

Putting the Farm Bill to Work for Wildlife

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Land Conservancy**

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The Farm Bill – it's not just about farms

- Billions of dollars –
 - 75% to food and nutrition programs
 - Commodities
 - Energy
 - Rural and economic development
 - Conservation
 - Small percentage but still \$10s of billions



A Key Resource

- Two-thirds of our nation's 2.3 billion acres are privately owned
- 85% are used for grazing, crops and forestry
- Support 65% of threatened and endangered species and essential ecosystem functions
- Farm Bill is single greatest source of private land conservation funding
- Few land trusts use it (~25%)

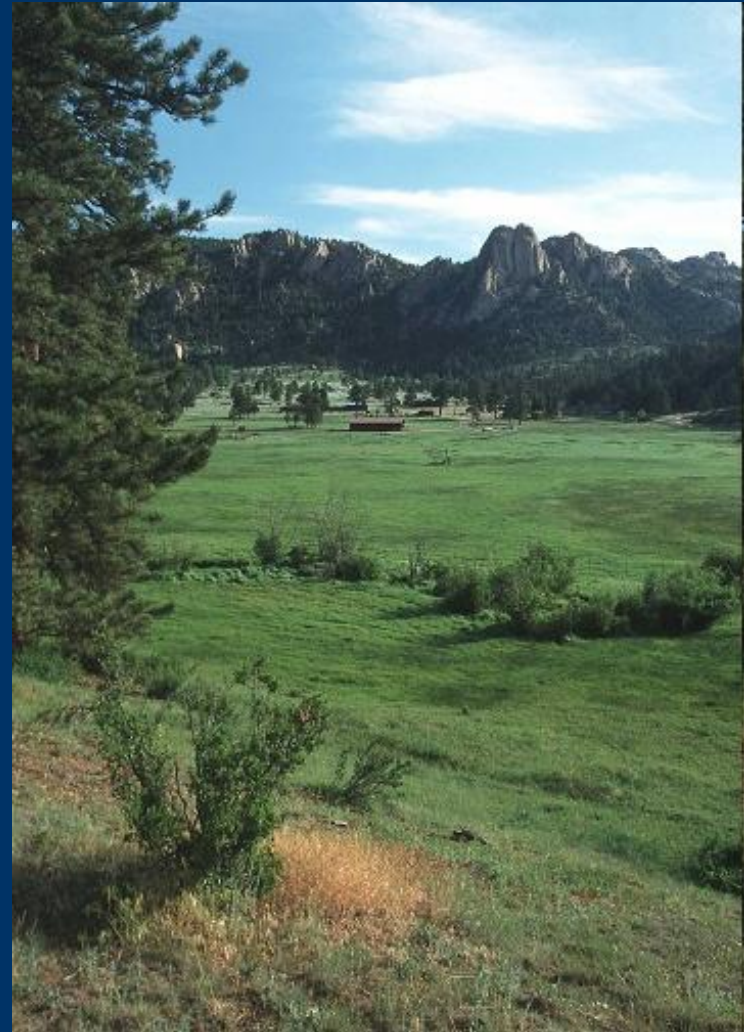


The T.J. Maxx Effect



The 2008 Farm Bill

- \$307 billion bill
- \$30 billion for conservation
- Many changes – some good, some bad



Just a Few Options...

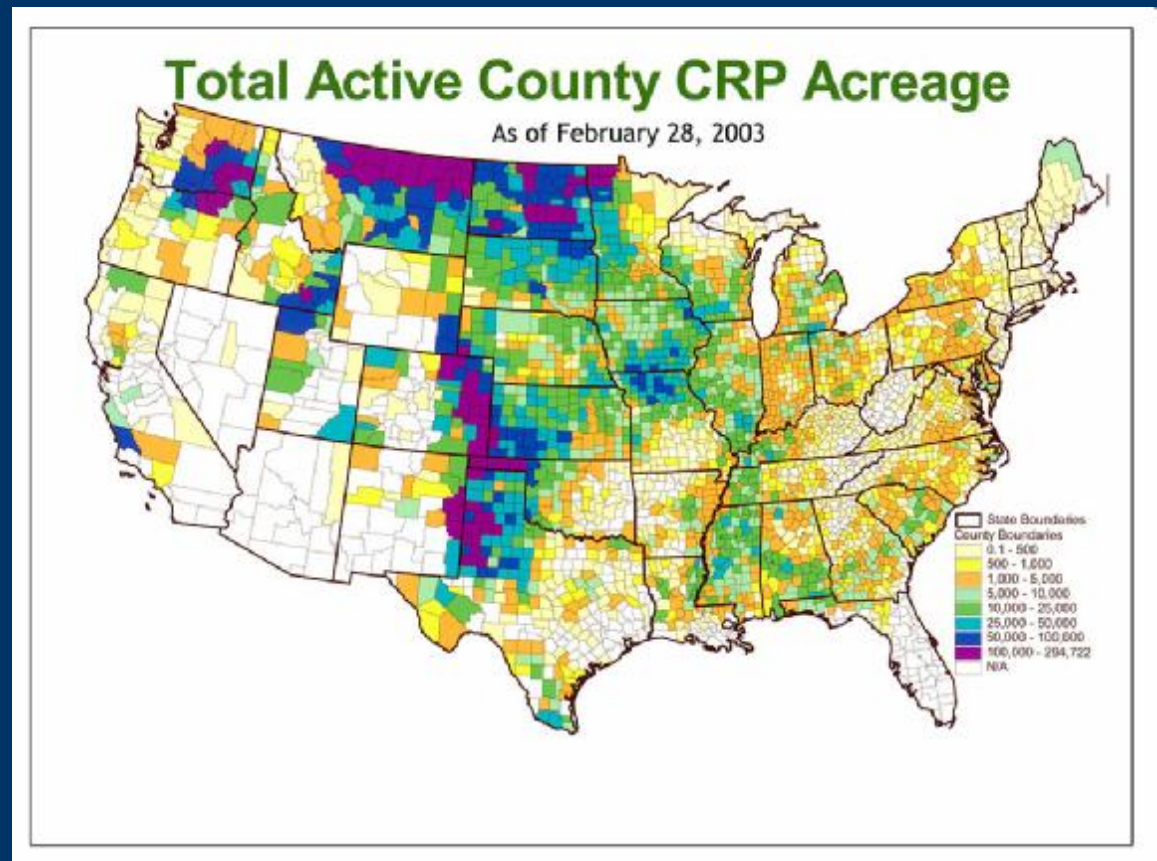
Program	Cost-share	Easement	Annual payments	Eligibility
Conservation Reserve	X		X	producers
Environmental Quality Incentives	X			producers
Wildlife Habitat Incentives	X			producers
Conservation Stewardship			X	producers
Farmland Protection		X		producers
Wetland Reserve	X	X		any private landowner
Grassland Reserve	X	X		producers



Conservation Reserve Program (CRP)

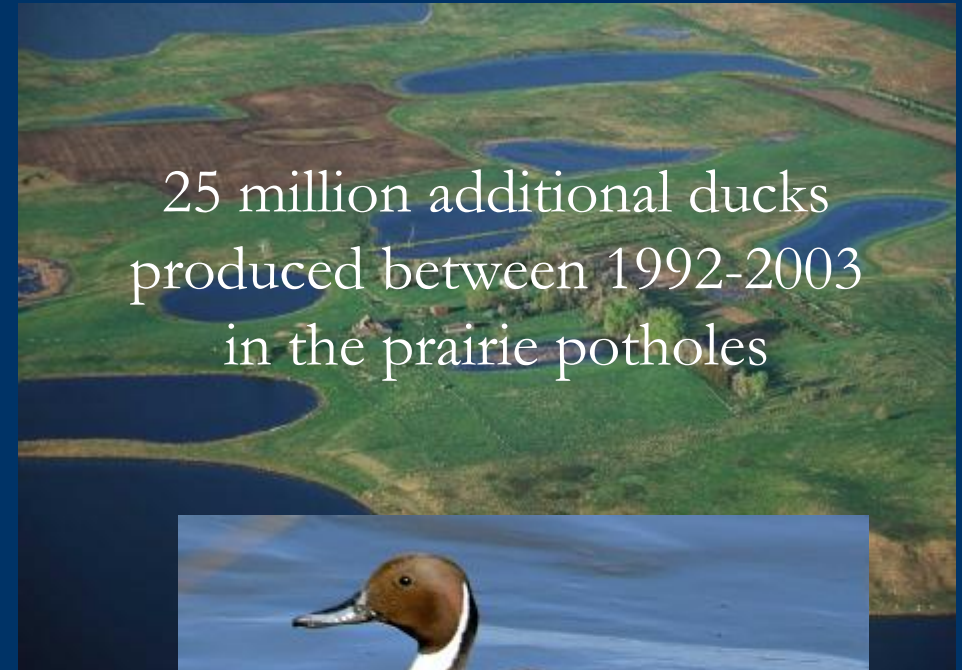
- Oldest and largest conservation program – more than 34 million acres currently enrolled

- Provides 50% cost share and annual rental payments



Conservation Reserve Program (CRP)

- Significant wildlife benefits
 - Grassland birds
 - Ducks
- Benefits threatened
 - 2.5 million acres were not re-enrolled in 2007
 - 2008 bill reduces cap by 7+ million acres
 - Pressure for early withdrawal



25 million additional ducks
produced between 1992-2003
in the prairie potholes



State Acres for Wildlife Enhancement (SAFE)

- Applies CRP to areas with particular value to wildlife

- Incentives:

§ 90% cost-share on habitat restoration +

§ Signing Bonus: \$100/acre +

§ Annual rental payments +

= A Pretty Good Deal



State Acres for Wildlife Enhancement (SAFE)

- **75 SAFE projects in 31 states**
 - CO – shortgrass prairie, grouse
 - GA – native pine
 - IA – grassland and early successional birds
 - MI – native pollinators
 - LA – black bears
 - TX – thornscrub
 - ME – New England cottontail



Conservation Reserve Enhancement Program (CREP)

- Federal/state partnership to conserve high-priority landscapes (eg: watersheds)
- Federal CRP benefits (cost share, rental payments, other incentives) PLUS additional state benefits (additional cost share, incentive payments, state tax credits, easement options, monitoring etc.)

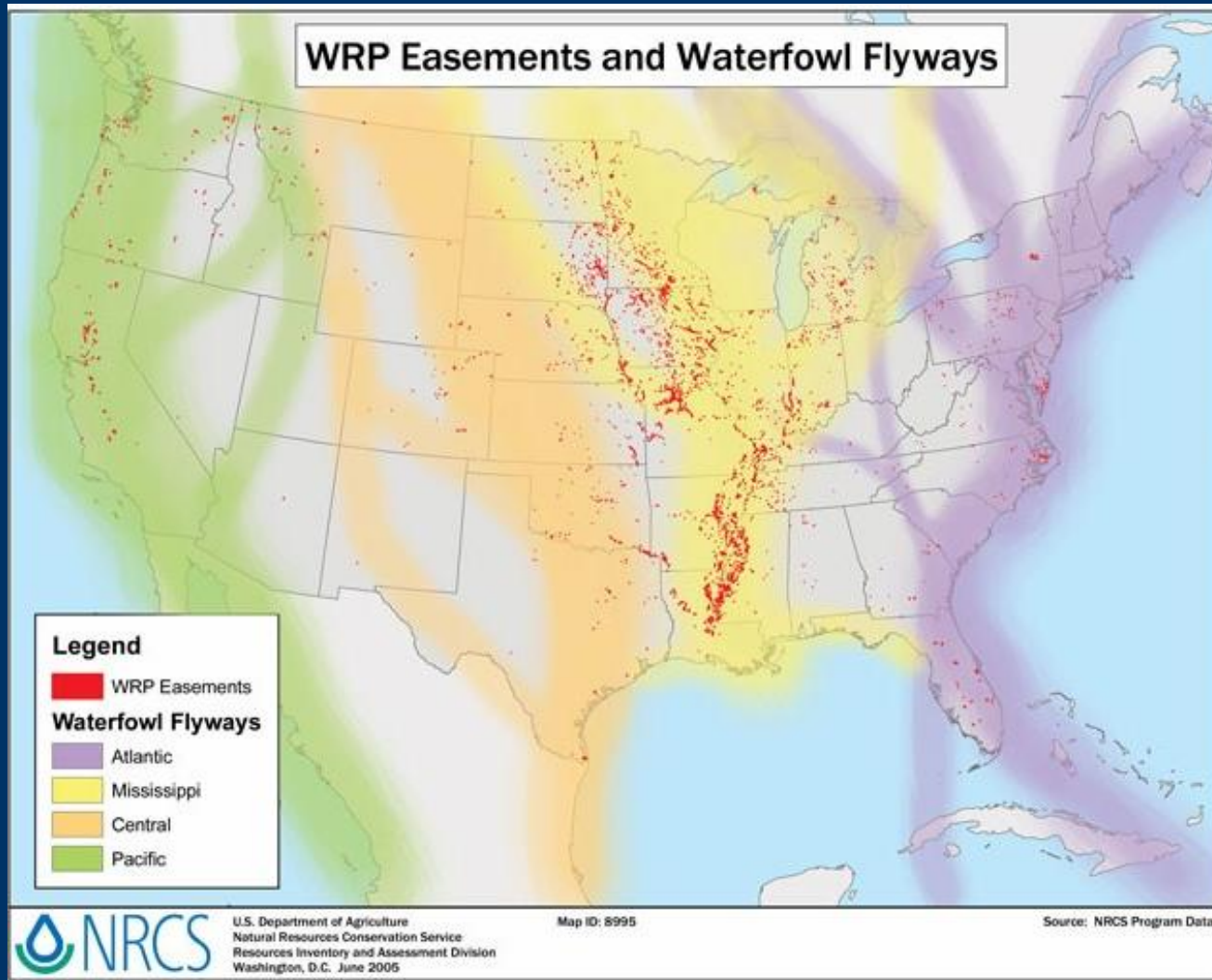


Wetlands Reserve Program (WRP)

- All private landowners eligible
- Options:
 - Restoration cost share (75%)
 - 30 year easement
 - Permanent easements (easement purchase plus up to 100% of restoration costs)
- New bill: land must be owned for 7 years!



Approximately 2 million WRP acres as of 2007



Grassland Reserve Program (GRP)

- Purpose - grazing, haying and wildlife
- Easements and rental agreements
- 2008 Bill: 50% cost share (down from 75%+)
- Land trusts can now develop and hold GRP easements



Wildlife Habitat Incentive Program (WHIP)

- Purpose — create and improve fish & wildlife habitat
- Provide 75% or greater cost share
- 5 to 15 year+ contracts
- Once open to all private landowners — now restricted to producers



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Environmental Quality Incentive Program (EQIP)

- Priorities – ag and forest land
 - Water quality
 - Air quality
 - Erosion/sedimentation
 - Wildlife habitat
- 50% - 100% cost share
- Huge \$\$ increase in new Farm Bill



Photos by Sid and Cheryl Goodloe

EQIP ‘Special Rules’– Wildlife

- Native pollinator habitat and invasive species control now a priority
- Reduce conflict between predators (wolves, bears) and livestock



Farmland Protection Program

- Purpose - maintain land in agricultural use
- Government pays half the cost of easements
- Land trust responsible for other half (25% can be in-kind)
- Land trust holds easement
- 533,000 acres as of 2007



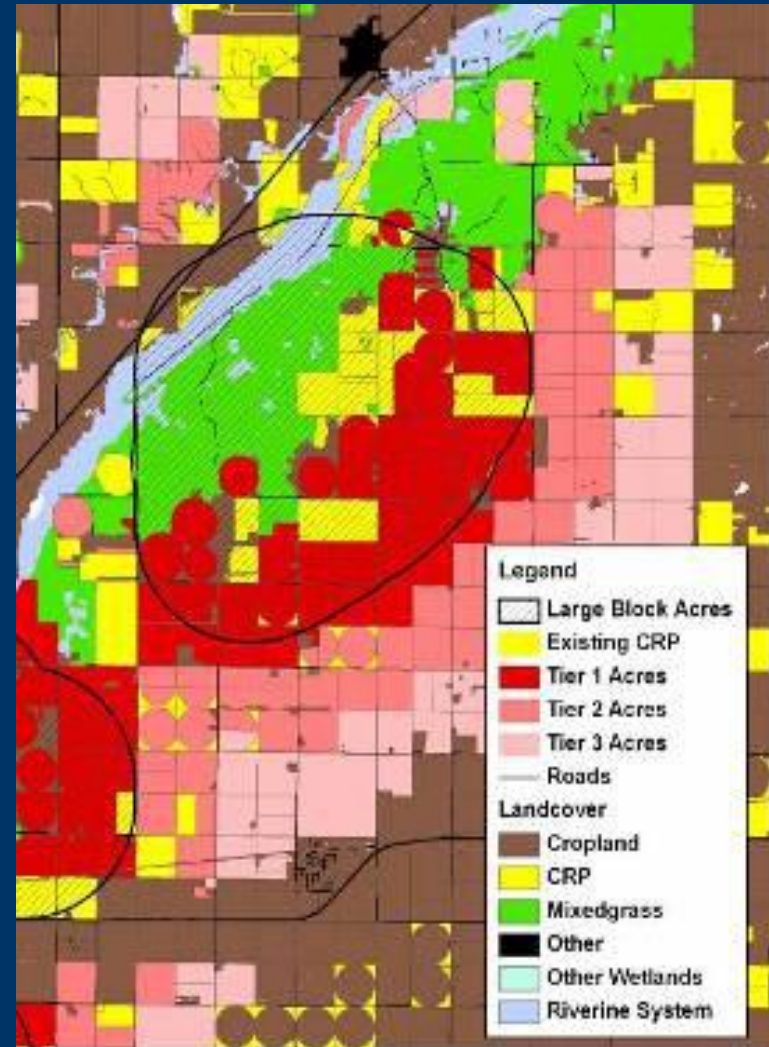
Conservation Stewardship Program (CSP)

- Annual tiered payments (\$20,000 - \$45,000) to reward good stewardship
- Now available nationwide



Challenges and Opportunities

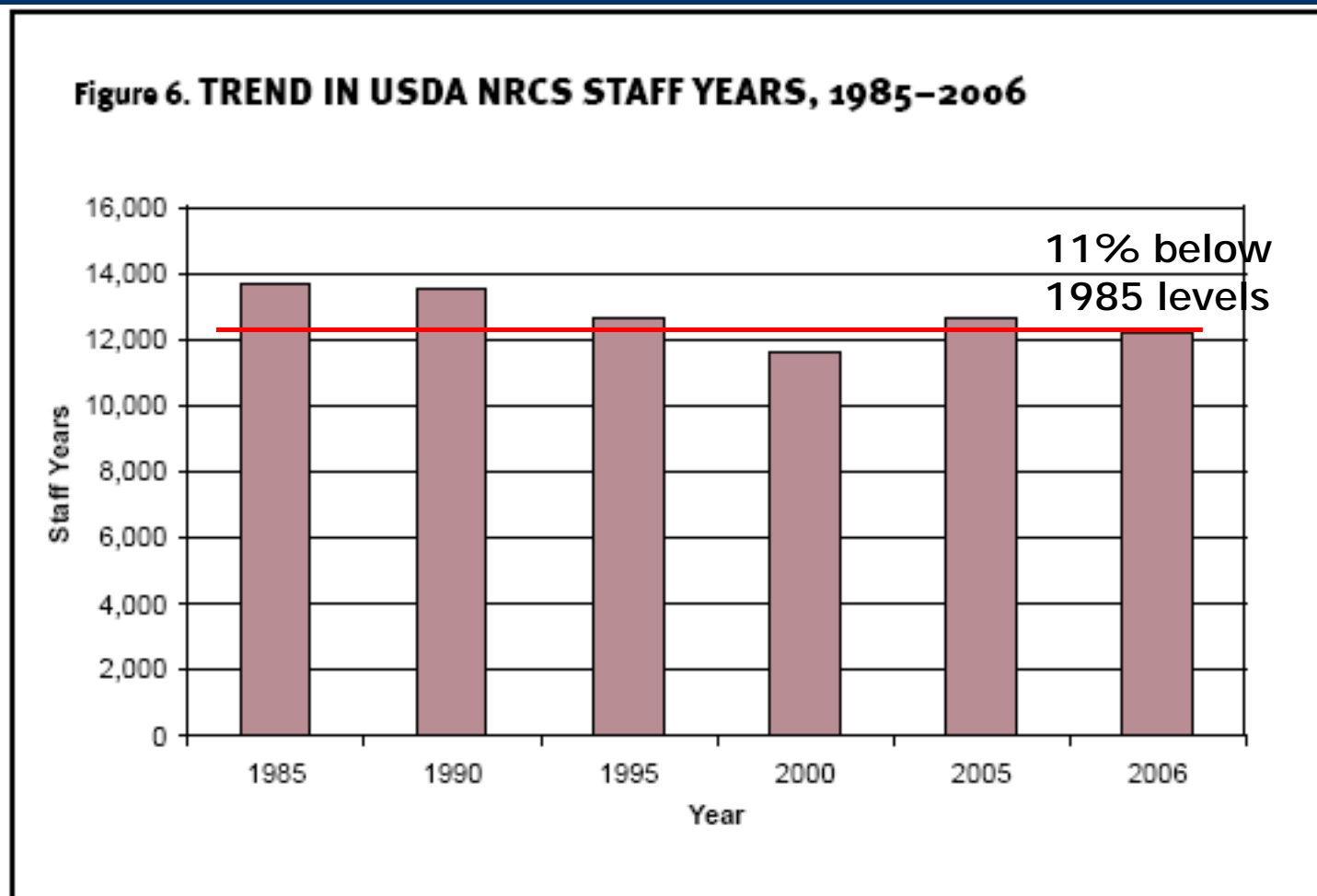
- Farm Bill programs generally not implemented strategically although some efforts have begun



Lesser Prairie Chicken priority habitats and CRP



Challenges and Opportunities

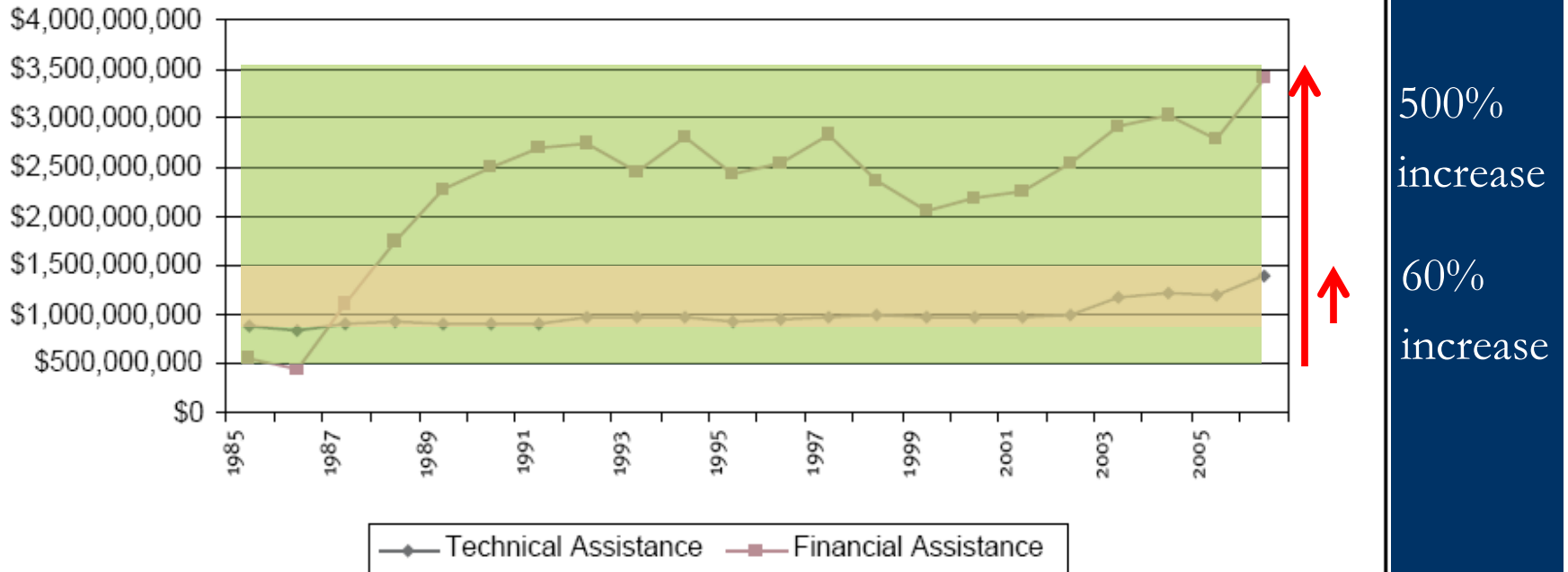


Source: Assembled by SWCS from USDA budget documents.



Challenges and Opportunities

Figure 3. TREND IN INFLATION-ADJUSTED EXPENDITURES FOR FINANCIAL AND TECHNICAL ASSISTANCE



Source: Assembled by SWCS from USDA budget documents.

Technical assistance funding has not kept pace with growth of financial assistance programs.



Challenges and Opportunities

- States return millions of unspent dollars each year
- In 2007, at least 34 states returned funding in each of FPP, WRP, WHIP, EQIP and GRP
 - Example: in 2007, 10 states returned ALL of their FPP funds including agricultural states like IN, IA, NE, SD
- If your state isn't spending it, someone else will - returned funds get redistributed to other states or get used for administrative purposes



Opportunities

- **Lots of money out there – don't let it get away**
- **USDA can't do outreach but we can!**
- **We must bring highest value projects to USDA to help them be more strategic**
- **Layering programs can maximize results**



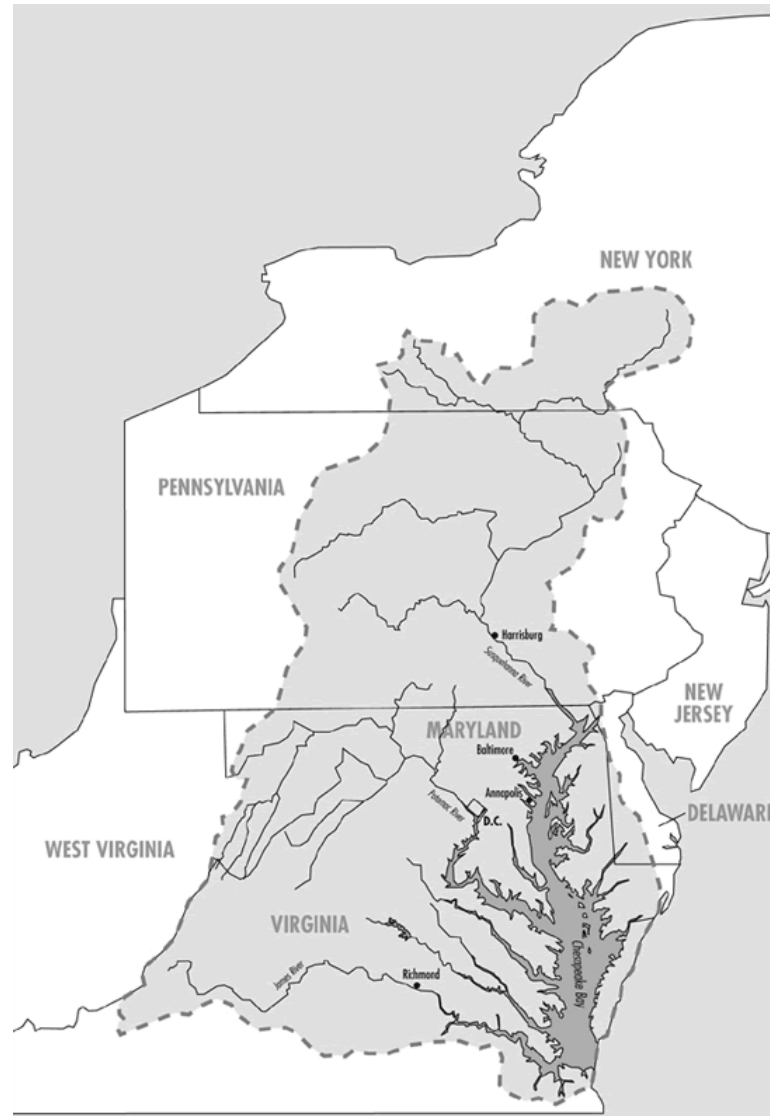


CHESAPEAKE WILDLIFE HERITAGE

**Dedicated to Restoring and
Protecting Wildlife Habitat**

Founded in 1980

CWH Service Area



Chesapeake Care Habitat Restoration and Management

Wetlands, Woodlands & Grasslands



Sustainable Agriculture

- Less Chemical input without hurting bottom line.
- Farming in a more wildlife friendly manner.



Nesting Structures

- Bluebird Boxes
- Osprey Platforms
- Wood Duck Boxes
- Purple Martin Houses
- Prothonotary Warbler Boxes
- Great-crested Flycatcher Boxes



Backyard Habitat

- Native plantings
- Less mowing
- Less chemical inputs



Landowner Services

Protecting
Wildlife
Habitat



2,642 acres have been protected in 10 years

The Problem:

Poor Water quality



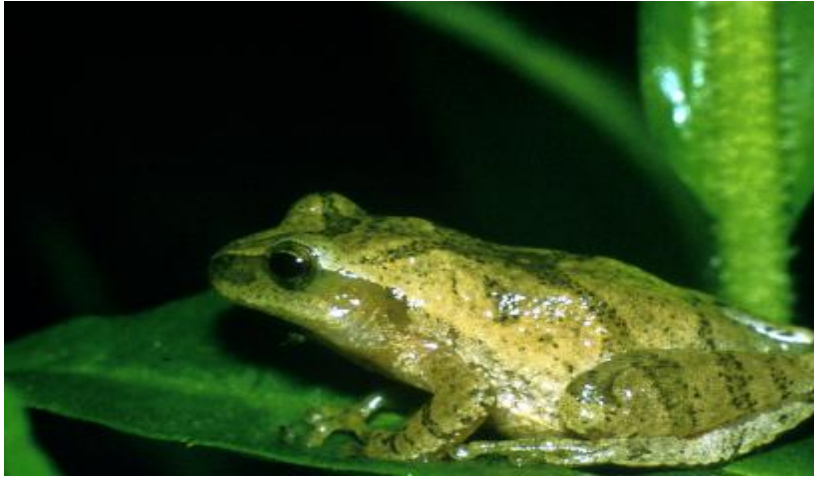
The Problem:

Loss of Wildlife Habitat



The Problem:

Wildlife Populations decline.



The Solution: Wetland Restoration

Since 1998, CWH has restored 1,250 acres of wetlands.



The Solution:

Warm Season Grass Meadows

Since 1998 CWH has planted 3,300 Acres of WSG



The Solution: Forested Riparian Buffers

Since 1998, CWH has planted 775 acres of trees



The Solution

Wetland Restoration:

According to the Smithsonian Environmental Research Center, restored wetlands can filter up to 70% of pollutants that enter them.

Riparian Buffers:

According to the Maryland Department of Agriculture, each acre of buffer prevents 120 lbs. of nitrogen, 10 lbs. of phosphorus and 4,000 lbs. of sediment from fouling the waters of the Chesapeake Bay annually.

Habitat Preservation Case Studies:

- Barnstable Hill Farm -Land Donation
- Bennett Point Farm -Land Purchase
- Canterbury Farm -Easement Donation
- Spencer Farm -Easement Purchase & Donation
- Rash Farm -Easement Purchase
- Riverbend Farm -Conservation Investor



Helping the landowner manage the property for 15 years was critical for the donation.

A Diversity of Wildlife Benefits



Before Restoration



Bennett Point Farm

Purchased with ESLC using funds from a NAWCA grant in 1997. Matching funds came from value of donated easements.



After Restoration



A Vote of Approval



USDA Conservation Reserve Enhancement Program (CREP)

- CREP is a joint USDA and state program.
- The purpose of the Maryland CREP is to improve water quality and increase wildlife habitat.
- There are CREP programs in 31 states.

- CREP is administered by the USDA's Farm Service Agency (FSA) and the Natural Resource Conservation Service (NRCS).
- It is funded by the 2008 Farm Bill. State governments also provide a portion of the funding.
- This program is voluntary and compensates landowners for lost income.

Who can do CREP?

CREP is a contract that requires a 10 to 15 year commitment. No other commodity practice can be done within the designated CREP land.

CREP provides cost-share assistance to establish a conservation practice and an annual rental payment for 10 or 15 years to the landowner.

Check with your local NRCS office for eligibility.



A Canterbury Tale



CWH staff survey the field elevations.

A 100 acre CP-23 Wetland Restoration

90% cost-share for
restoration from
CREP

10% provided by
CWH through
member gifts

Landowner receives
\$150 per acre rental
rate for 15 years





Constructing the wetlands.





Trees and Shrubs are planted





A very young wetland begins to form (in a drought year)



In the wetland, plants emerge including cattails, panic grass and sedges.



Mudflats provide valuable habitat for migrating shorebirds.

Canterbury Farm Wildlife

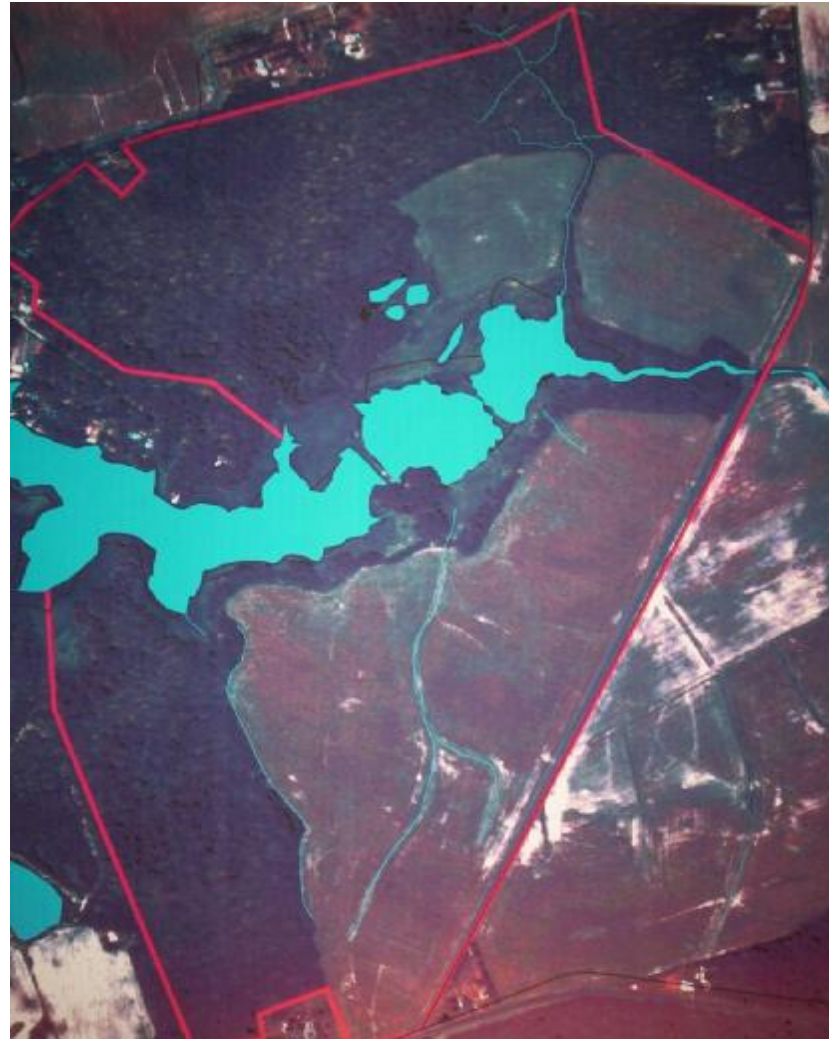


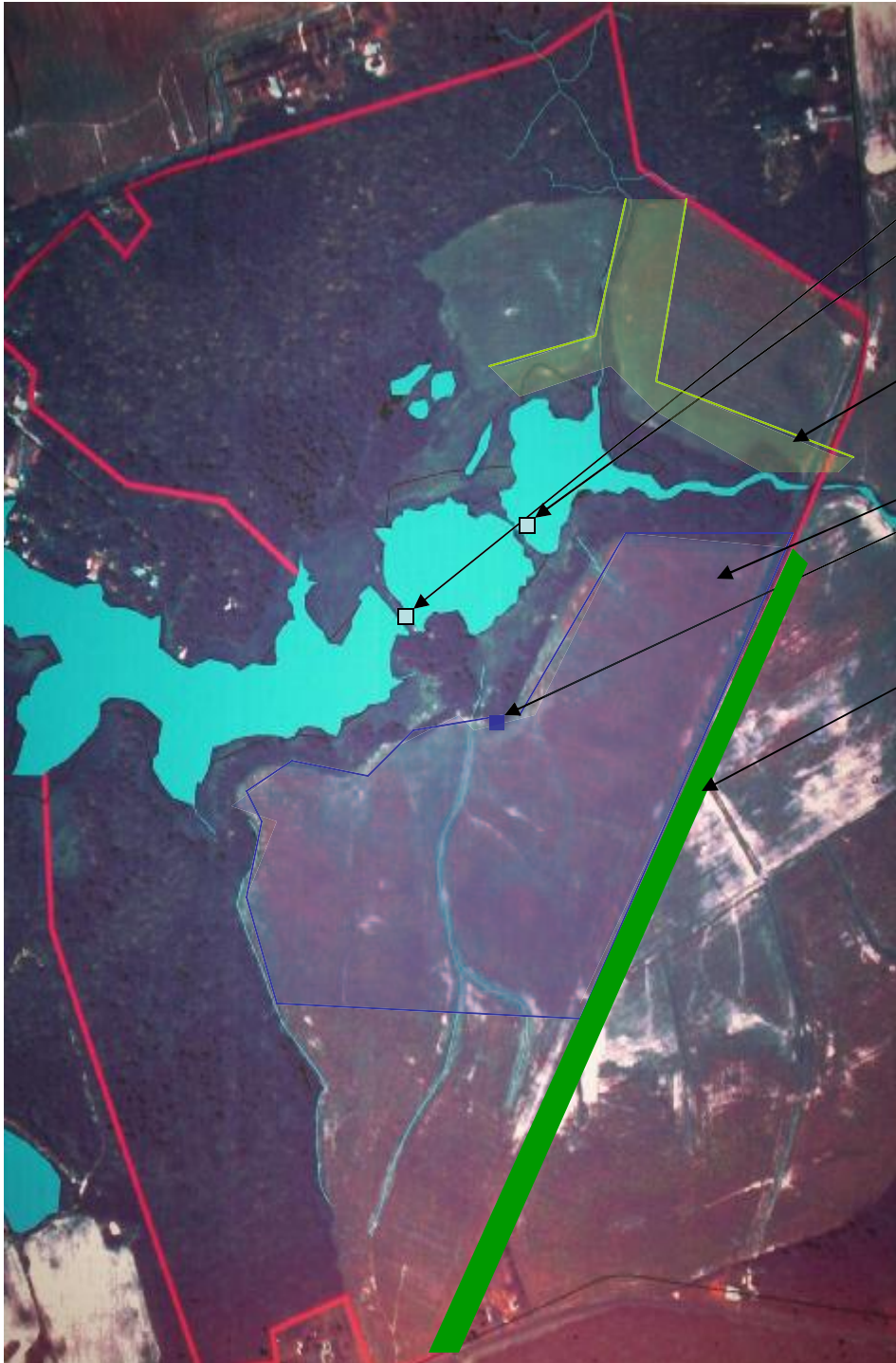
Canterbury Farm Easement

- Easement Donated to CWH and MET
- Protects 142 acres
- Prevents the destruction of wetlands, woodlands and grasslands
- Permits one house site

Spencer Farm

Purchased & Donated Easement





Restored Habitat Types

Removed two berms to restore natural tidal flow to aid anadromous fish spawning, paid for by EPA watershed grant.

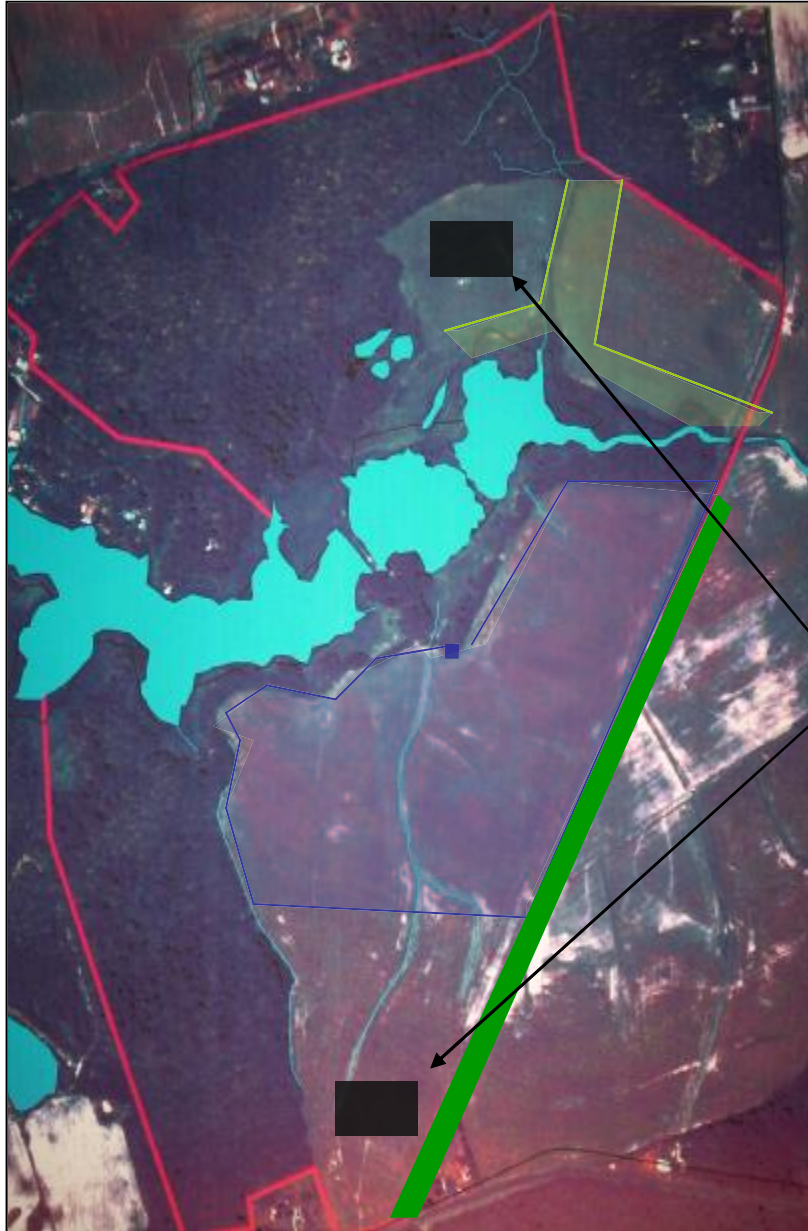
Planted 5.5 acres of riparian buffers (CP 21)

Restored 21 acre emergent wetland with 13 acres upland buffer (CP 23). Installed water control device to allow for manipulation of seasonal water levels.

Planted native coniferous and deciduous tree screen, not cost shared, but paid for by buyer.

38 acres remaining non-hydric farmland

Important to note that reimbursement only after projects were completed, then approved by NRCS, and a check sent by FSA, taking up to 90 days. Presents a considerable cash flow problem.



General Easement Provisions

1. Provides for management of restored habitat areas per appended management plan, updated every five years by recognized experts in wildlife ecology, and acceptable to grantees.
2. Protects forested area to be managed for old growth conditions. Allows owner to cut for personal firewood use.
3. Remaining croplands to be cultivated using BMP's and more sustainable practices (rotations, nutrient management, no pesticides). Food plots (clover, sunflowers, standing corn) are also encouraged.
4. Allows for one subdivision and two building sites (one per parcel if subdivided). Subdivision to occur along MLW line of Herrington Creek. ■

Spencer Farm





Prothonotary Warbler box affixed to the back of a Wood Duck Box in the protected woodlands at Spencer Farm.

Spencer Farm

CREP Easement Sale	\$60,000
Value of Donated Easement	\$100,000
Property Value Prior to Easement	\$490,000

Rash Farm

Easement Purchase



Rash Easement Expenses

Easement Purchase Habitat Total:	\$223,351
149.1 acres purchased at \$1,498 per acre	
2.5 acres donated	
Easement Purchase Incidental Costs Total:	\$16,685
includes staff time, title work, surveys etc.	
Total Easement Costs:	\$240,036
Acreage Protected:	151.6 acres
CREP Sub-Total	100.4 acres
CREP Buffers 31.9 acres	
CREP Wetlands 68.5 acres	
Match Sub-Total:	48.7 acres
Donate Sub-Total:	2.5 acres (Forest)

Conservation Investor

Buy, Restore, Protect, Resell

Points to Consider

- Can you address the cash-flow issues?
- Can you steward this type of easement?
- Do you have a partner to restore the habitat?
- What characteristics are you looking for in a property?
- Do you have the investor(s)?

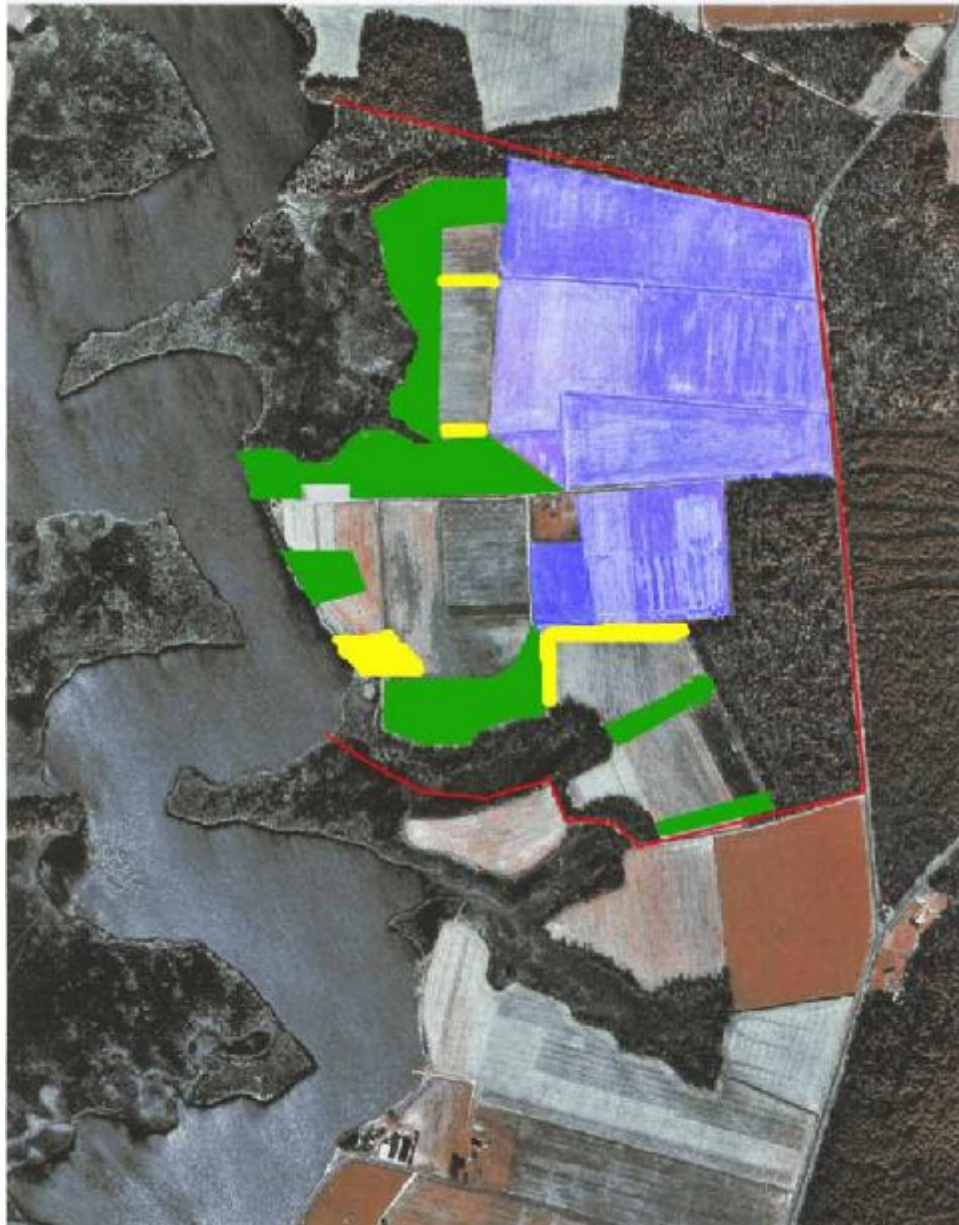
Due Diligence




- Title (including existing easements, deed restrictions, tenant rights etc.)
- Boundaries
- Environmental Assessment

In general, make sure you know what you are buying and what the seller is selling!

Riverbend Farm Conservation Investor





-  Wetland
-  Trees/Shrubs
-  Native grass buffers

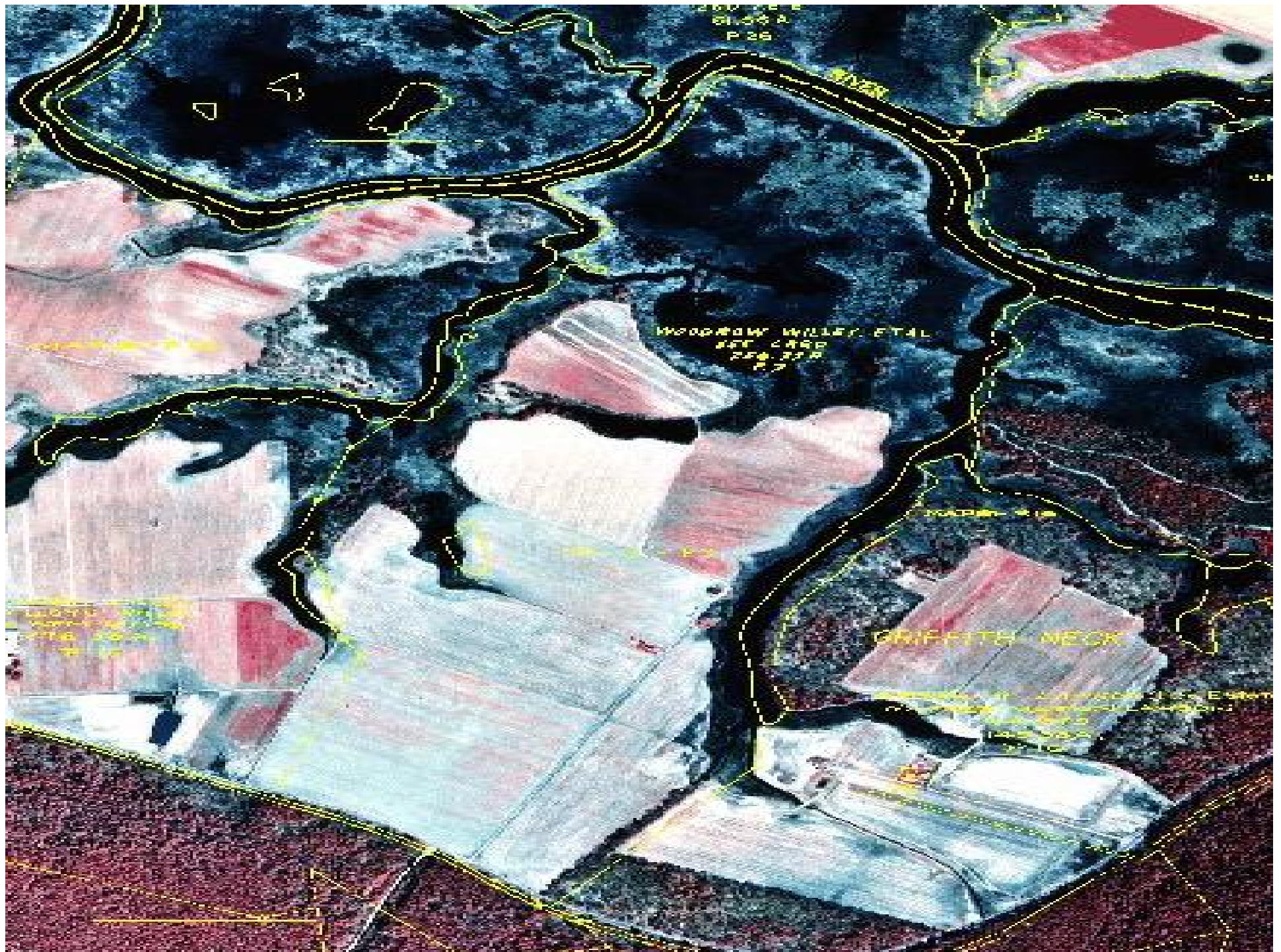




Riverbend Farm

Purchase Price	\$750,000
Foundation "PRI" Loan	\$750,000

Sale Price	\$1,050,000
Value of donated easement	\$500,000





First Step in an Acquisition: Get The Farm Under an Option Agreement

- **Option agreement:**
 - Sales Price: \$1,700,000
 - 60 day Feasibility and Due Diligence Period
 - 30 day Financing etc. for Closing

- **Problem: Recognized Restoration Program Challenges**
 - Unsure of soils qualifying for CREP program
 - One year required ownership period
 - Smaller riparian buffers allowed in CREP program

Financing and Deal Structure

- **Challenges:**
 - Longer ownership term
 - Less CREP support for restorations
 - High sales price
- **Solution: Low (and no) Interest Loans**
 - Clean Water Act Sect. 319 “Linked Deposit” loan from Maryland Water Quality Finance Administration:
 - \$1.4 million @ 2.73%, interest only, five year term.
 - MET Loan: \$400K at 0%, 2 year term.
 - Together Provide \$100K working capital for restoration work and project management.



Habitat Types to be Restored



Riparian buffers: Trees (CP22)



Riparian Buffers: Warm season grasses
CREP (CP21) and continuous CRP



Restore 35 acre emergent wetland with
70 acres upland buffer. Install water
control devices to allow for manipulation
of seasonal water levels



Existing farm road



Chicamacomico Farm Restored Wetland



Restored Wetland with Shorebirds



Forested Buffer




Tidal Wetlands and Hummock with Bald Eagle Nest





General Easement Provisions

1.  Allows for two 5 acre building sites
2. Existing structures:
Farm equipment shed;
Caretakers house.
3. Provides for management of restored habitat areas per appended management plan, updated every five years by recognized experts in wildlife ecology, and acceptable to grantees.
4. Remaining croplands (70 acres) to be cultivated using BMP's and more sustainable practices (rotations, nutrient management, no pesticides). Food plots (clover, sunflowers, standing corn) are also encouraged.
5. Allows for one subdivision and two building sites (one per parcel if subdivided). Subdivision to occur (more or less) along farm road.

Massey Farm



Massey Farm Restored Wetland



CWH Partners

- Biophilia Foundation
- Maryland Environmental Trust
- USDA Natural Resources Conservation Service
- USDA Farm Services Agency



CHESAPEAKE
WILDLIFE
HERITAGE

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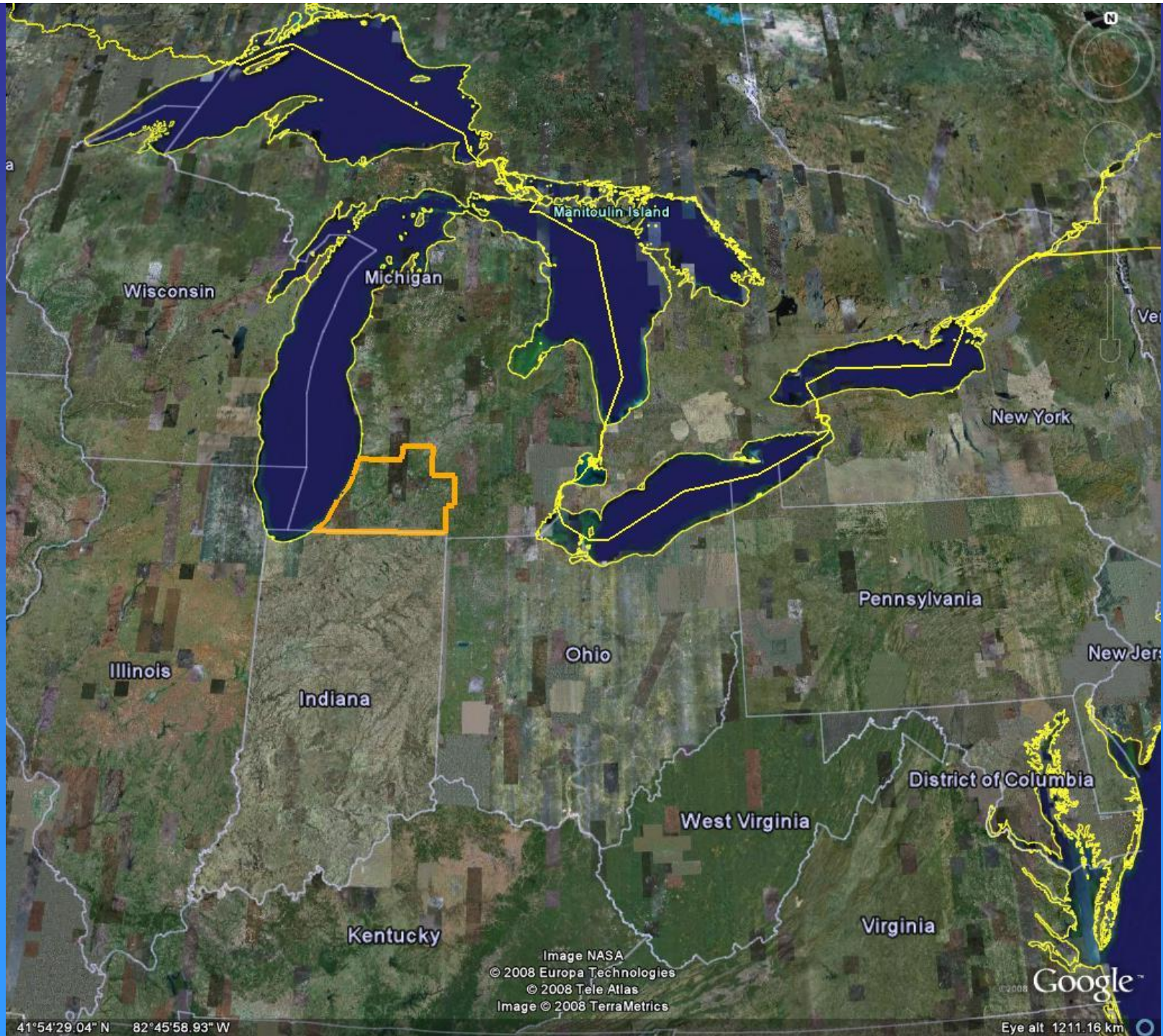
The CRP Experience at Sand Creek Preserve

**Nate Fuller – Conservation and Stewardship Director
Southwest Michigan Land Conservancy**

Mission

To protect the natural, historic, and scenic landscapes to ensure the health and quality of life for the people of southwest Michigan

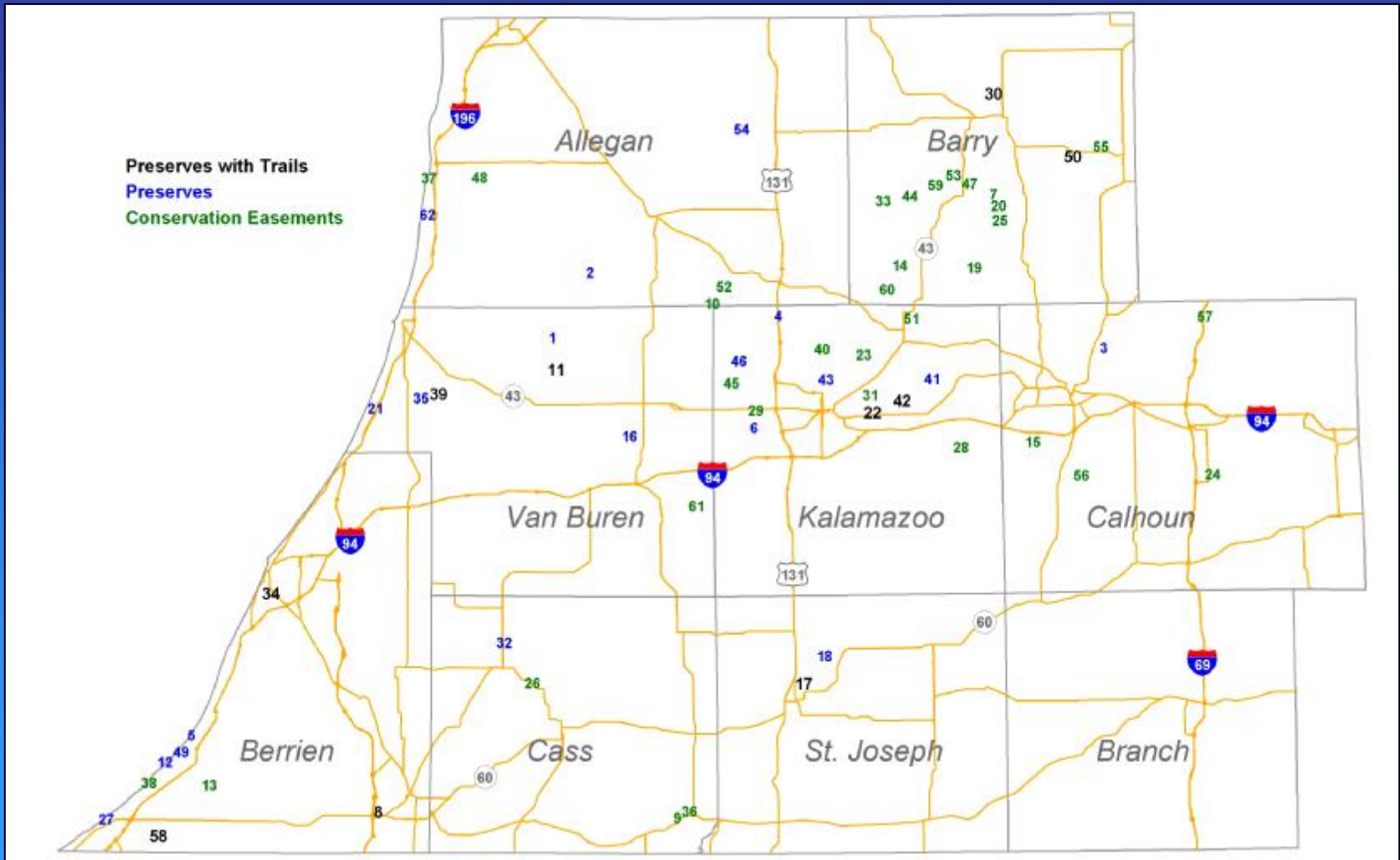


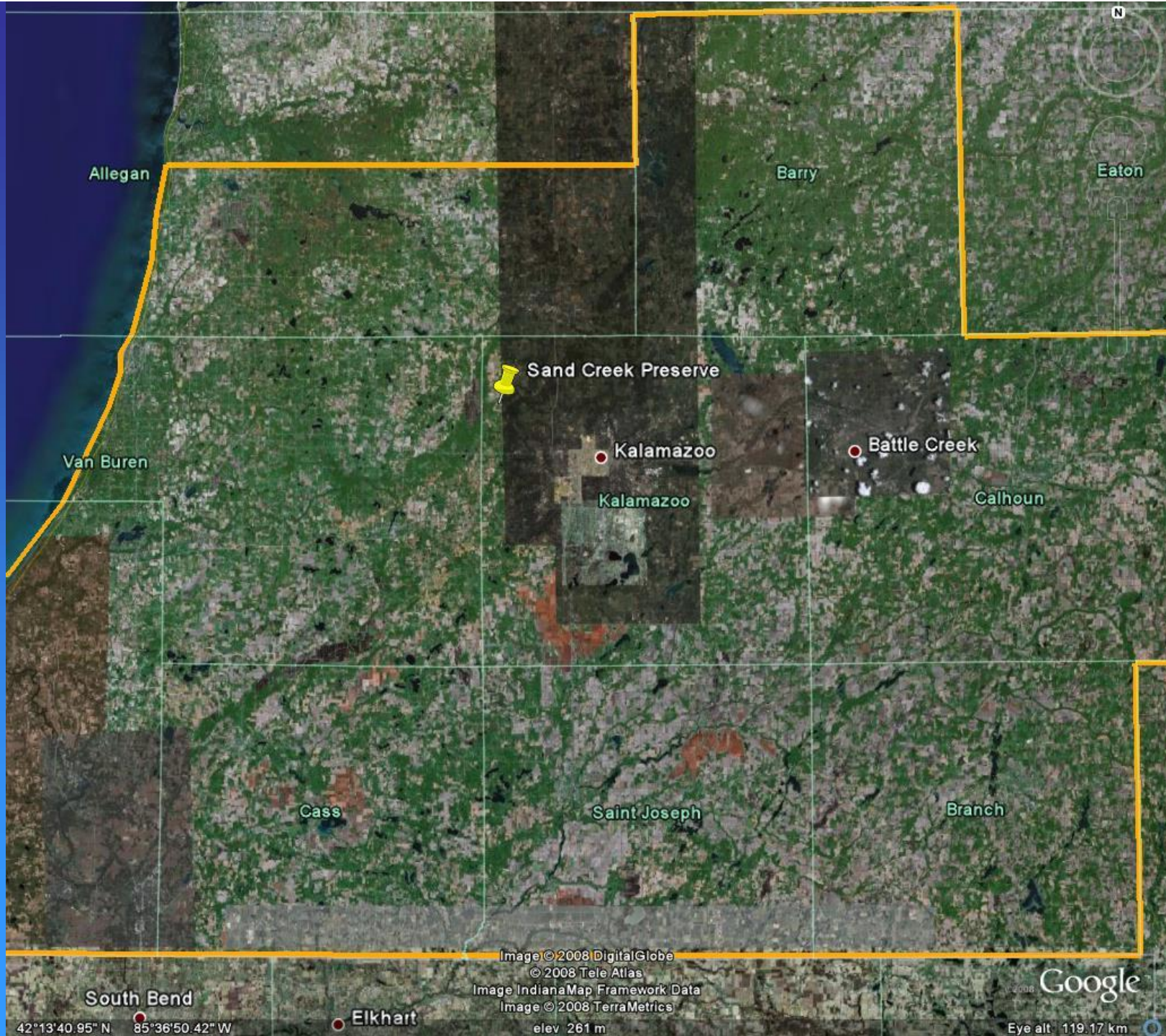


41°54'29.04" N 82°45'58.93" W

Image NASA
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Image © 2008 TerraMetrics

© 2008
Google™
Eye alt 1211.16 km





Allegan

Barry

Eaton

Van Buren

Sand Creek Preserve

Kalamazoo

Battle Creek

Kalamazoo

Calhoun

Cass

Saint Joseph

Branch

South Bend

Elkhart

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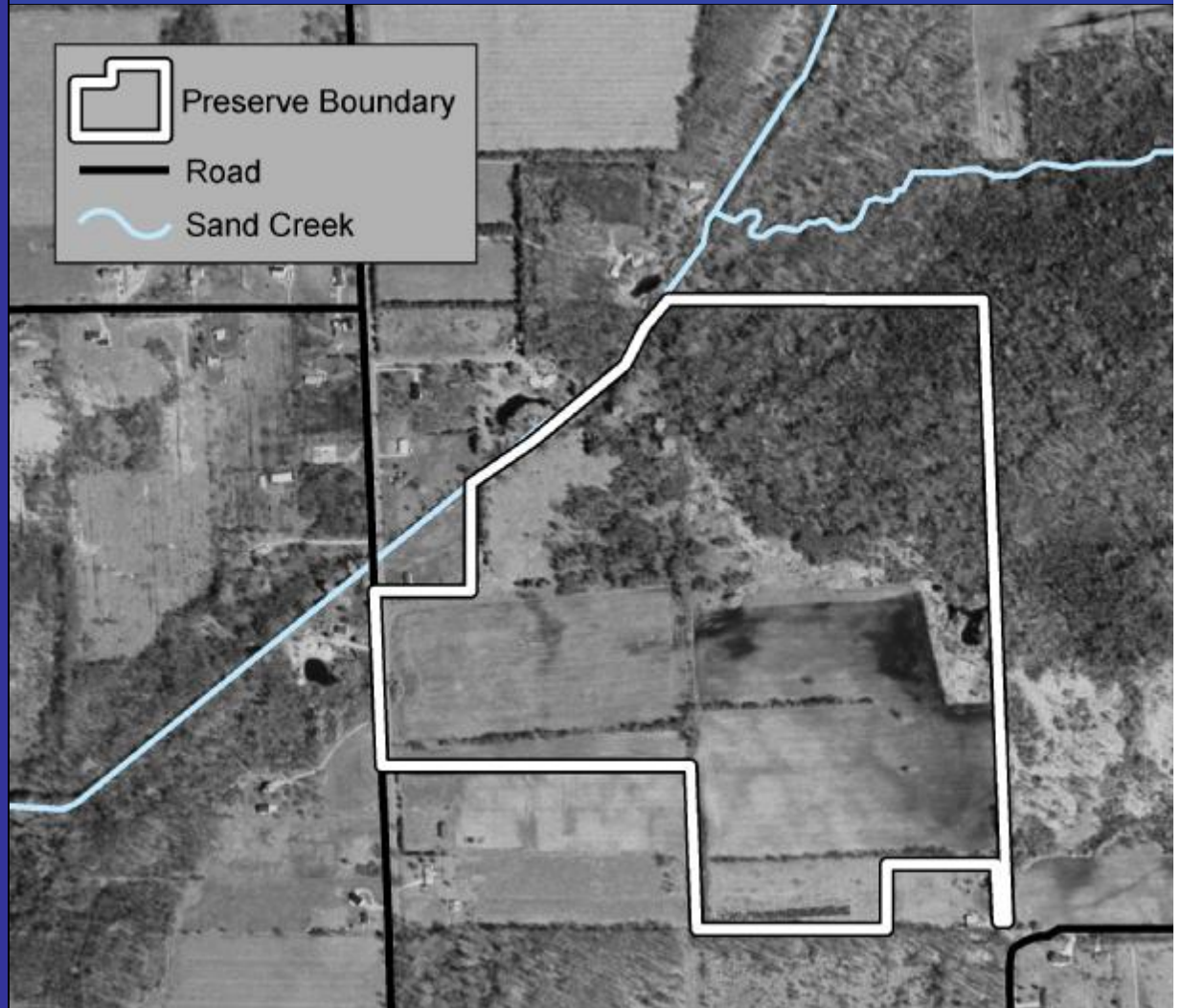
42°13'40.95" N 85°36'50.42" W

elev 261 m

Eye alt 119.17 km

Sand Creek Preserve

- 115 acres donated to SWMLC
- Intent was to create wildlife habitat –grassland birds
- Used CRP, grants, & volunteer support to create prairie planting
- Additional grants and gifts have supplemented management efforts
- Support is being used as match for other SWMLC projects
- Additional restoration projects are current and in development for the preserve

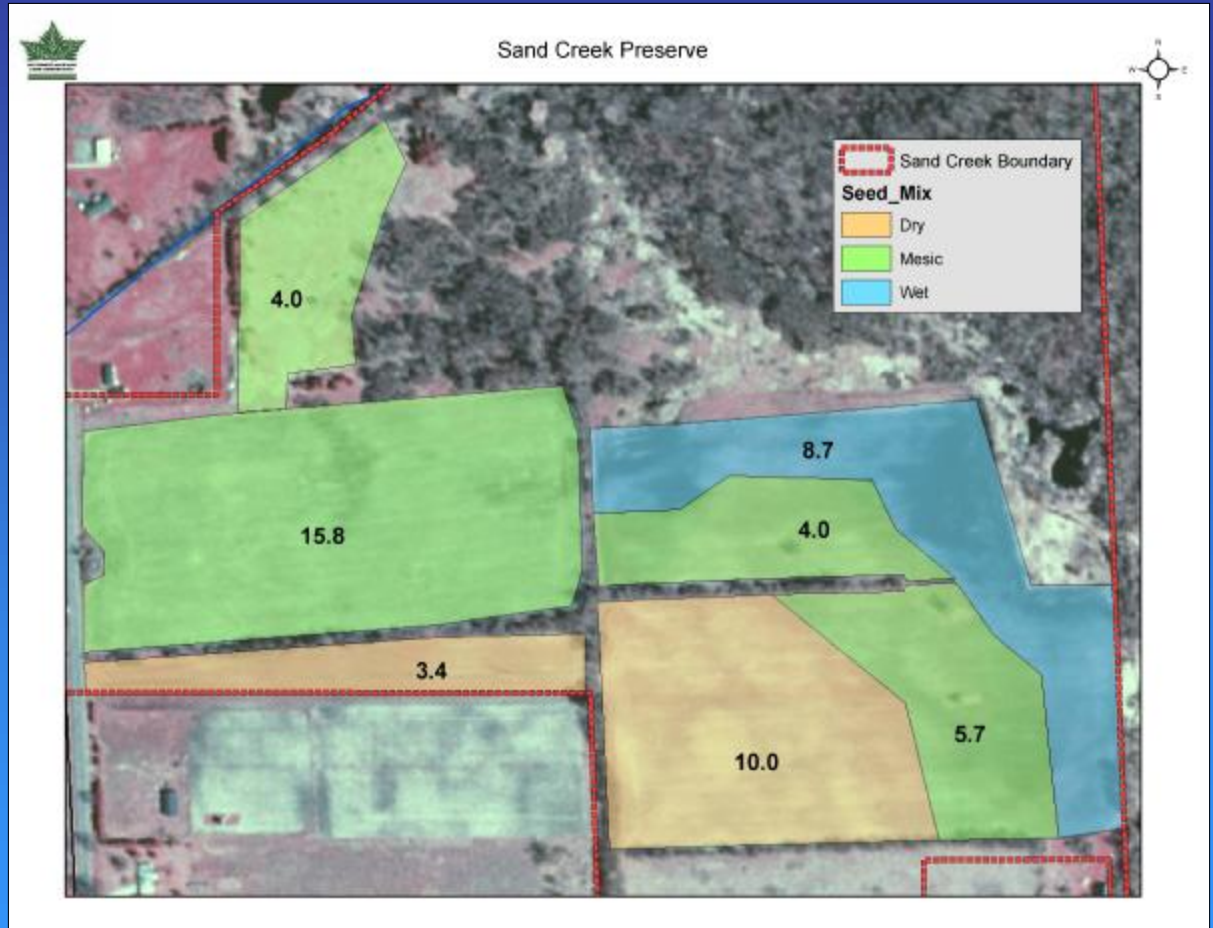


Time & Patience

- Aug 02 – Russ & Ilse discuss donation of property & enrollment in CRP
- Oct 02 – CRP rep visits the site – okays warm season grasses
- Nov 02 – “Al” from NRCS says paperwork can be done in a week
- Jan 03 – Waiting on the Farm Bill
- May 03 – SWMLC review of proposed gift
- Aug 03 – CRP decision held up in Washington, will know in September
- Oct 03 – Al meets with Russ & Ilse and denies warm season grasses
- 2 minutes later – Russ straightens Al out
- Dec 03 – Property donated to SWMLC
- Jan 04 – Al retired, now work with “Bob” at FSA
- Feb 04 – Hanes Fund grant approved for supplemental seed & research
- Apr 04 – Budget cuts and Bob is gone, now “Carl” & “Darla” the farm lady – oops, more budget cuts, Carl is gone
- May 04 – Install planting (22 months later!) Only Darla remains

Installation

- Signed the CRP Paperwork – who signs on the dotted line?
- CRP Guidelines suggested 3 grasses and 2-5 wildflowers
- Grant and volunteer support increased seeding to 10 grasses and 75 wildflowers
- Sowed 6 lbs/acre grasses, 2 lbs/acre rye cover crop, 0.75 lb/acre wildflowers



2004

- Initial planting looks rough, donors concerned, but I have hope
- Tree line removal – pay the extra to get it all out
- Research by local college to look at patch formation and seed germination
- Volunteers



(Forced Smile)

2004

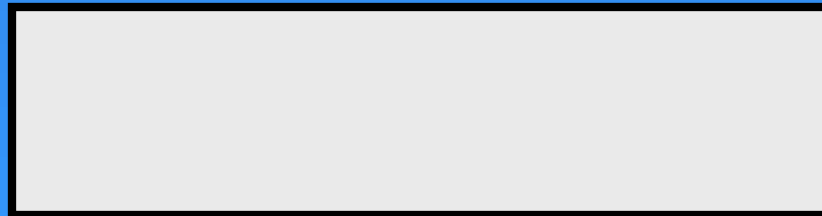
CRP Payments:

Installation 50% cost share up to \$2,500 (dependant on parcel size)

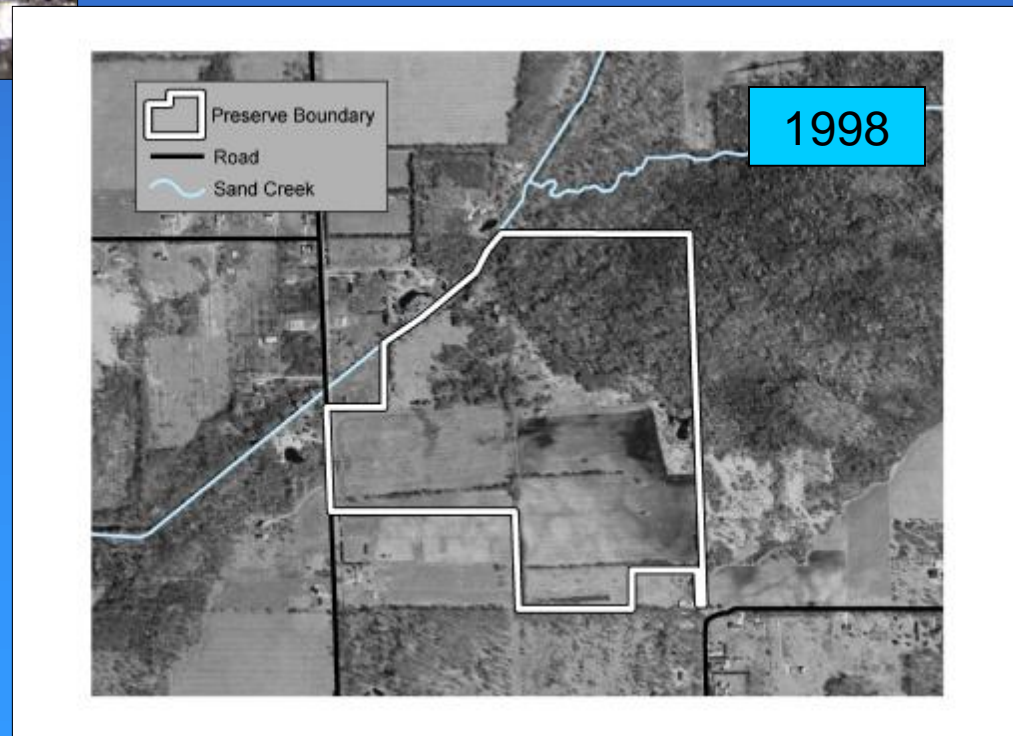
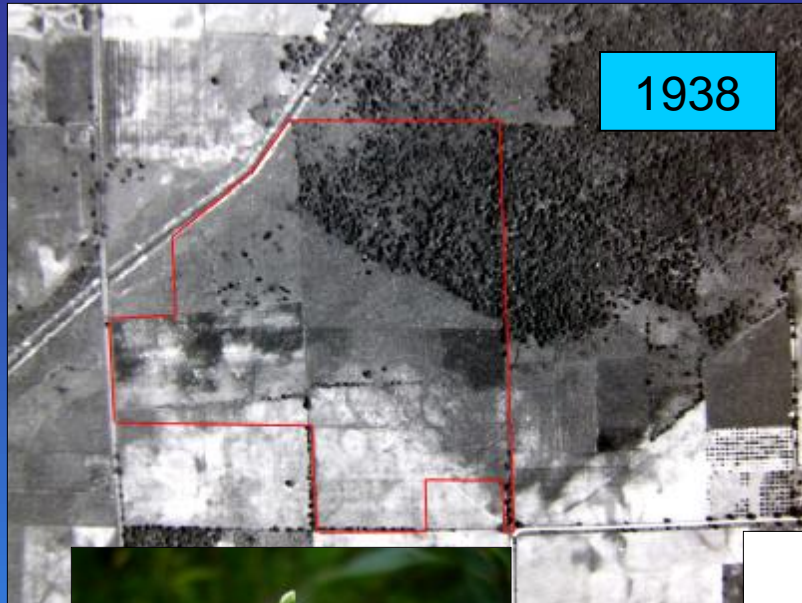
Annual payment of \$2,153 (dependant on parcel size and soil types)

After 7 years we will get a “bonus” check for \$2,500 (contingent on proper maintenance)

Struggle with not fitting in the box. Who signs the paperwork?

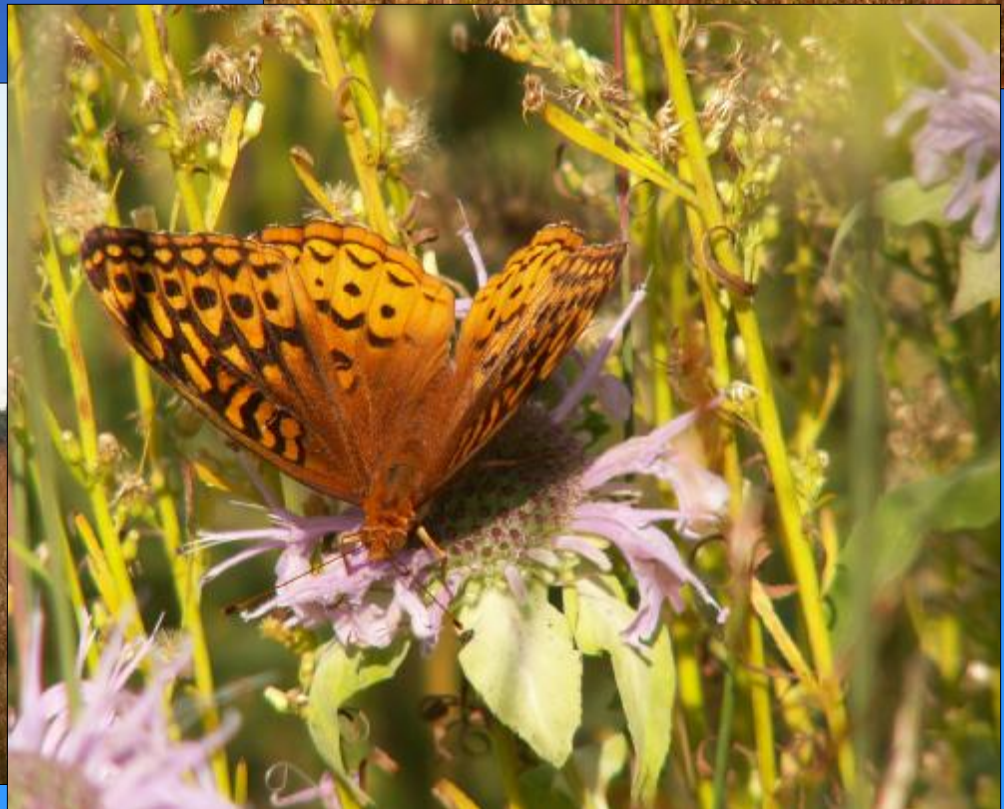


Seed Bank Surprises



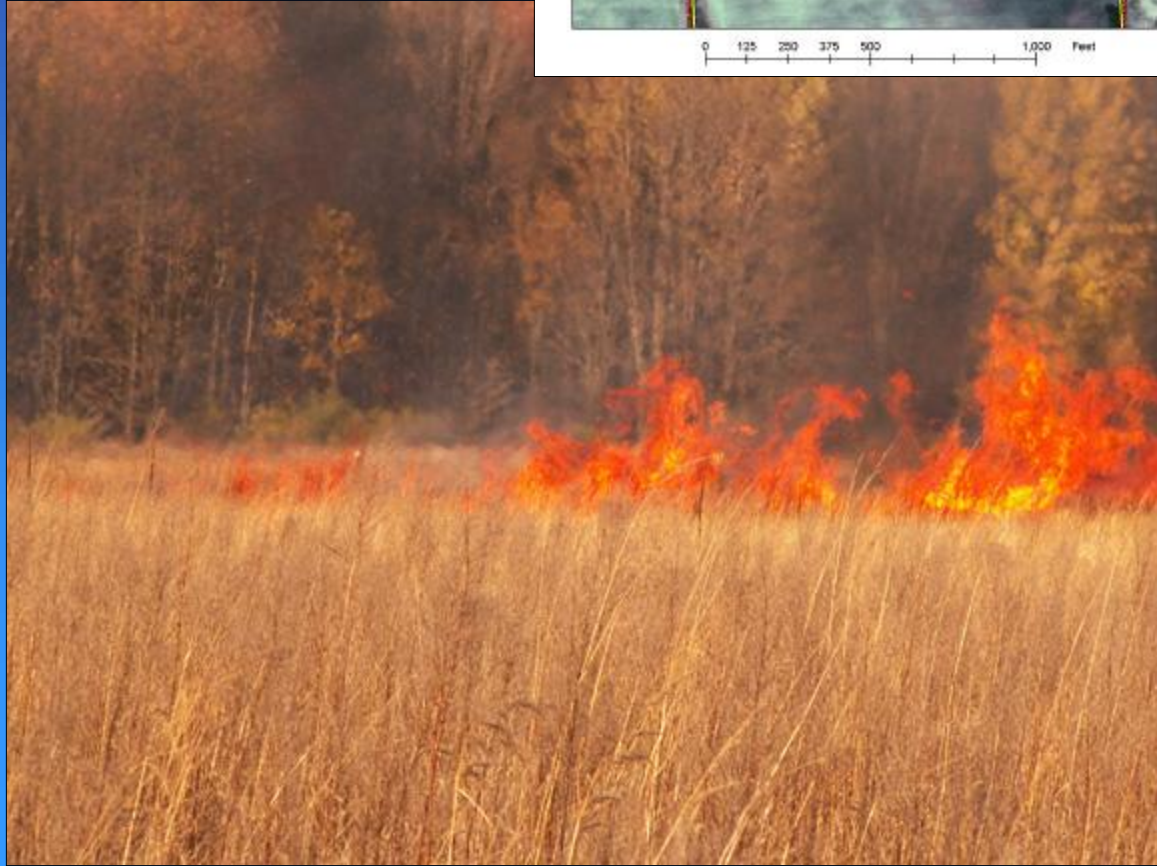
2005

- Second growing season – looking much better
- Get some more grassland birds
- Fall Fire
- Struggle with tree lines



2005

First burn

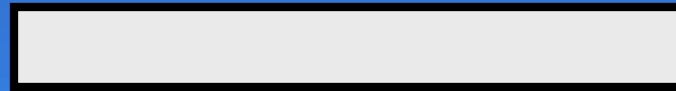


2005

Second payment

We know who signs the paperwork.

But we still don't fit in the box!



2006



2006

- Planting looking great
- First Henslow's sparrow
- Spring fire
- Support from ASK and DNR LIP to support management activities



2006

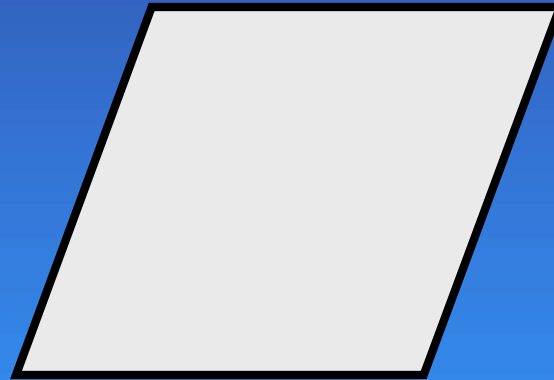


2006



2006

Third payment



Closer... but still don't fit.

2007

- Planting great except for cottonwood invasion
- Expanded burn units
- More grassland birds
- Continued management support from ASK and DNR LIP

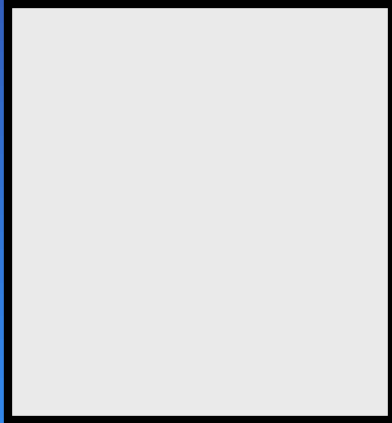


2007



2007

Fourth payment



SO CLOSE!

2008

- Burn 50 acres to reduce cottonwoods
- Private donor donates support for professional fire crew
- Fewer birds but good plants
- Support from ASK



2008

- Finally making progress on tree lines
- Almost all wildflowers sown have been documented blooming

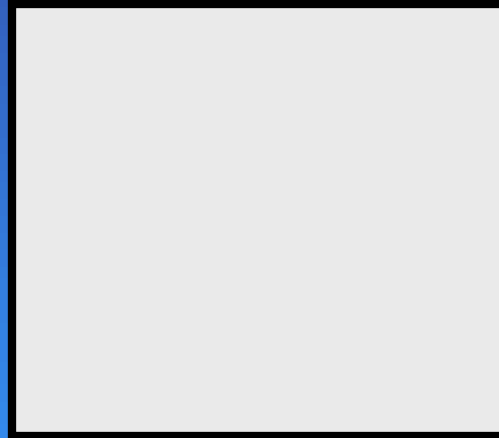


2008



2008

Fifth payment



Better luck next year

2008

**Always more work to be done –
management & acquisition**



2008

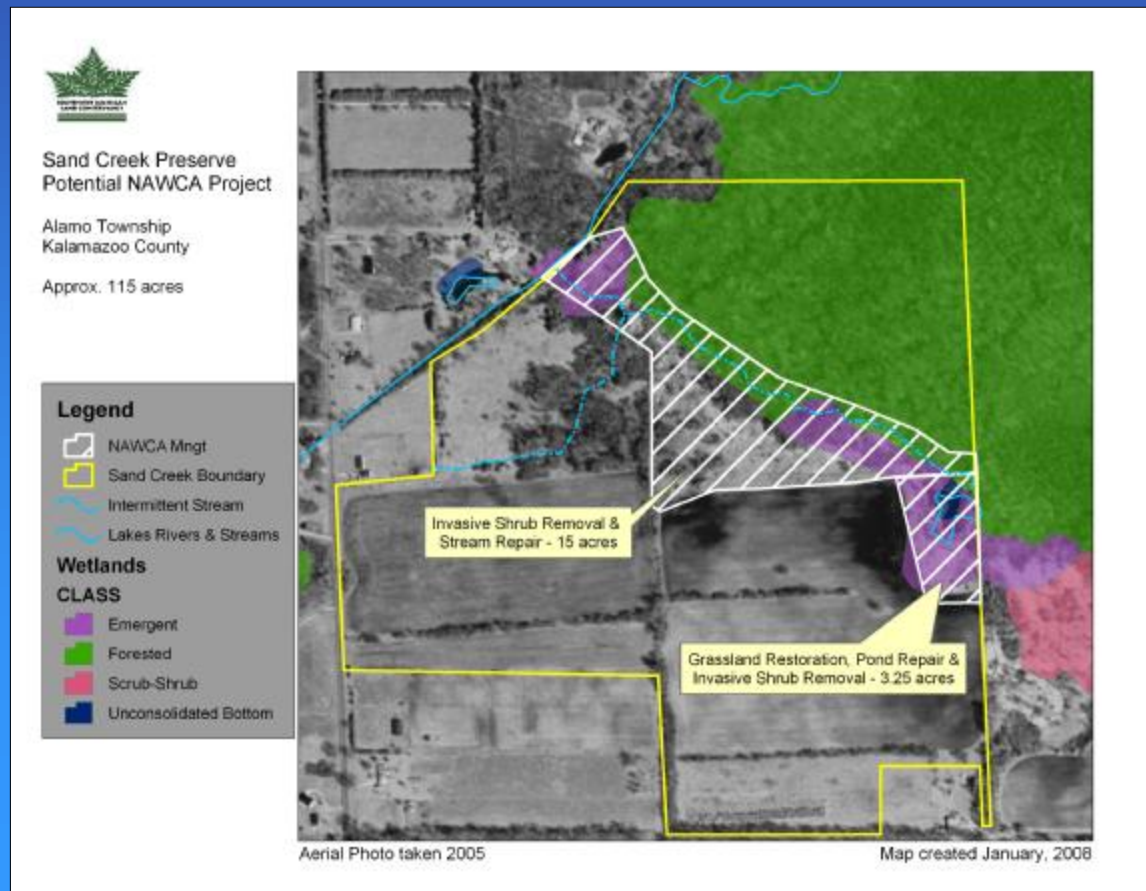
Expand & improve adjacent habitat – NAWCA

Using Sand Creek Audubon grants as match for \$1 million grant:

\$35,000 restoration of grassland, pond, & intermittent stream

\$265,000 towards acquisition of 190-acre savanna/satyr property

\$200,000 towards acquisition of 400-acre swamp forest



Lessons Learned

- Would I do it again? Absolutely, now that I know what to expect and how to play the game.
- Make it as easy as possible to fill in the boxes.
- Get to know your CRP administrators – they make it happen (or not happen).
- Patience and perseverance will get you genuine smiles



