

The Farm Bill: Tools for Land Trusts from America's Biggest Conservation Program

by Christina Soto

with contributions from Carolyn Aspelin, Chris West, Kevin Redding and Scott Wilber

Without the conservation programs of the Farm Security and Rural Investment Act of 2002, otherwise known as the Farm Bill, many ranchers and farmers would not have been able to afford protecting their land or making other changes that benefit the environment and the communities around them. Up for reauthorization in 2007, the Farm Bill provides crucial funding for agricultural producers who want to be better stewards of their land. Land trusts around the country have been able to complete agricultural conservation easement projects in partnership with these landowners using funding from the bill.

Operated by the USDA's Natural Resources Conservation Service (NRCS) state offices, the five best-known conservation programs of the Farm Bill include the Farm and Ranch Lands Protection Program (formerly called the Farmland Protection Program), the Grassland Reserve Program, the Wetlands Reserve Program, the Wildlife Habitat Incentives Program and the Environmental Quality Incentives Program. Through these programs, NRCS helps farmers, ranchers and other landowners plan and implement conservation measures to solve natural resource concerns on their operations, maintain and improve agricultural land, and protect the environment.

"NRCS is helping people help the land through a broad range of conservation programs," said NRCS Chief Arlen Lancaster. "Farmers and ranchers are continuing to respond in earnest to easement program options and are making record environmental gains through the Farm Bill conservation programs as a whole."

Demand Outstrips Funding

"Change in farm policy over the past three decades has focused on resource conservation and environmental quality issues," states a document released by American Farmland Trust in May 2006. *American Farmland Trust's Agenda 2007: A New Framework and Direction for U.S. Farm Policy* goes on to



Colorado Cattlemen's Agricultural Land Trust

THE FLYING X RANCH in Saguache County, Colorado, was protected using funds from the Farm and Ranch Lands Protection Program in 2002.

say, "This includes the addition of the Conservation Reserve Program in 1985 to remove some of the most sensitive land from production and new programs established in the 1996 and 2002 Farm Bills to promote protection of natural resources, such as the Environmental Quality Incentives Program to help improve water quality, the Conservation Security Program to reward farmers for producing environmental benefits and the Farm and Ranch Lands Protection Program to permanently protect our best land."

The Agenda, however, identifies a huge problem with the level of funding for the Farm Bill: "Although funding for these popular programs has gradually increased, these programs remain woefully under-funded **relative to the need and demand** from livestock and crop producers eager to become better stewards of our natural resources." [emphasis added]

"Unless the Farm Bill's conservation programs are adequately funded in 2007, many ranchers and farmers will never have the chance to do something that they believe strongly in and that greatly benefits their local communities," says Russ Shay, Land Trust Alliance's director of public

policy. "We have to push hard to get Congress to provide the funds that make these programs work."

Farm and Ranch Lands Protection Program

The program most linked to land trust work is the Farm and Ranch Lands Protection Program (FRPP), which provides matching funds to help purchase development rights to keep productive farm and ranch land in agricultural uses. In carrying out the program, USDA partners with state, tribal or local governments and land trusts to acquire conservation easements from landowners. USDA provides up to 50 percent of the fair market easement value of the conservation easement.

To qualify, farmland must be privately owned; be large enough to sustain agricultural production; be accessible to markets for what the land produces; have adequate infrastructure and agricultural support services; and have surrounding parcels of land that can support long-term agricultural production. Depending on funding availability, proposals must be submitted by the eligible entities to the appropriate NRCS state office during the application window.

FRPP has been a very productive program, conserving approximately 500,000 acres of working farm and ranch lands over the years. Despite its success, recent rulemakings by USDA have made the program harder for USDA partners to work with, and less farmer-friendly. The Land Trust Alliance and others have been working with USDA on these issues, and may try to fix them in the 2007 Farm Bill.

The following three examples illustrate how important the FRPP and other Farm Bill conservation programs are to land trusts.

Saving a Corridor in Colorado

The Colorado Cattlemen's Agricultural Land Trust (CCALT) has been working cooperatively with landowners and Farm Bill conservation programs in the Saguache Creek corridor since 1998. This partnership has been formed in order to aid multi-generational ranchers in this area in the perpetual protection of agricultural, historical and habitat values through the purchase of conservation easements to willing sellers.

The Saguache Creek corridor is located in southern Colorado and is situated in the northeast corner of the beautiful and agriculturally significant San Luis Valley. The corridor has a long history of sustaining productive ranches and is the longest remaining stretch of undeveloped highway in west-

FARM BILL FUNDING: How You Can Help

The Land Trust Alliance helped land trusts play a major role in the last Farm Bill, increasing funding for the Farm and Ranch Lands Protection Program \$5 million a year to \$100 million. If your land trust has a stake in increasing FRPP funding and making this and other Farm Bill conservation programs more user-friendly, the first step is making sure your representative and senators know about your land trust and the work it does! The second step is to send an e-mail to Deanna Eastman at deastman@lta.org to tell her that you want to be kept up to date on Farm Bill developments and how you can most effectively work with your representative and your senators to support land conservation programs in the 2007 Farm Bill.

ern Colorado. This area consists of a narrow ribbon of 19,000 acres of private land stretching 25 miles west from the town of Saguache. These fertile hay meadows and irrigated pastures are surrounded by approximately 350,000 acres of public land administered by the Bureau of Land Management and the Rio Grande National Forest, much of which is leased to private landowners in Saguache to use as pasture for livestock grazing.

In 1997, a small group of the private landowners in the Saguache Creek corridor area approached CCALT regarding ways to protect their ranches, and make sure that they remain in the family for generations to come. The landowners were looking for a way to keep their historic ranching area intact and in agriculture in the face of growing development pressure. CCALT was very enthusiastic about being approached by such a unique cooperative group of landowners who all shared in the idea of conserving land in the Saguache Creek corridor. The importance of protecting such a large, agriculturally viable landscape in an area facing strong development pressures was immediately recognized by CCALT, which held a workshop for the landowners about using conservation easements as an innovative tool to ensure that these historic ranches continue to remain agriculturally productive for many generations to come. By 2000, the landowners enthusiastically agreed to work in partnership with CCALT to begin protecting their ranchlands with conservation easements.

In order to begin acquiring easements on such a large landscape, CCALT recognized the need by landowners to receive aid in funding in order to help pay the fees necessary to purchase an easement. CCALT approached multiple conservation-based agencies and began applying for grants and funds for easement acquisition from conservation-based programs. CCALT ended up receiving large amounts of funding from Farm Bill conservation programs including the Farm and Ranch Lands Protection Program. CCALT also received funds from Great Outdoors Colorado (GOCO), the National

Resources

- Visit the Land Trust Alliance's policy pages for more information on the Farm Bill:

www.lta.org/publicpolicy/farm_policy.htm

- USDA Natural Resources Conservation Services' Farm Bill website:

www.nrcs.usda.gov/programs/farmbill/2002/index.html

Fish and Wildlife Foundation (NFWF), and the Division of Wildlife (DOW) in order to aid in the financial costs of conservation easement acquisition.

Jim Coleman was the first landowner in the area to place an easement on his ranch. Coleman said, "The FRPP has provided ranchers with the financial incentive to use conservation easements as a tool for keeping the land in agriculture. The money helps, but it's not all about the money, it's about preserving open space and keeping it around for future generations." Coleman's 15,000-acre ranch, the home place of Coleman Natural Meats, was protected in 2001.

Tom Goodwin, the BLM district ranger and field office manager in Saguache, has been an important part of the support for this local effort, and recognizes the importance of funders who help landowners put easements on their land. He writes, "By protecting the agricultural lands in the corridor, we protect not only the beauty, but we ensure that the area's abundant wildlife herds of elk, mule deer, bighorn sheep, and pronghorn antelope are protected as well. I commend CCALT's effort in working with Saguache Creek landowners to see that this spectacular landscape of working ranches, scenic vistas and wildlife habitat is permanently protected."

The Saguache Creek corridor represents a positive example of how private landowners, a land trust, and federal agencies can work together to achieve common goals. The financial aid that was provided by programs such as the FRPP has been a key contributor to the protection of over 9,000 acres of historical ranches in the Saguache Creek corridor. Through CCALT, ranchers, and the Farm Bill conservation program working in a cooperative effort, many valuable and longstanding partnerships have been formed. Most importantly, a new bond has been formed between private landowners in Saguache County and the Farm Bill program because the landowners now know that the Farm Bill invests in the integrity of rural communities and agricultural lands in Colorado. Through a cooperative effort, the Saguache Creek corridor project has achieved the goal of protecting an intact and functioning landscape, one that is home to agriculture, wildlife and recreation uses.

Fueling Conservation in North Carolina

Scenic viewsheds, pristine streams, rolling hills and diverse wildlife are just a few of the natural treasures that make the Uwharrie Region, nestled in the Piedmont of North Carolina, a premier location for land conservation in the state. The Uwharrie National Forest provides a framework of federally owned forestland that contributes to numerous high-quality streams teaming with aquatic life and a landscape abundant with rare plants and animals. However, as one of the smallest and most fragmented national forests in the country, the maintenance of these tremendous resources demands more than just the devotion of dedicated conservationists and governmental land managers, it also requires the cooperation of private landowners. Thanks to funding made available through the Farm Bill, and a unique collaboration between The LandTrust for Central North Carolina (The

LandTrust), Environmental Defense and other organizations, the region continues to expand its proud conservation ethic.

Geographically, the Uwharrie Mountain Region is uniquely situated on the conversion zone from the rocky Piedmont plateau to the sandy soils of the Coastal Plain. The region was once exposed to natural fires on a frequent basis, but these have been suppressed in recent years due to urbanization and current forestry practices. As a result, many of the region's rare plants are fire-dependent species that have



Crystal Cockman

been relegated to life in highway and power rights-of-way where they can get the sunlight unavailable to them beneath a crowded forest canopy. Longleaf pines, pitcher plant bogs, and the federally endangered Schweinitz's sunflower are all threatened by fire suppression and related loss of suitable habitat. However, as a result of Farm Bill programs such as the Wildlife Habitat Incentive Program (WHIP), landowners now have the support they need to reintroduce prescribed fire onto the landscape.

LARRY AND JUDY McPHERSON are delighted that their farm has been permanently protected by The LandTrust for Central North Carolina with help from FRPP and N.C. Clean Water Management Trust Fund money.

One such landowner in Montgomery County has taken advantage of these programs to convert his loblolly pine plantation back to a more natural, sustainable longleaf pine savannah. Boon Chesson, a local resident who is particularly conscientious of his role in maintaining and improving the region's natural resources, has found these programs to be most supportive. Through proper management of his property that is surrounded on three sides by the Uwharrie National Forest, Chesson can complement the goals and objectives already being implemented on the federal land. As his efforts have progressed, Chesson has shown skeptics that frequent prescribed fires can result in an economically productive longleaf pine forest that also serves as healthy habitat for a wide range of plants and animals.

Just a few miles up the road, the owners of Uwharrie Farm grow organic produce on their 120 acres of prime farmland in Randolph County. Their picturesque farm has two

miles of frontage on the Uwharrie River, which possesses the status of Nationally Significant Aquatic Habitat. By using the N.C. Clean Water Management Trust Fund as a match for the Farm and Ranch Lands Protection Program, The LandTrust was able to purchase a conservation easement on Uwharrie Farm. The easement allows the landowners to continue their farming operation while also enhancing the streamside vegetation to protect water quality. Judy McPherson, a second generation owner of the farm is quite pleased to see the property permanently protected. "The fact that The LandTrust has enabled us to preserve this for future generations is very special to me."

Other landowners in the region have benefited from the Environmental Quality Incentives Program, which helps implement environmentally friendly practices such as fencing cattle out of streams, thinning immature forest stands, and planting native warm season grasses. The Conservation Reserve Program has assisted local farmers with row crops. Through this program, farmers can get paid to take highly erodible lands out of crop production, and install field borders around crops. These borders are then maintained in grass and shrubs that benefit wildlife such as the regionally declining bobwhite quail, while helping filter runoff from tilled fields to protect local streams.

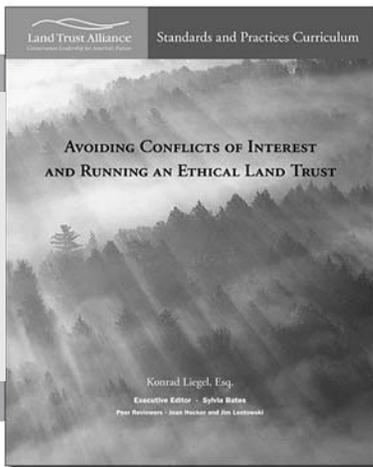
Through the cooperative efforts of local NRCS offices, The LandTrust and Environmental Defense have increased landowner understanding of the many opportunities available to them through Farm Bill funding. By encouraging landowners to pursue Farm Bill programs, this joint effort

has generated a growing interest in a new paradigm of land management. Environmental Defense's Will McDow has seen the benefits of the collaboration continue to grow. "We've worked with a wide variety of landowners who want to manage their land in a responsible way, but simply weren't aware of all the great conservation programs provided through the Farm Bill" says McDow. Now, landowners are recognizing that by implementing sustainable practices, such as prescribed fire or field borders, they can actually increase the economic viability of their operations while simultaneously making their property much more suitable to native plants and wildlife. These well-managed private lands have started to complement the fragmented Uwharrie National Forest lands, and this ecosystem-level approach is responsible for an emerging landscape with thriving populations of once declining plants and animals.

Preserving Farmland in New Mexico

In July, the New Mexico Land Conservancy (NMLC), a statewide land trust based in Santa Fe, announced that in conjunction with its partner, the Village of Corrales, it had received a grant for \$291,000 through the Farm and Ranch Lands Protection Program in support of ongoing farmland preservation efforts within the Village of Corrales. The Village of Corrales is a traditional and historic community located along the Rio Grande River in central New Mexico whose rural and agricultural character stands in sharp contrast to the larger, metropolitan areas of Albuquerque, Rio Rancho and Bernalillo that now completely surround it.

Avoiding Conflicts of Interest and Running an Ethical Land Trust



First in the Standards and Practices Curriculum series, this 176-page book provides all the information board and staff need to avoid conflicts of interest and run an ethical land trust.

Organizational Members and Partners \$15.95; Others \$19.95
Order your copy today at www.lta.org/publications



Scott Wilber, New Mexico Land Conservancy

“The Corrales Farmland Preservation Program has been a very successful conservation initiative,” said NMLC Executive Director Scott Wilber. “Through a combination of purchased and donated conservation easements, landowners and the community have ensured that productive farmland and scenic open space will never be lost to development, and that an important part of the traditional agricultural heritage and quality of life of the village will be maintained.”

This is the second FRPP grant to be awarded to the village and NMLC. In September 2005, the conservancy worked with the village, through its Farmland Preservation Program, to complete the first four purchased conservation easements, comprising 28 acres, for a total cost of \$2.3 million. Half of the funding to complete these easements was provided by a previous FRPP grant and the other half was made available from a local, voter-approved general obligation bond in support of the Corrales Farmland Preservation Program.

The Village of Corrales established its farmland preservation program in 2000 to provide incentives for landowners to protect their land from ever-expanding development within the village and to preserve some of the prime agricultural land and scenic open space still remaining. The program is coordinated by the Corrales Farmland Preservation Committee, which is comprised of seven citizen volunteers and assisted by the village planning and zoning administrator.

According to Wayne Kirkby, the current committee chair, “The mission of the program is to preserve and protect the farmland, open space and viewsheds of the Village of Corrales. This includes pursuing the acquisition of conservation easements, supporting the economics of farms and agricultural businesses, including a vibrant, local farmers’ market, and perpetuating the rural character of Corrales.”

“Farmland preservation is important to the rural character of Corrales and has strong community support,” noted Sayre Gerhart, a member of the Village Council. “In 2004,

FRPP GRANTS HAVE HELPED make the Corrales Farmland Preservation Program in New Mexico a successful conservation initiative. With the Sandia Mountains in the background, the Minge conservation easement protects 2.5 acres adjacent to the historic Casa San Ysidro.

voters approved using village funds for farmland preservation through the purchase of conservation easements with the approval of over 80 percent of the voters.”

“The landowners were extremely patient, cooperative and generous throughout the entire process of negotiating and completing the sale of their conservation easements,” said Wilber. “In fact, several landowners sold their easements below fair market value and all made contributions toward our stewardship endowment, a fund specifically set aside to cover our long-term easement monitoring and legal defense costs.”

Wilber noted that much of the success of the Corrales program has been due to the high level of commitment by the members of the Corrales Farmland Preservation Committee and the collaborative effort between NMLC, the Village of Corrales, The Trust for Public Land, and NRCS.

While farmland protection through the use of donated conservation easements and purchased development rights is a fairly new concept in New Mexico, Wilber says that he hopes the success of the Corrales program will serve as a model for other communities around the state that are interested in land conservation.

“Although funding for purchase of development rights programs is difficult to come by, hopefully other communities will look at what Corrales has managed to achieve and consider developing their own programs.”

Wilber noted that due to the shrinking allocation of FRPP funding for New Mexico, which was approximately \$1 million in 2003 but less than \$300,000 in 2006, it will be important for New Mexico to support farmland preservation by creating permanent state funding that can be used to attract, leverage and match other local, state, federal and private funds. NMLC is in fact part of an ongoing effort—involving conservation organizations, agricultural producers and sportsmen from around the state—to pass the Land, Wildlife and Clean Energy bill. If passed, this proposed piece of legislation could generate approximately \$10 million per year in conservation funding for New Mexico through an existing tax on oil and gas revenues. 

Christina Soto is editor of Exchange. **Carolyn Aspelin** and **Chris West** are with the Colorado Cattlemen’s Agricultural Land Trust. **Kevin Redding** is associate director of The LandTrust for Central North Carolina, and **Scott Wilber** is executive director of the New Mexico Land Conservancy.