland Wildlife Habitat Conservation Practice (645) may be used for establishing wildlife goals. However, these Conservation Practice Standards were not originally designed for that purpose. They were developed to set criteria for installation, not measure outcomes. Therefore, when reporting Upland Habitat Management Conservation Practice (645), you know that upland wildlife habitat was created or enhanced for a particular species to a greater or lesser degree on a specific number of acres.

Federal agencies continue to strive for more transparent performance measurements, but that task is daunting. However, goals and reporting are important issues for NRCS, FSA, and other Federal agencies, so understanding that need is useful in having more effective communication with the agencies.

CONSERVATION EFFECTS ASSESSMENT PROJECT

Farm Bill conservation programs have produced substantial environmental benefits. The Conservation Effects Assessment Project (CEAP) is a multi-agency effort to examine the effects of conservation practices applied

by land users participating in various USDA conservation programs or who otherwise receive technical assistance from USDA conservation planners. CEAP involves a variety of components, each of which evaluates and quantifies one or more of the environmental benefits from applying conservation on agricultural lands. CEAP is intended to provide planners and decision makers with information to make informed land management decisions.

Initiated in 2005, the CEAP Wildlife Component involves a variety of assessment elements, most of which are applied at regional scales. NRCS and FSA, Association of Fish and Wildlife Agencies, and many others are involved in evaluating the benefits that agriculture conservation practices provide to fish and wildlife. Specific projects underway include assessing improvements in habitat value, documenting increases in habitat use by target species or groups, and estimating population responses Details on specific assessments are available on the CEAP website at http://www.nrcs.usda.gov/Technical/nri/ceap/wildlife.html .

The CEAP Wildlife Component is an effort to quantify the effects of conservation practices and pro-grams on fish and wildlife and their habitats in land-scapes influenced by agriculture in the U.S. Since fish and wildlife are affected by conservation actions taken on a variety of landscapes, the Wildlife Component links to the CEAP Croplands, Wetlands, and Grazing Lands Components to the extent possible. It is virtually impossible to comprehensibly quantify the myriad effects of the Farm Bill's many conservation practices on innumerable fish and wildlife species and communities. Therefore, the Wildlife Component operates under some basic principles to document those effects that are reasonably quantifiable. These principles include working collaboratively with others engaged in relevant assessments, leveraging the use of existing data to the extent possible, identifying critical data gaps, and stimulating actions to fill them, and focusing assessments on regional scales.

The NRCS, in cooperation with the Association of Fish and Wildlife Agencies and many others, are assessing the benefits of conservation practices to fish and wildlife. Most activities currently underway focus on the response of various bird species and groups to conservation practices and programs. Specific projects include assessing improvements in habitat value, documenting increases in habitat use by target species or groups, and estimating population responses.

The U.S. Fish and Wildlife Service and the U.S. Geological Survey are promoting Strategic Habitat Conservation as a model framework for adaptive resource management. This approach is being used to plan, design, and evaluate conservation landscapes for wildlife. For more information, visit http://www.fws.gov/science/StrategicHabitatConservation.html.

Yellow-headed Blackbird feeding young. /Photo by Phil Norton

FARM BILL CONSERVATION PROGRAMS

The following programs are important tools to protect, restore and enhance fish and wildlife. Sign-ups for the programs may be continuous or held annually. To determine when sign-ups are scheduled, contact the State Office of NRCS or FSA. Their websites and contact information can be obtained through either of their national websites www.nrcs.usda.gov (NRCS) or www.fsa.usda.gov (FSA).

Eligibility requirements are listed for each program. However, each program has ranking criteria developed with advice from the State Technical Committees. Often ranking criteria can be found on-line at the State NRCS web site. The Conservation Reserve Programs uses an Environmental Benefits Index (EBI) to rank applications.

Although landowners are the key decision-makers for all programs with long-term contracts and easements, there are opportunities for people leasing property to participate in programs when done with concurrence of the landowner.

The 2008 Farm Bill set eligibility requirements for program participation based on the amount of income that a person or legal entity derives from different sources. A person or legal entity can not receive benefits for commodity programs, such as direct payments and counter cyclical payments for Average Crop Revenue Election (ACRE), if the **adjusted gross income (AGI)** of the person or legal entity from nonfarm sources exceeds $500,000. Also, a person or legal entity is not eligible for direct payments if the average adjusted gross income from farming, ranching, and forestry operations of the person or legal entity exceeds $750,000. However, the AGI is increased for conservation program participants. A person or legal entity is ineligible for conservation program benefits or payments if the AGI for nonfarm income exceeds $1,000,000, unless at least 66.66 percent of the AGI income of the person or legal entity is derived from farming, ranching and forestry operations. The FSA Administrator or NRCS Chief may waive the AGI limit for program benefits on a case-by-case basis for the protection of environmentally sensitive land or other land of special significance.

These AGI determinations are made by NRCS and FSA in consultation with the person or legal entity. Therefore, participants should be referred to the agencies to sort out their eligibility before proceeding further with enrollment in conservation programs.

Mule Deer, Colorado. /Photo by Gary Kramer, USFWS

TITLE II CONSERVATION PROVISIONS OF 2008 FARM BILL

The following information is based upon information published on NRCS national Web sites and the Interim Final Rules released in January 2009. Some information may change in the future at which time the information will be updated.

CONSERVATION EASEMENTS

Wetlands Reserve Program

The Wetlands Reserve Program (WRP) provides technical and financial assistance to private landowners and Tribes to restore, protect, and enhance wetlands and adjacent areas important to the ecological functions of these wetlands. This program has restored large tracts of wetlands including projects that exceed 10,000 acres in size. Over 2 million acres are currently enrolled in WRP. This program's impact on wetland dependent wildlife is significant. The 2008 Farm Bill reauthorized WRP and established a new acreage cap of 3,014,200 acres by 2012.

Behring Ranch WRP Project, California. /Photo by Alan Forkey, NRCS

The 2008 Farm Bill provided additional guidance for the Wetlands Reserve Enhancement Program (WREP), a subset of WRP. The purpose of WREP is to target and leverage resources to address high priority wetlands protection, restoration, and enhancement objectives through agreements with state, nongovernmental organizations, and Indian Tribes. However, NRCS had been piloting this program for several years. In 2005, $500,000 was made available to focus on Bog turtle habitat in the Eastern United States. The 2008 Farm Bill allows for a WREP pilot program to purchase easements that reserve the grazing rights to the private landowner. This allows landowners to retain managed grazing rights in exchange for reduced easement compensation. Funding for WREP agreements are announced where details on priority for funding, required level of partner matching funds, ranking criteria, level of available funding, and additional criteria will be listed.

Through the Wetlands Reserve Program NRCS established $500,000 for partnership proposals that address Bog Turtle Habitat in the eastern U.S. The Bog Turtle is a threatened species that has a potential range from New York and Massachusetts south to Tennessee and Georgia. Population declines are due mainly to loss of habitat and encroachment of vegetation. This funding was established to create additional Bog Turtle habitat, which consists of wet meadows and other shallow sunny wetlands. Bog Turtle related proposals competed for funding only with other Bog Turtle proposals. /Photo by Dennis Herman, North Carolina State Museum of Natural Sciences

Landowners enrolled in WRP sell most of their use rights to USDA except for hunting, fishing, and quiet recreational use. In addition, they cannot place structures on the easement or otherwise impact wetland functions and values. Grazing and timber management, along with other uses, can be authorized by NRCS if it is deemed compatible with the easement's wetland values. Maintenance is also eligible for cost-share assistance after the easement is restored.

The Farm Bill limits the amount of WRP acreage in a county to not exceed 10 percent of the county's total farmland acreage. A waiver can be obtained from USDA, but it is not readily granted.

The program offers different enrollment options:

1. ***Permanent Easement*** is a conservation easement in perpetuity. NRCS pays 100 percent of the easement value and up to 100 percent of the restoration costs.

2. ***30-Year Easement*** is an easement that expires after 30 years. NRCS pays up to 75 percent of the easement value and up to 75 percent of the restoration costs.
For both permanent and 30-year easements, USDA pays all costs associated with recording the easement in the local land records office, including recording fees, charges for abstracts, survey and appraisal fees, and title insurance.

3. ***Restoration Cost-Share Agreement*** is an agreement to restore or enhance the wetland functions and values without placing an easement on the enrolled acres. NRCS pays up to 75 percent of the restoration costs only. These contracts are 10 years.

4. ***Tribal Contracts***: Tribes can enter into 30-year contracts instead of easements. NRCS will pay up to 75 percent of the compensation and restoration costs.

5. ***Wetland Reserve Enhancement Program***: This aspect of the program emphasizes leveraging non-farm bill dollars and is subject to specific criteria when sign-ups are announced.

If the easement or 30-year contract is valued at $500,000 or less, payments can be from one to 30 annual payments as requested by the program participant. Easements or 30-year contracts valued greater than $500,000 must have at least 5 and no more than 30 annual payments. In some circumstances the Secretary of Agriculture can allow a waiver and make one lump sum payment. The total amount of payments a person or legal entity may receive for one or more restoration cost-share agreements may not exceed $50,000 in any one year.

Eligibility

- Private and tribal lands only;
- Minimum of 20 contiguous acres;
- Land shall only be considered eligible for enrollment in WRP if NRCS determines, in consultation with the FWS, that the enrollment of such land maximizes wildlife benefits and wetland values and functions;
- A person, legal entity, or Indian Tribe must be in compliance with the highly erodible land and wetland conservation provisions (Sodbuster and Swampbuster);
- Be in compliance with the Adjusted Gross Income Limitations provisions;
- For easement applications, the applicant must be the landowner of the eligible land;
- For the easement options, the land must have not changed ownership in the seven years prior to enrollment. However, there are exceptions to this. For example, if NRCS determines that the land was not acquired for the purposes of putting the land into WRP or if it is of significant environment value.

Determining Easement Value

The Food, Conservation, and Energy Act of 2008 directed the Secretary of Agriculture to pay the lowest of:

- Fair market value of the land according to the Uniform Standards of Professional Appraisal Practices or an area-wide market analysis;

- Geographic area rate cap as determined by the Secretary of Agriculture; or
- Landowner's offer.
- WREP easement payments with reserved grazing rights will be adjusted for the fair market value of the land and reduced by an amount equal to the value of the retained grazing rights.

How to Apply

NRCS is responsible for the administration of the program as well as developing the restoration plan and its implementation. Applications can be obtained at the local NRCS Service Center.

Farm and Ranch Lands Protection Program

The Farm and Ranch Lands Protection Program (FRPP) helps farmers and ranchers keep their land in agriculture and forest land that contributes to the economic viability of an agricultural operation or serves as a buffer to protect an agriculture operation from non-agricultural uses. This is accomplished through easements. Open agricultural landscapes provide wildlife benefits therefore FRPP can be a tool in protecting habitat. Enrollment authority was set at an additional 1,220,000 acres through 2012.

Well-established buffer and other wildlife habitat on Iowa farm fit with terraces, pond, conservation tillage, and other practices to form a conservation system. /Photo by Lynn Betts, NRCS

Under FRPP, NRCS enters into cooperative agreements with selected entities and provides funds for up to 50 percent of the fair market value of the easement.

Eligibility

- Lands must be cropland, rangeland, grassland, pasture land, or forest land that contributes to the economic viability of an agricultural operation or serves as a buffer to protect an agricultural operation from developments; and
- Be privately owned on a farm or ranch and contain at least 50 percent prime, unique, statewide, or locally important farmland unless otherwise determined by the State Conservationist; or
- Contain a historical or archaeological resource on the State or National Register, or formally eligible for the National Register.

Determining Easement Value

The value of the conservation easement is determined on the basis on an appraisal using an industry-approved method, selected by the eligible entity and approved by the USDA. FRPP can contribute no more than 50 percent of the agricultural fair market value (AFMV); the cooperating entity must contribute the balance of the cost. Cooperating entities may use a landowner donation as part of their contribution; however, a cooperating entity must pay a minimum of 25 percent of the purchase price (AFMV minus landowner donation).

FRPP funds may not be used for expenditures such as appraisals, surveys, title insurance, legal fees, costs of easement monitoring, and other related administrative and transaction costs incurred by the entity.

How to Apply

To participate, an application is submitted to a participating state, tribal, or local government or a non-governmental organization. The NRCS State Conservationist awards funds to qualified entities to pursue the easement or contract.

Healthy Forests Reserve Program

The Healthy Forests Reserve Program (HFRP) is reauthorized under Title VIII (Forestry) of the Farm Bill, not the Conservation Title. The purpose is to restore and protect forest ecosystems to promote the recovery of threatened and endangered species, candidate species, state-listed and/or species of special concern. Additional consideration for enrollment can be given to eligible land that will improve plant and animal biodiversity and optimize carbon sequestration in the forest ecosystem. Safe Harbor provisions of the Endangered Species Act or Candidate Conservation Agreements are sought for participants enrolled in the HFRP who agree, for a specified period, to restore or improve their land for threatened or endangered species habitat. In exchange, they minimize the impacts of future regulatory restrictions on the use of that land.

Through the Healthy Forests Reserve Program, NRCS in Maine completed contract agreements with landowners to manage almost 191,000 acres of working forest lands for the benefit of the Canada Lynx. /Photo by Erwin & Peggy Bauer, USFWS

The program allows agreements, easements and contracts;

- A 10-year cost-share agreement; where landowner may receive 50 percent of the average cost of approved conservation practices that are part of a restoration plan.
- A permanent easement, or of maximum duration allowed by state law, for which landowners will receive not less than 75 percent of the easement value nor more than 100 percent of the fair market value of the land encumbered by the easement;
- Thirty year easements and tribal 30-year contracts will not receive more than 75 percent of the fair market value of the enrolled land.

Payments may be made in a single payment or no more than 10 annual payments. Not more than 40 percent of program funding shall be used for cost-share agreements, and not more than 60 percent may be used for easements.

The HFRP provides financial assistance in the form of easement payments and cost-share for specific conservation actions completed by the participant. The cost effectiveness of each agreement or easement and associated restoration plans must maximize the environmental benefits per dollar expended. Congress authorized $9.75 million per year through 2012.

Eligibility

- Lands offered must be privately owned non-industrial or tribal; and
- Have a high likelihood to restore, enhance, or otherwise measurably improve the well-being of a federally listed threatened or endangered species or are candidates for such listing, state-listed species, or special concern species; or

- Improve biological diversity; or
- Increase carbon sequestration.

Determining Easement Value

An NRCS approved appraisal process.

How to Apply

NRCS administers the program, so assistance can be obtained through local NRCS Service Centers.

Grasslands Reserve Program

Houses encroaching on grassland in Larimer County, Colorado. /Photo by Jeff Vanuga, NRCS

The purpose of the Grassland Reserve Program (GRP) is to assist landowners and operators to protect grazing uses and related conservation values by conserving and restoring grassland resources on eligible private lands through rental contracts and easements. GRP emphasizes supporting grazing operations; maintaining and improving plant and animal biodiversity; and protecting grasslands and shrublands from the threat of conversion to uses other than grazing.

As of 2008 GRP, there are 250 easements covering more than 115,000 acres in 38 states. The 2008 Farm Bill authorized a total acreage cap of 1.2 million acres by 2012, thus allowing over a million more acres to enter the program. It also gives priority for enrollment to expiring acreage from the Conservation Reserve Program (CRP), but limits it to 10 percent of the total acres enrolled in any year.

Eligible lands can be enrolled into either a permanent easement (or maximum term allowed under state law) or a 10, 15, or 20-year rental contract. Restoration agreements, based on a 50 percent cost-share, may only be placed on land enrolled under a rental contract or easement. There is an annual payment limitation of $50,000 for both rental and restoration agreements

An approved grazing management plan is required. A grazing management plan is a document used in implementing a grazing management system. A restoration agreement may also be developed. A restoration agreement is an agreement between the program participant and the USDA or eligible entity to carry out activities and conservation practices necessary to restore or improve the functions and values of the land. A restoration agreement will include a restoration plan which is the portion of the restoration agreement that includes the schedule and conservation practices and activities to restore the functions and values of grasslands and shrub lands. Payments under the GRP restoration agreements may be made to the participant of not more than 50 percent of the cost of carrying out the conservation practices.

State, local or tribal governments and nongovernment organizations that have a charter describing commitment to conserving grasslands can enter into a cooperative agreement with NRCS to own, write, and enforce a grassland protection easement. They must also acquire the easements based on a minimum 50 percent cost-share with the government. GRP funds may not be used for appraisals, surveys, title insurance, legal fees, and other related administrative and transactions costs incurred by partner entity.

Eligibility

- Private lands, including tribal lands; and
- The participant must be a landowner for easement participation or be a landowner or have control of the eligible acreage being offered for rental contract participation; and
- Participants must meet conservation compliance (Sodbuster and Swampbuster) and AGI provisions; and
- Land is eligible if it is grassland, land that contains forbs, or shrubland (including improved rangeland and pastureland) for which grazing is the predominant use; or
- Land located in an area that historically had been dominated by grassland, forbs, or shrubland that is compatible with grazing uses and related conservation values, and could provide habitat for animal or plant populations of significant ecological value if the land is retained in its current use or is restored to a natural condition; contains historical or archeological resources or would address issues raised by state regional and national conservation priorities.

Determining Easement Value

Permanent easement compensation is equal the fair market value, less the grazing value of the land encumbered by the easement. To determine this amount, the NRCS Chief shall pay the lowest of the fair market value, the amount corresponding to a geographical cap, or an offer made by the landowner. The non-easement contracts are paid an amount that is not more than 75 percent of the grazing value of the land.

How to Apply

The NRCS and FSA jointly administer this program. Assistance in applying can be obtained from the local USDA Service Center.

RENTAL, MANGEMENT, AND GREEN PAYMENTS

Conservation Reserve Program

The rules for the 2008 Farm Bill Conservation Reserve Program have not been published. Therefore, the following program summary is based upon how it was operated for the past several decades. Check with the Farm Services Agency about current status of the programs described.

The Conservation Reserve Program (CRP) are voluntary programs for agricultural landowners that were originally established by the 1985 Farm Bill primarily for retiring highly erodible lands from agricultural production and establishing permanent covers. The wildlife benefits quickly became apparent and subsequent Farm Bills modified the programs to promote specific fish and wildlife conservation objectives. There has been extensive research on the impacts of CRP, which has indicated dramatic positive effects on many species of wildlife, especially birds. The program is large and has a variety of CRP Conservation Practices and initiatives. These practices include wetland restoration, wildlife habitat, wildlife food plots, wildlife corridors, riparian buffers, wetland restoration, trees, windbreaks, shelterbelts, native grasses, tree planting, high priority species, and farmable wetlands.

Through CRP, participants receive annual rental payments and cost-share assistance to establish long-term, resource conserving covers on eligible farmland. Annual rental payments are based on the agriculture rental value of the land. Cost-share assistance is available for up to 50 percent of the participant's costs in establishing approved conservation practices. There are also incentive payments for specific practices. CRP contracts are for 10 to 15 years.

The 2008 Farm Bill allows harvesting, haying and grazing, and the placement of wind turbines in certain situations with a reduction in payments.

No more than 25 percent of a county's farmland acreage can be in CRP and the Wetlands Reserve Program. Waivers can be granted especially for the Continuous sign-up conservation practices.

As of 2008, there were approximately 34.7 million acres enrolled in the program; but that is changing due to increasing agricultural commodity prices coupled with non-competitive rental payments. In addition, the 2008 Farm Bill authorized a lower cap of 32 million acres.

CRP offers different types of payments and incentives:

- *Rental Payments* - In return for establishing long-term, resource-conserving covers, FSA provides annual rental payments to participants. FSA bases rental rates on the relative productivity of the soils within each county and the average dry land cash-rent or cash-rent equivalent. The maximum CRP rental rate for each offer is calculated in advance of enrollment. Producers may offer land at that rate or offer a lower rental rate to increase the likelihood that their offer will be accepted.

- *Maintenance Incentive Payments* - CRP annual rental payments may include an additional amount up to $4 per acre per year as an incentive to perform certain maintenance obligations. This is particularly important for wildlife since the vegetative cover can become unfavorable to wildlife over time. Hence a disturbance activity such as disking or burning can set back succession and further enhance benefits to wildlife.

- *Cost-share Assistance* –This can be an amount not more than 50 percent of the participant's costs in establishing approved cover on eligible cropland.

- *Other Incentives* - FSA may offer additional financial incentives of up to 20 percent of the annual payment for certain continuous sign-up practices.

Ohio has developed and conducted vegetative cover assessments on all fields enrolled in the Conservation Reserve Program, as required through mid-contract management (MCM). The primary purpose of MCM is to enhance the practice cover to benefit wildlife, but at the same time, ensuring protection of soil and water resources. MCM is not a method in which to get practice covers back into compliance. It is, however, an opportunity to reestablish a diverse vegetative cover in monoculture grass CRP fields between the 4th and 7th year of the contract. /Top photo by Jeff Burris, Ohio DNR

Research has shown that diverse grassland stands that include a variety native forbs and wildflowers, with a minimum of 30 percent bare ground, improves brood rearing and nesting habitat. Each field was inspected by a team which included a representative from the county USDA office and a state agency wildlife biologist. A worksheet is completed that assesses the dominant vegetation, plant diversity and structure, and potential problems with the existing cover. Management options and recommendations are listed to help improve the wildlife cover. These recommendations are then discussed with the landowner and a list of management practices are provided. Based on the assessment, these may include light discing, prescribed burning, herbicide treatments, grazing, interseeding of forbs, or a combination of different practices. /Bottom photo by Luke Miller, Ohio DNR

Ranking CRP Offers

Offers for CRP contracts are ranked according to the Environmental Benefits Index (EBI). FSA collects data for each of the EBI factors based on the relative environmental benefits for the land offered. Each eligible offer is ranked in comparison to all other offers and selections made from that ranking. The following EBI

factors are used to assess the environmental benefits for the land offered:

- Wildlife habitat benefits resulting from covers on contract acreage;
- Water quality benefits from reduced erosion, runoff, and leaching;
- On-farm benefits from reduced erosion;
- Benefits that will likely endure beyond the contract period;
- Air quality benefits from reduced wind erosion; and
- Cost.

Prairie potholes. /Photo by Wade Bourne

There are two types of sign-up for CRP:

CRP General Sign-up

Participants can offer land for CRP general sign-up enrollment only during designated sign-up periods. Historically this has occurred on an annual basis, but that is not necessarily how it will be offered in the future depending upon if the 32 million acre cap has been exceeded. Applications during the General Sign up are competitive.

The General Sign-up is focused on whole fields and, depending upon ecological site conditions, may be grass and forbs or trees. The majority of acres in CRP are enrolled under this sign-up.

CRP Continuous Sign-up

Environmentally desirable land devoted to certain conservation practices may be enrolled at any time under CRP continuous sign-up. Certain eligibility requirements still apply, but offers are not subject to competitive bidding. There are a variety of programs and conservation practices offered under continuous signup. As discussed above, annual rental payments, restoration or enhancement payments, and maintenance payments are available. In some cases groups such as Quail Unlimited, the Southeast Quail Study Group, Pheasants Forever, Ducks Unlimited, and the National Wild Turkey Federation may provide outreach, technical expertise, and other assistance to help facilitate the implementation of these practices.

The Fish and Wildlife Service found that between 1992 and 2003, CRP in the Prairie Pothole Region contributed 25.7 million additional ducks. Other studies have shown significant increases in species of conservation concern such at Dickcissel, Grasshopper Sparrow, Bobolink, Henslow's Sparrow, and Sedge Wren. Researchers estimate that without CRP, populations could decline by 2 to 52 percent for five grassland bird species in the Prairie Pothole Region of North Dakota and South Dakota. The estimated combined loss ranges from 0.9 to 1.8 million birds. This is especially important because two of the species, Grasshopper Sparrow and Dickcissel, were designated as species of continental importance by Partners in Flight. /Photo by Steve Maslowski, USFWS

The following are the major CRP initiatives and practices that are having significant affect on fish and wildlife conservation:

Wetland Restoration Initiative (Conservation Practice 23)

This practice is designed to restore functions and values of wetlands ecosystems that have been devoted to agricultural use. The objective is to prevent degradation of the wetland area, increase sediment trapping efficiencies, improve water quality, prevent erosion and provide vital habitat for waterfowl and other wildlife. It is a 500,000-acre initiative that enrolls acres within the 100-year flood plain.

Wetland Restoration Non-floodplain Initiative (Conservation Practice 23a)

This practice is designed to restore wetlands and playa lakes that are outside the 100-year floodplain, which provide vital habitat for many wildlife species, filter runoff, recharge groundwater supplies, and sequester carbon. (Playas do not require a certified wetland determination to be enrolled.) The goal is 250,000 acres.

Duck Nesting Habitat Initiative (Conservation Practice 37)

This practice was developed to restore wetlands and wetland complexes that are located outside the 100-year floodplain that will benefit duck nesting in states within the Prairie Pothole Region. The goal is 100,000 acres of wetlands and adjacent uplands that are critical habitat and nesting cover for ducks, Sandhill Cranes, and other wildlife. With full enrollment, it is estimated that this initiative will increase duck numbers by 60,000 birds annually as well as many other species. This prediction was made before biofuels competition for agriculture land limited the number of acres that will likely be enrolled.

Bottomland Hardwood Initiative (Conservation Practice 31)

This practice is used to restore floodplains primarily through the restoration of bottomland hardwoods. This 500,000 acre initiative is intended to provide wildlife habitat, improve air and water quality, and provide carbon sequestration benefits.

Habitat Buffers for Upland Birds (Conservation Practice 33)

This practice was designed to address decreasing numbers of Northern Bobwhite Quail and other species that depend on similar habitat. The focus is establishing cover around field edges and eligible crops. Buffer plant species may include native warm-season grass, legumes, wildflowers, forbs, and limited shrub and tree plantings as specified in the participants approved conservation plan. The acreage cap was set at 250,000 acres in specific geographic areas in 35 states.

In 2004, the Farm Service Agency (FSA) implemented the Habitat Buffers for Upland Birds (CP33) practice as part of the Continuous Conservation Reserve Program (CRP). The FSA allocated 250,000 CP33 acres to 35 states to be actively managed over a period of 10 years, and charged the Southeast Quail Study Group (SEQSG) with the development of a CP33 monitoring protocol with the goal of generating measures of population response for Northern Bobwhite and other priority bird species. The FSA adopted the monitoring protocol developed by the SEQSG and encouraged states with CP33 allocation to participate in coordinated monitoring.

The CP33 monitoring program affords a rare opportunity to evaluate populations of grassland avifauna at a large geographic scale, and has revealed that the addition of CP33 upland habitat buffers in an otherwise agricultural landscape provides critical habitat and invokes a positive and rapid response by populations of bobwhite and several priority songbird species. Presuming increases in abundance represent net population increases rather than redistribution of existing populations from the surrounding landscape, CP33 may have the capacity to affect large-scale population changes in many declining species. /Photo by Steve Maslowksi, USFWS

Longleaf Pine (Conservation Practice 36)

The longleaf pine ecosystem once covered as much as 90 million acres of the Southeast, but through land use change and forest type conversion it has been reduced to approximately three million acres. This practice pays for the establishment and management of longleaf pine and indigenous grass and forb cover. The practice targets the restoration of 250,000 acres across nine states.

Longleaf pine plantings. /Photo by Reggie Thackston, Georgia DNR

State Acres for Wildlife Enhancement (Conservation Practice 38)

State Acres for Wildlife Enhancement (SAFE) proposals must originate from within FSA geographically defined areas targeting specific wildlife species. Proposals are usually developed by partnerships of wildlife experts in state and federal agencies, the public, nonprofit organizations, and others. These proposals are then reviewed by the State Technical Committee, and must be approved by qualified wildlife professionals and include wildlife monitoring and evaluation plans. Proposals meeting these criteria are then submitted to the FSA National Office for final review and approval. This Conservation Practice allows the wildlife community to design a program around targeted priority species in their region.

Examples of projects approved for SAFE include:

- Arkansas Grass SAFE to restore early successional habitat to benefit Northern Bobwhite Quail and other grassland birds.
- Indiana Bat SAFE to enroll 2,100 acres in CRP to restore forest habitat for the Indian Bat.
- Indiana Henslow's Sparrow SAFE to enroll 3,875 acres in CRP to restore grassland habitat for the Henslow's Sparrow.
- Louisiana Bayou Bartholomew SAFE to enroll 1,700 acres in CRP to benefit mussel and Bald Eagle habitat.
- Tennessee Wetlands SAFE to enroll 500 acres in CRP to restore habitat for amphibians, reptiles, crustaceans, waterfowl, and shorebird.

Conservation Reserve Enhancement Program (CREP)

This CRP program focuses on helping agricultural producers retire farmland to protect environmentally sensitive land, decrease erosion, restore wildlife habitat, and safeguard ground and surface water. This program is conducted in partnership with producers, tribal, and state governments and in some cases private groups. It is being used to specifically address the loss of critical habitat for threatened and endangered species and salmon.

CREP projects are usually focused on conservation practices such as filter strips and forested buffers that help protect streams, lakes, and rivers from sedimentation and agricultural runoff in addition to providing habitat.

A CREP project begins with eligible partners identifying an agricultural issue of regional or national significance. In cooperation with FSA, they develop a project proposal to address the issue. These projects must originate from approved geographic priority areas established by FSA.

FSA provides CRP funding to pay for a percentage of the cost with the remaining amounts coming from partners. Partners may offer additional incentives.

Public Access Incentive

USDA has targeted 7 million acres of CRP land for public hunting access in the next five years in participating states where landowners voluntarily agree to this. The CRP Public Access Incentive allows partnerships with existing state public access programs to identify and mark tracts of land as publicly accessible and publish maps for hunters and recreation enthusiasts. The incentive is consistent with current state public access incentives and will enhance the ability of state fish and wildlife agencies to use hunting seasons as a wildlife management tool.

The CRP Public Access Incentive will be limited to CRP participants in the 21 states that already have public access programs. These 21 states are: Arizona, California, Colorado, Idaho, Kansas, Kentucky, Michigan, Montana, Nebraska, New Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, South Dakota, Texas, Utah, Vermont, Washington and Wyoming.

The Public Access Incentive is available to participants, with new or existing CRP contracts, that voluntarily agree to open CRP land to public hunting, recreation, wildlife viewing and other recreational activities. CRP contracts are between 10 and 15 years.

Eligibility

To be eligible for CRP enrollment, a participant must have owned or operated the land for at least 12 months prior to close of the CRP sign-up period, unless:

- New owner acquired the land due to the previous owner's death;
- Ownership change occurred due to foreclosure where the owner exercised a timely right or redemption in accordance with law; or
- Circumstances of the acquisition present adequate assurance to FSA that the new owner did not require the land for the purpose of placing it in CRP.

To be eligible for placement in CRP, the offered land must be either:

- Cropland (including field margins) that is planted or considered planted to an agricultural commodity four of the previous six crop years from 2002 to 2007, and which is physically and legally capable of being planted in a normal manner to an agricultural commodity; or
- Certain marginal pastureland that is suitable for use as a riparian buffer or for similar water quality purposes.

In addition to the eligible land requirements, cropland must meet one of the following criteria:

- Weighted average erosion index (EI) of 8 or higher (EI provides a numerical expression of the potential for a soil to erode, considering the physical and chemical properties of the soil and climatic conditions where it occurs);
- Expiring CRP acreage; or
- Located in a national or CRP conservation priority area.

How to Apply

FSA administers CRP with technical support provided by NRCS, state forest agencies, or other Technical Service Providers. The regular sign is announced when acres drop below the Congressional established caps. Applications are obtained at local FSA Field Offices.

Conservation Stewardship Program

The Conservation Stewardship Program (CSP) encourages producers to address resource concerns in a comprehensive manner by improving, maintaining, and managing existing conservation activities and undertaking additional ones. Prior to the 2008 Farm Bill, this type of assistance was provided by the Conservation Security Program. The program is authorized to enroll 12,769,000 acres each fiscal year. The contracts will cover the entire agricultural operation and be for a period of five years. Compensation to an individual or legal entity can not exceed $200,000 for all contracts entered during any 5-year period. Improving wildlife habitat is sometimes chosen as an identified resource concern that can be addressed by CSP. However, addressing other resource concerns often benefits wildlife habitat by maintaining cover and reducing pollutants into adjacent bodies of water.

CSP payments reward producers for:

- Installing and adopting additional conservation practices;
- Improving, maintaining, and managing conservation practices in place at the time the contract offer is accepted by NRCS.
- Adopting resource-conserving and other beneficial crop rotations;
- Engaging in activities related to on-farm conservation research and demonstration activities, and pilot-testing of new technologies or innovative conservation practices.

Scott County, Missouri Conservation Stewardship Program project. /Photo by MO Dept. of Conservation

Eligibility

- An applicant must be the operator of record for the agricultural operation being offered for enrollment and have documented control of the land for the length of the contract period;
- Be in compliance with highly erodible land, wetland conservation, and AGI provisions;
- Demonstrate that they are meeting the stewardship threshold for at least one resource concern such as soil, water, wildlife;
- Address at least one additional priority resource concern by the end of the conservation stewardship contract;
- In addition to private agricultural lands, up to 10 percent of the enrolled acreage may be nonindustrial private forest land;
- Offer must include all eligible lands within operation; and
- Wetlands Reserve Program, Conservation Reserve Program, and Grasslands Reserve Program acres are not eligible for enrollment in CSP.

How to Apply

NRCS is responsible for eligibility determination, developing the stewardship plan, and administering the program. Applications can be obtained through local Field Offices.

Voluntary Public Access and Habitat Incentive Program

This program has been referred to as "Open Fields." Under this program, states and tribal governments can apply for grants to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for public access for wildlife-dependent recreation, including hunting or fishing, under programs administered by state or tribal governments.

The 2008 Farm bill authorized $50 million during Fiscal Year 2009 through Fiscal Year 2012. However, a grant will be reduced by 25 percent if opening dates for migratory bird hunting dates in that state are not consistent for residents and non-residents.

RESTORATION AND MANAGEMENT COST-SHARE

Wildlife Habitat Incentives Program

The Wildlife Habitat Incentives Program (WHIP) encourages participants to develop and improve high quality habitat that supports wildlife populations of national, state, tribal, and local significance through financial and technical assistance. Cost-share up to 75 percent can be provided for establishing conservation practices to develop fish and wildlife habitat. Historically underserved producers and Indian Tribes may receive the applicable payment rate and an additional rate that is not less than 25 percent above the applicable rate, provided that this increase does not exceed 90 percent of the estimated incurred costs associated with the conservation practice.

WHIP agreements generally last from five to ten years. Twenty-five percent of the funds can be used to enter into long-term agreements that are for at least 15 years for lands that would address issues raised by state, regional, and national conservation initiatives. These long-term agreements can incorporate a higher rate of cost-share assistance, not to exceed 90 percent. Annual payments to a person or legal entity cannot exceed $50,000 per year. The 2008 Farm Bill authorized $85 million per year funding.

In New York, NRCS worked with partners to target early successional habitat as their priority for Wildlife Habitat Incentive Program funds. The focal species of the initiative were Bobolink, Henslow's Sparrow, Grasshopper Sparrow, Eastern Meadowlark, Upland Sandpiper, Northern Harrier, Short-eared Owl, Blue-winged Warbler, Golden-winged Warbler, Eastern Towhee, Whip-poor-will, Brown Thrasher, Willow Flycatcher, Ruffed Grouse, and American Woodcock. In 2007 alone, this program generate over 128 applications for over 3,300 acres. In-kind assistance from the U.S. Fish and Wildlife Service, including equipment and seed, helped make this effort more practicable for landowners.

The national priorities established for WHIP:

- Promote the restoration of declining or important native fish and wildlife habitats;
- Protect, restore, develop or enhance habitat to benefit at-risk species (candidate species, and state listed threatened and endangered species);
- Reduce the impacts of invasive species on fish and wildlife habitats; and
- Protect, restore, develop or enhance declining or important aquatic wildlife habitats.

NRCS in consultation with State Technical Committees establishes priorities that are guided by the national priorities listed above. In some cases, the NRCS State Conservationist can establish priority landscapes where WHIP dollars are focused to maximize benefits.

Eligibility

- Eligible lands include private agricultural land (public lands no longer eligible), non-industrial private forest land, and tribal land.
- Applicant must be in compliance with the highly erodible land and wetland conservation provisions;
- Applicant must be in compliance with the terms of all other USDA-administered conservation program contracts to which the participant is a party; and
- Develop and agree to comply with the project's Wildlife Plan of Operations.

How to Apply

NRCS is responsible for financial and technical assistance. Applications can be obtained through local NRCS Field Offices.

Environmental Quality Incentives Program

The Environmental Quality Incentives Program (EQIP) provides financial and technical assistance to farmers and ranchers who face threats to soil, water, air, and related natural resources such as pollinators, at risk species (i.e., any listed plant or animal species as determined by the NRCS, with advice from the State Technical Committee, and invasive species.) This also includes forest management, energy conservation, and practices related to organic production. The program provides cost-share to producers to promote agricultural production and environmental quality as compatible goals, optimize environmental benefits, and help farmers and ranchers meet state, tribal, and local environmental regulations. In addition, it can replace forgone income to further a conservation objective such as delayed grazing to promote establishment of nesting cover. This is one of the largest funded programs with a Congressional authorization of $7.325 billion through 2012.

The overall payment limitation is $300,000 per person or legal entity over a 6-year period. However, the Secretary of Agriculture may raise the limitation to $450,000 for projects of special environmental significance. Assistance to organic production operations will be based on producers agreeing to develop and carry out organic system plans. Payments for conservation practices related to organic production may not exceed $20,000 per year or $80,000 during any 6-year period. Congress authorized funding for each fiscal year as follows: $1.2 billion for 2008; $1.337 billion for 2009; $1.45 billion for 2010; $1.588 billion for 2011; and $1.75 billion for 2012.

This program provides payments up to 75 percent of estimated costs associated with planning, design, materials, equipment, installation, labor, management, maintenance or training, and up to 100 percent of estimated income forgone by a producer to implement particular conservation practices. An increased payment rate is available to historically underserved producers, including limited resource, beginning, and socially disadvantaged farmers and ranchers. These groups can also receive in advance up to 30 percent of the anticipated costs needed for purchasing materials or services to implement conservation practices.

The 2008 Farm Bill gave NRCS discretion to accord great significance to a conservation practice that promotes residue management, nutrient management, air quality management, invasive species management, pollinator habitat, animal carcass management technology, or pest management.

NRCS identified national priorities for the program in FY 2008 which include:

- Promotion of at-risk species habitat conservation;
- Reductions of nonpoint source pollution, such as nutrients, sediment, pesticides, or excess salinity in impaired watersheds consistent with total maximum daily loads (TMDLs) where available as well as the reduction of groundwater contamination from confined animal feeding operations;
- Conservation of ground and surface water resources;
- Reduction of emissions, such as particulate matter, nitrogen oxides (NOx), volatile organic compounds, and ozone precursors and depleters that contribute to air quality impairment violations of National Ambient Air Quality Standards; and
- Reduction in soil erosion and sedimentation from unacceptable levels on agricultural land.

Eligibility

Applicant must:

- be an agricultural producer;
- be in compliance with the HELC/WC provisions of the 1985 Farm Bill; and
- meet AGI requirements and have control of the land for the length of the contract period; and
- work with NRCS to develop and implement EQIP plan of operations, including specific conservation and environmental objectives;
- Eligible lands include cropland, grassland, rangeland, pasture, wetlands, nonindustrial private forest land, and other agricultural land on which agricultural or forest-related products or livestock are produced.

Under certain situations, federal lands can be included in program cost-share. Specifically, this would include lands where the participant's operations and private holdings would directly benefit from the activities occurring on public lands (e.g., improved forage and habitat on lands that are part of a producer's grazing allotment).

How to Apply

NRCS is responsible for the technical and administration of the program. Applications can be obtained at the local NRCS Service Centers.

In Texas, the Lesser Prairie-chicken occurs only on private lands. Farm Bill programs offered between 50 – 75 percent cost-share to restore or enhance habitat for this species. For some landowners, however, this was just not enough to make it worth it for them to participate. Working together, Texas Parks and Wildlife Department, June Leland Wildlife Foundation, Sibley Nature Center, and Playa Lakes Joint Venture paid landowners a $20 per acre incentive for enrolling in Farm Bill programs that benefit prairie-chickens such as the Environmental Quality Incentives Program and the Wildlife Habitat Incentives Program. /Photo by Burr Williams

In Montana, EQIP funds through a special initiative have been used to help preserve the habitat of the fluvial Arctic Grayling, a candidate for listing under the Endangered Species Act. The Upper Big Hole River in southwestern Montana is the last native habitat for this fish species in the continental United States. Several years of drought have caused low flows in the river that threatened the species survival. The funds were used to compensate landowners to shorten their irrigation season and keep the river running at no less than 20 cubic feet per second throughout the summer despite continued drought and unfavorable snow-pack conditions. /Photo by Phil Coleman

In 2004 NRCS targeted $2 million dollars of EQIP to protect lands to protect Sage Grouse. /Photo by Gary Kramer, USFWS

The Hopi Three Canyon Ranches project involves three ranches totaling more than 350,000 acres that are owned and managed by the Hopi Tribe in central Arizona. These ranches contain leased lands, federally leased lands, and private lands. A limited number of water sources, which led to uneven grazing pressure on rangelands across the ranch and degradation of wildlife habitat were the main resource concerns. The project included funding from the State's Landowner Relation Program ($40,000), EQIP ($210,000), and the Tribe ($170,000).

This project will provide new watering facilities (e.g., wells, pipeline, drinkers, etc) and provide "wildlife friendly" interior fencing to incorporate a rotational grazing program on the ranch. The three ranches will drill one new well and install 21.5 miles of pipeline leading to 12 drinkers and 12 storage tanks (10,000-gallon capacity each). The ranch will ensure that water will be in all these drinkers on a year-round basis for wildlife. The project will also remove invasive brush from 1,200 acres, which will provide valuable native grassland habitat, and will install fencing to implement a rotational grazing lease on 20,000 acres.

Together these practices will reduce the impacts of cattle on the areas that currently have water, and spread the grazing pressure of the cattle to all available rangeland. This will directly benefit all wildlife on the ranches due to the increase in water availability. The specific species to benefit are Pronghorn Antelope, Desert Mule Deer, Elk, and all grassland-dependant wildlife species. /Photo by Wade Zarlingo, Arizona GFD

GRANTS AND OTHER PROGRAMS

Conservation Innovation Grants

The purpose of Conservation Innovation Grants (CIG) Program is to stimulate innovative conservation approaches and technologies, while leveraging investment in environmental enhancement and protection in conjunction with agricultural production including forest resources. Under this competitive grant program, Environmental Quality Incentives Program (EQIP) funds are awarded to tribal governments, non-governmental organizations, or individuals to achieve this objective.

Through CIG, NRCS works with other public and private entities to accelerate technology transfer and the adoption of promising approaches to address some of the Nation's most pressing natural resource concerns. The focus is on "developing and transferring" this technology. CIG benefits agricultural producers by providing more options for environmental enhancement and compliance with federal, state and local regulations.

The program has two administrative levels of application. The national component of the CIG competition generally seeks projects that will benefit a large geographic area (e.g., watershed, region, multi-state, or nationwide). An Announcement of Program Funding is issued annually for the specific natural resource concerns eligible for these grants. State level competitions may also be offered based upon priorities that the state NRCS office establishes, are announced by the state NRCS office, and have a national cap of $75,000.

Selected applicants may receive grants of up to 50 percent of the total project cost, and must provide matching non-federal funds for at least 50 percent of the project cost, of which no more than one-half (25 percent of the total project cost) may come from in-kind contributions. Up to 10 percent of CIG funds each year may be set aside for applications from beginning, limited resource, or socially disadvantaged farmers or ranchers, tribes, or community-based organizations comprised of or representing these entities. Matching funds for grants to any of these individuals or entities may consist of up to 75 percent in-kind contributions.

A Conservation Innovation Grant (CIG) funded "walking wetlands" on three privately owned farms in the Klamath Basin of northeastern California. The walking wetlands project allows farmers to leave cropland fallow with periodic flooding on a rotational basis. Crops are rotated through adjacent fields and later returned to the once-drenched sites after a period of one to four years. The wetlands provide critical habitat for a number of migratory birds and other wildlife species. Although the wetlands are not permanent in any one place, they do provide a net increase in the wetland acres available for wildlife and water quality benefits. The temporary wetlands also give cropland soils a chance to rest and replenish.

Fields later returned to production show improved soil quality, greater crop yields, better control of weeds and pests, and reduced need for pesticides. In addition, certified organic crops are sometimes produced on these fields immediately after they are rotated out of the flooded stage. The National Wildlife Refuge has introduced walking wetlands on lands managed or leased by the U.S. Fish and Wildlife Service and U.S. Bureau of Reclamation. With the Conservation Innovation Grant, additional private landowners and other producers will also have the chance to try walking wetlands on their own land. Walking wetlands may prove to be a valuable conservation strategy that helps land managers improve the sustainability of working lands in the Klamath Basin. /Photo by Gary Wilson, NRCS

Eligibility

- Eligible applicants for CIG funding include: tribal governments, state and local governments, non-governmental organizations, or individuals.
- Projects must benefit participants who meet the EQIP eligibility requirements.

How to Apply

Apply for national CIG grants the NRCS National Office. Those states offering CIG grants will announce their sign up period and objectives independently of the national announcement. Contact the NRCS state office for additional information.

Cooperative Conservation Partnership Initiative

The Cooperative Conservation Partnership Initiative (CCPI) provides for funds to be used for targeted conservation activities and areas. Eligible partners include state, local and tribal governments, producer associations and cooperatives, institutions of higher education, and nongovernmental organizations. CCPI is implemented through multi-year agreements, not to exceed five years, with partners selected through a competitive application process.

The amount of funds available for CCPI is 6 percent of the funds from the Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), and Wildlife Habitat Incentives Program (WHIP). Under CCPI, agreements funds are provided to participating producers in accordance with applicable program rules (i.e., EQIP, CSP, and WHIP).

Ninety percent of funds will be allocated to projects based on the discretion of NRCS State Conservationists. The remaining 10 percent of funds will support projects based on national competition. Overhead or administrative costs of partners may not be covered by funds provided through CCPI.

The purpose of CCPI is to:

- Address conservation priorities on a local, multi-state, or regional level;
- Encourage producers to cooperate in meeting regulatory requirements;
- Encourage producers to cooperate in the installation and maintenance of conservation practices that affect multiple operations; or
- Promote the development and demonstration of innovative conservation practices and delivery methods.

Priority is given to applications that:

- Involve a high percentage of producers;
- Significantly leverage non-financial and technical resources and coordinate with other local, state or federal efforts;
- Deliver high percentages of applied conservation to address water quality, water quantity, or state, regional, or national conservation initiatives; and
- Provide innovation in conservation methods and delivery that include performance measurement.

How to Apply

CCPI agreements are competitive and can be entered into with NRCS at either the state or national level. The Request for Proposals is announced periodically on the NRCS state or national web site.

CONSERVATION COMPLIANCE

Highly Erodible Land and Wetland Conservation Compliance

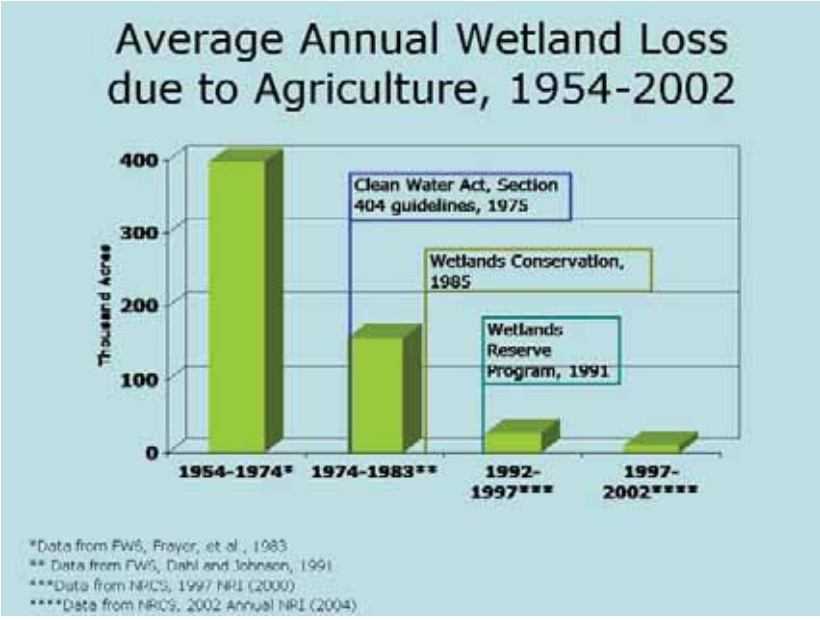
All of the Farm Bill programs are focused on financial incentives to reward decisions that further conservation in agricultural landscapes. The Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Compliance Provisions, known as Sodbuster and Swampbuster respectively, are different in that they stress disincentives to prevent adverse affects to soil and wetland resources. Specifically, the objectives of these provisions are to reduce soil loss due to wind and water erosion, protect the Nation's long-term capability to produce food and fiber, reduce sedimentation and improve water quality, and assist in preserving the functions and values of the Nation's wetlands.

Swampbuster is a major factor in the protection of wetlands in agricultural landscapes. During the 1970's, over 400,000 acres per year were lost due to agricultural conversions. However, Swampbuster is one of the main reasons this loss has declined dramatically over the past two decades. Coupled with WRP and other restoration programs, there have been net gains of wetlands in agricultural landscapes in recent years.

FSA administers the HELC and WC provisions of the Farm Bill and makes all program related decisions. NRCS makes technical determinations as to whether highly erodible soils and wetlands are present on a participant's property. They also provide technical assistance, using conservation plans and maps, to determine the location of these areas and the kinds of conservation practices needed to protect the soil or wetland resources.

To retain certain USDA benefits and program eligibility, fields designated as highly erodible must be protected from excessive soil erosion when used to produce agricultural commodities. If wetlands are present, a participant must certify to FSA that they have not produced crops on converted wetlands after December 23, 1985, and did not convert a wetland after to make agricultural production possible November 28, 1990, to continue to receive USDA benefits.

The USDA benefits lost if in non-compliance with Swampbuster and Sodbuster are significant and can adversely affect a producer's ability to continue production. Non-compliance also prevents producers from participating in Farm Bill programs. Participants can have benefits returned once they are in compliance by implementing a conservation system that addresses erodible soils or restores the affected wetland.



TITLE V TRADE AND TAX PROVISIONS

Endangered Species Recovery Act

This provision allows expenditures, to implement site-specific management measures in Endangered Species Act recovery plans, to be deducted subject to the limitation that deduction may not exceed 25 percent of farmer's gross farm income for year.

Tax Credits for Conservation Easements

Enhanced deduction allowed taxpayers to deduct up to 50 percent of their adjusted gross income (AGI) and farmers to deduct up to 100 percent of their AGI for contributions of conservation easements, with any excess deduction carried forward for up to 15 years. This provision expired at end of 2007, but the 2008 Farm Bill extended it through December 31, 2009.

TITLE XII CROP INSURANCE: “SODSAVER”

The conservation community lobbied Congress to change agricultural policy to prevent native prairies and grasslands from being broken out and put into agricultural production. This loss has increased in recent years because of commodity prices. In 2007, approximately 500,000 acres of native prairie was converted, resulting in the loss of important wildlife habitat, particularly for nesting grassland birds and waterfowl. However, the final policy enacted in Title XII (Crop Insurance) of the 2008 Farm Bill fell short of their expectations because it is restricted to the Prairie Pothole Region. This occurred primarily due to a lack of data documenting the loss of native prairie in states other than the Prairie Pothole Region National Priority Area.

At the election of the governor of a state in the Prairie Pothole Region National Priority Area , the Farm Bill specifically allows native sod acreage that is tilled for the production of an annual crop to be ineligible for crop insurance and noninsured crop disaster assistance benefits during the first five crop years of planting. If enacted by the Governors, this is a significant disincentive for breaking out native grasslands.

Sandhill Cranes rise from prairie habitat in South Dakota. /Photo by Gary Zahm

RESOURCES

The Wildlife Society Bulletin: 2006. Volume 4 (4). This special issue of the Bulletin focused on the Farm Bill. There are 11 papers discussing the positive impacts of the Farm Bill on fish and wildlife.

Wildlife and Fish Conservation Through the Farm Bill: Randall L. Gray and Billy Teels

The Role of the Wetland Reserve Program in Conservation Efforts in the Mississippi River Alluvial Valley: Sammy L. King, Daniel J. Twedt, and Randy Wilson

Waterbird Responses to Hydrological Management of Wetlands Reserve Program Habitats in New York: Matthew R. Kaminiski, Guy A. Baldassarre, and Arron T. Pearse

Aquatic Condition Response to Riparian Buffer Establishment: Billy M. Teels, Charles A. Rewa, and John Myers

Butterflies and Continuous Conservation Reserve Program Filter Strips: Landscape Considerations: Nicole M. Davros, Dianne M. Debinksi, Kathleen F. Reeder, and William L. Hohman

Plants and Breeding Bird Response on a Managed Conservation Reserve Program Grassland in Maryland: Douglas E. Gill, Peter Blank, Jared Parks, Jason B. Guerard, Bernard Lohr, Edward Schwartzman, James G. Gruber, Gary Dodge, Charles A. Rewa, and Henry F. Sears.

Gunnison Sage-Grouse Use of Conservation Reserve Program Fields in Utah and Response to Emergency Grazing: A Preliminary Evaluation: Sarah G. Lupis, Terry A. Messmer, and Todd Black

The Farm Bill and Duck Production in the Prairie Pothole Region: Increasing the Benefits: Ronald E. Reynolds, Terry L. Schaffer, Charles R Loesch, and Robert R. Cox Jr.

Greater Sage-Grouse Response to Sagebrush Management in Utah: David K. Dahlgren, Renee Chi, and Terry A Messner.

The Role of Farm Policy in Achieving Large-Scale Conservation: Bobwhite and Buffers: L. Wes Burger Jr. Don Mckenzie, Reggie Thackston, and Stephen J. Demaso.

Creating Wildlife Habitat through Farm Bill Programs: An Objective-Driven Approach: L. Wes Burger Jr.

Haufler, Jonathan (ed). 2005. ***Fish and Wildlife Benefits of Farm Bill Conservation Programs: 2000-2005 Update***. The Wildlife Society Technical Review 05-2. This publication provides a summary of accomplishments for fish and wildlife of each of the Farm Bill programs.

Haufler, Jonathan (ed). 2007. ***Fish and Wildlife Response to Farm Bill Conservation Practices.*** The Wildlife Society Technical Review 07-01. Specific conservation practices used in Farm Bill conservation program delivery are evaluated as to their affects upon fish and wildlife.

The Natural Resources Conservation Service www.nrcs.usda.gov and Farm Services Agency www.fsa.usda.gov Web sites contain information about Farm Bill programs, their accomplishments, and contacts for specific information. Links to State Office web sites can also be found there.

ACRONYMS

ACRE	Average Crop Revenue Election
ACSS	Agricultural Conservation and Stabilization Service
AFMV	Agricultural Fair Market Value
AGI	Adjusted Gross Income
CCC	Commodity Credit Corporation
CCPI	Cooperative Conservation Partnership Initiative
CEAP	Conservation Effects Assessment Project
CIG	Conservation Innovation Grants
CP	Conservation Practice
CREP	Conservation Reserve Enhancement Program
CSP	Conservation Stewardship Program
CRP	Conservation Reserve Program
DC	District Conservationist
EBI	Environmental Benefits Index
EI	Erosion Index
EQIP	Environmental Quality Incentives Program
FCIC	Farm Crop Insurance Corporation
FTOG	Field Office Technical Guide
FSA	Farm Services Agency
FRPP	Farm and Ranch Lands Protection Program
FY	Fiscal Year
GRP	Grasslands Reserve Program
HELC	Highly Erodible Land Conservation
HFRP	Healthy Forest Reserve Program
LWG	Local Working Group
NRCS	Natural Resources Conservation Service
PL	Public Law
SAFE	State Acres for Wildlife Enhancement
SCS	Soil Conservation Service
SIP	Stewardship Incentives Program
STC	State Technical Committee
TSP	Technical Service Provider
USDA	United States Department of Agriculture
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
WC	Wetland Conservation
WHIP	Wildlife Habitat Incentive Program
WREP	Wetlands Reserve Enhancement Program
WRP	Wetlands Reserve Program