

LIVING LANDS

Helping Land Trusts Conserve Biodiversity



Federal Habitat Incentive Programs for Private Lands

Conservation Programs and Land Trusts: Conservation incentive programs can help land trusts restore habitat, improve water quality, develop conservation plans and diversify farm income on easement and fee lands. In addition, several programs can help fund the purchase of a conservation easement or fee-simple land. Some land trusts are making use of these programs, but others may be unaware of the array of programs available. This document provides brief summaries of federal conservation programs so that land trusts, conservation partners and landowners have a starting point to evaluate which programs they may be able to use. Detailed summaries of these programs and more information about incentives are available at www.biodiversitypartners.org/incentives.

Federal Programs: Numerous federal programs provide financial and technical assistance for voluntary habitat conservation on private lands. All programs are voluntary and non-regulatory, although some programs help landowners achieve regulatory compliance. Some programs are designed specifically for habitat conservation (see bold highlights), while others focus on soil or water conservation that may provide benefits for native wildlife species and their habitat. Farm Bill programs, which are the largest source of federal funding for conservation, are available through the Natural Resources Conservation Service and the Farm Services Agency. Conservation funding is also available through the U.S. Fish and Wildlife Service, the U.S. Forest Service and the U.S. Environmental Protection Agency.

State Programs: It is difficult to summarize state conservation incentive programs because of their large number and diversity. Two websites can provide a starting point for land trusts, conservation partners and landowners to identify state programs available in their area. First, www.biodiversitypartners.org/incentives can be used to access state conservation incentive programs by using the pull-down menu to select a state. Second, the U.S. Forest Service, in partnership with several universities, compiled information on financial incentive programs available to non-industrial private forest owners in each state at www.srs.fs.usda.gov/econ/data/forestincentives. While some of the programs are only for forest lands, many of the programs can be used on any private lands.

Types of Programs: Most programs combine one or more of the following funding mechanisms.

Cost share: partial coverage of the cost to implement a conservation practice.

Rental payment: annual payments (e.g. for retired land) in lieu of foregone farming or ranching income.

Incentive payment: for completing work early, working with neighbors, etc.

Tax relief: federal income and estate tax programs; state property and income tax programs.

Technical assistance: for conservation planning, design of conservation practices or advice for implementing or installing practices on the ground.

Easement or fee-simple purchase: partial or complete funding for the value of purchasing a conservation easement or fee-simple land.

Regulatory assistance: alternative compliance mechanisms, assistance with achieving compliance or assurances if regulations change.

Natural Resources Conservation Service (NRCS) - U.S. Department of Agriculture

Agricultural Management Assistance (AMA)

This program provides cost share assistance to agricultural producers to address issues such as water management, water quality and erosion control in their farming operations. Producers may construct or improve water management or irrigation structures; plant trees for windbreaks or to improve water quality; control soil erosion; use integrated pest management; or transition to organic farming.

www.nrcs.usda.gov/programs/ama

livinglands@defenders.org

202-682-9400 x126

www.defenders.org/livinglands



Living Lands is a Defenders of Wildlife project, in collaboration with the Land Trust Alliance, to support and increase the capacity of the land trust community to conserve biodiversity on private lands through financial and technical assistance.

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Conservation Innovation Grants (CIG)

EQIP funds are used for grants to non-federal governmental or non-governmental organizations, tribes or individuals. This program allows public and private entities to accelerate technology transfer and adoption of promising technologies and approaches to address pressing natural resource concerns. This program benefits producers by providing more options for voluntary conservation and regulatory compliance.

www.nrcs.usda.gov/programs/cig

Conservation Security Program (CSP)

This program provides financial and technical assistance to conserve and improve soil, water, air, energy and plant and animal life on tribal and private working lands (cropland, grassland, prairie, pasture, range and forest that is part of an agriculture operation). The program is available in selected watersheds each year. All producers, regardless of size of operation, crops produced or location, can participate.

www.nrcs.usda.gov/programs/csp

Conservation Technical Assistance (CTA)

This program provides technical assistance to help people conserve, maintain and improve natural resources of concern. Technical assistance (conservation planning, design and implementation) helps people plan and apply conservation on the land. Assistance is available to individuals, groups and communities who make natural resource management decisions on non-federal lands.

www.nrcs.usda.gov/programs/cta

Emergency Watershed Protection (EWP)

This program funds emergency measures, including the purchase of flood plain easements, for slowing runoff and preventing soil erosion to safeguard lives and property from floods, drought and the products of erosion on any watershed whenever fire, flood or any other natural occurrence is causing or has caused a sudden impairment of the watershed.

www.nrcs.usda.gov/programs/ewp

Environmental Quality Incentives Program (EQIP)

This program promotes agricultural production and environmental quality as compatible national goals. It offers financial and technical help for structural and management practices on farm or ranch land. It provides cost-share and incentive payments for: reducing non-point source pollution, conserving water, reducing air emissions, reducing soil erosion and promoting **habitat conservation** for at-risk species.

www.nrcs.usda.gov/programs/eqip

Farm and Ranch Lands Protection Program (FRPP)

This program provides funds to help purchase development rights to keep productive farm and ranchland in agricultural uses. The NRCS partners with state, tribal or local governments and non-governmental organizations to purchase conservation easements from landowners. This program provides up to 50% of the fair market value of the conservation easement. The easement is held by a partner organization.

www.nrcs.usda.gov/programs/frpp

Grassland Reserve Program (GRP)

This program helps landowners restore, enhance and protect grassland, rangeland, pastureland, shrubland and certain other lands. The program emphasizes support for working grazing operations; enhancement of **plant and animal biodiversity**; and protection of grassland under threat of conversion to cropping, urban development and other activities that threaten grasslands.

www.nrcs.usda.gov/programs/grp

Grazing Lands Conservation Initiative (GLCI)

This effort is a nationwide collaborative process of individuals and organizations working together to maintain and improve the management, productivity and health of privately owned grazing lands. The program was developed to provide for a coordinated effort to identify priority issues, find solutions and effect change. The program funds training, education, technical assistance and public awareness.

www.nrcs.usda.gov/Programs/glci

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Rural Abandoned (Coal) Mine Program (RAMP)

The purpose of this program is to reclaim the soil and water resources of rural lands adversely affected by past coal mining practices. The program provides technical and financial assistance to land users who voluntarily reclaim up to 320 acres of eligible abandoned coal-mined lands and waters. This program is available in Alabama, Arkansas, Indiana, Kansas, Kentucky, Maryland, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Virginia, West Virginia and Wyoming.

www.nrcs.usda.gov/programs/ramp

Soil and Water Conservation Assistance (SWCA)

This program provides cost share and incentive payments to farmers and ranchers to address threats to soil, water and related natural resources, including grazing land, **wetlands and wildlife habitat**. This program will help landowners comply with federal and state environmental laws and make beneficial, cost-effective changes to cropping systems, grazing management, nutrient management and irrigation.

www.nrcs.usda.gov/programs/swca

Wetlands Reserve Program (WRP)

This program allows landowners to protect, restore and enhance wetlands on their property through technical and financial support. The program's goal is to achieve the greatest wetland functions and values, along with optimum **wildlife habitat**, on every acre enrolled in the program. This program pays for purchase of conservation easements and for wetland restoration and enhancement.

www.nrcs.usda.gov/programs/wrp

Wildlife Habitat Incentives Program (WHIP)

This program helps landowners improve **wildlife habitat** primarily on private land through technical assistance and cost-share assistance to establish and improve fish and wildlife habitat. Priorities include: restoring declining or important native wildlife habitats; protecting, restoring, developing or enhancing wildlife habitat of at-risk species; and reducing the impacts of invasive species on wildlife habitats.

www.nrcs.usda.gov/programs/whip

Farm Service Agency (FSA) - U.S. Department of Agriculture

Conservation Reserve Program (CRP)

This program is a voluntary land retirement program that provides agricultural landowners with annual rental payments and cost-share assistance to establish long-term plant cover on eligible farmland. The program protects topsoil from erosion, reduces water runoff and sedimentation, protects groundwater, improves the condition of lakes, rivers, ponds and streams and provides **wildlife habitat**.

www.fsa.usda.gov/conservationprograms (click on CRP)

Conservation Reserve Enhancement Program (CREP)

This program is a voluntary land retirement program that helps agricultural producers protect environmentally sensitive land, decrease erosion, restore **wildlife habitat** (including critical habitat for listed species) and protect ground and surface water. The program is federal/state partnership, available in 26 states, that addresses high-priority conservation issues of both local and national significance.

www.fsa.usda.gov/conservationprograms (click on CREP)

Debt Cancellation Conservation Contract Program ("Debt For Nature")

Farmers with farm loans that are secured by real estate may have their debt reduced in exchange for a conservation contract. Farmland is placed under a conservation contract, which excludes commodity production, for 50, 30 or 10 years. The amount of debt cancelled depends on the length of the contract, the amount of land under the conservation contract and whether the borrower is delinquent or current.

www.fsa.usda.gov (contact local office)

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Farmable Wetlands Program (FWP)

This voluntary program restores farmable cropland to wetlands and associated buffers by improving the land's hydrology and vegetation. Eligible producers in all states can enroll eligible land through the Conservation Reserve Program. Eligible acreage includes farmed and prior-converted wetlands that have been impacted by farming activities. The maximum acreage for enrollment is 40 acres per tract.

www.fsa.usda.gov/conservationprograms (click on FWP)

U.S. Forest Service (USFS) - U.S. Department of Agriculture

Forestland Enhancement Program (FLEP)

This program provides educational, technical and financial (cost-share) assistance to help non-industrial private forest landowners implement sustainable forestry management objectives in their forest management plan. Funds are distributed by states. Cost-share practices are limited to the treatment of 1,000 acres per year for each landowner.

www.fs.fed.us/spf/coop/programs/loa/flep.shtml

Forest Legacy Program (FLP)

This program protects private forest lands from being converted to non-forest uses through purchase of conservation easements or fee-simple land. Projects help protect forests that provide quality water, recreation, opportunities, **wildlife habitat**, forest products and other public benefits. States select applications and forward them for national competition. Most states participate in this program.

www.fs.fed.us/spf/coop/programs/loa/flp.shtml

Forest Stewardship Program (FSP)

This program provides technical assistance to help non-industrial private forest landowners develop plans for the sustainable management of their forest. Forest stewardship plans lay out strategies for achieving landowner objectives such as timber production, **wildlife habitat**, watershed protection, recreation and many other benefits for landowners and society. Assistance is provided through state forestry partners.

www.fs.fed.us/spf/coop/programs/loa/fsp.shtml

Forest Taxation Program

This program assures that non-industrial forest landowners have access to a consolidated source of best-available information on the complex tax issues associated with forest maintenance and management. Access to tax information can help non-industrial forest owners avoid subdividing their forest lands, which leads to forest fragmentation and eventually forest disappearance.

www.fs.fed.us/spf/coop/programs/loa/tax.shtml

Healthy Forests Reserve Program (HFRP) (delivered through NRCS)

This program restores and enhances private or tribal forest ecosystems to promote the **recovery of threatened and endangered species, improve biodiversity** or enhance carbon sequestration. The program provides payments for cost-sharing of restoration activities and for an optional 99- or 30-year conservation easement. The program is only available in selected states.

www.nrcs.usda.gov/programs/HFRP/ProgInfo

U.S. Fish and Wildlife Service (USFWS) - Department of the Interior

Candidate Conservation Agreements with Assurances (CCAA)

Candidate species are plants and animals that are proposed for listing as endangered or threatened under the Endangered Species Act. Cooperative, proactive **habitat conservation** may eliminate the need to list candidate and other at-risk species. Approved agreements can maximize land use options and reduce the potential for regulatory requirements that come with listing a species.

www.fws.gov/endangered/candidates

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Conservation Banking

Conservation banks are permanently protected privately or publicly owned lands that are managed for **endangered, threatened and other at-risk species**. The USFWS approves habitat or species credits based on the natural resource values on the bank lands. Conservation bank owners may sell credits to developers or others who need to compensate for the environmental impacts of their projects.

www.fws.gov/endangered/landowner/banking.7.05.pdf

Cooperative Endangered Species Conservation Fund

This program, authorized under Section 6 of the Endangered Species Act, provides grants to states to fund a wide array of voluntary conservation projects for **candidate, proposed and listed species**. These funds may in turn be awarded to private landowners and groups for conservation projects. Typically the funds are used for land acquisition or conservation planning for listed species.

www.fws.gov/endangered/grants/section6

Landowner Incentive Program (LIP)

This program is funded by the USFWS and administered through the states, which compete nationally for funding. This program provides grants and technical assistance for on-the-ground projects to enhance, protect or restore **habitats** that benefit at-risk species on privately owned lands. Landowners or partners provide a 25% non-federal match or in-kind contribution.

<http://federalaid.fws.gov/lip/lipguidelines.html>

National Coastal Wetlands Conservation Grant Program

This program provides funding to coastal states to acquire, restore, and enhance **wetlands** through a matching grants program with a nationwide competitive process. Funding comes from excise taxes on fishing equipment and motorboat and small engine fuels. States that border the Atlantic, Gulf of Mexico, Pacific and Great Lakes are eligible. Louisiana has a separate coastal wetlands program.

www.fws.gov/coastal/CoastalGrants

North American Wetlands Conservation Act Grants (NAWCA)

This program supports long-term protection of **wetlands and associated upland habitats** used by waterfowl and other migratory birds. A standard grant proposal (\$76,000 to \$1,000,000) is a 4-year plan of action to conserve wetlands and wetland species through acquisition (including easements), restoration and/or enhancement. Small grants (up to \$75,000) are administered separately.

www.fws.gov/birdhabitat/Grants/NAWCA

Partners for Fish and Wildlife (PFW)

This program provides technical and financial assistance to private landowners to provide **habitat for migratory birds, migratory fish and federally-listed species**. Eligible projects conserve or restore native vegetation, hydrology and soils associated with imperiled native ecosystems such as longleaf pine, bottomland hardwoods, tropical forests, prairies, marshes, rivers and streams.

www.fws.gov/partners

Private Stewardship Grants Program (PSGP)

This program provide grants and other assistance on a competitive basis to individuals and groups for voluntary conservation efforts to benefit federally **listed, proposed or candidate species, or other at-risk species** on private lands. The program supports on-the-ground conservation actions, but does not fund education and outreach, planning, research activities or acquisition.

www.fws.gov/endangered/grants/private_stewardship

Safe Harbor Agreements (SHA)

Safe Harbor Agreements are voluntary arrangements between the USFWS (or the National Marine Fisheries Service) and non-federal landowners. The purpose is to promote voluntary **habitat management for listed species** on non-federal property while giving assurances to landowners that no additional future regulatory restrictions will be imposed as a result of their conservation actions.

www.fws.gov/endangered/recovery/harborqa.pdf

U.S. Environmental Protection Agency (EPA)

Clean Water State Revolving Fund

This program has provided more than \$4 billion annually to fund water quality protection projects for wastewater treatment, nonpoint source pollution control, and **watershed and estuary protection**. This program offers low interest rates, flexible terms, assistance and access to other funding partners. Borrowers include municipalities, communities, farmers, homeowners, small businesses and nonprofits.

www.epa.gov/owm/cwfinance/cwsrf

Nonpoint Source Grants: Clean Water Act Section 319

Under section 319 of the Clean Water Act, states, territories and tribes receive grant money that supports a wide variety of activities within the state. Projects can include technical assistance, financial assistance, education, training, technology transfer, demonstration projects and monitoring. Individual applicants request funding from the state, and the state submits a funding request to the EPA.

www.epa.gov/owow/nps/cwact.html

Wetlands Mitigation Banking

The Clean Water Act, which restores and maintains the chemical, physical and biological integrity of the Nation's waters, prohibits filling wetlands except with a permit under Section 404. Impacts must be avoided and minimized, and for unavoidable impacts, compensatory mitigation is required to replace the loss of wetland functions. A landowner can create a wetland mitigation bank by **restoring wetland functions** and selling credits to permit holders who are required to undertake compensatory mitigation.

www.epa.gov/owow/wetlands/guidance/mitbankn.html