



# Farm Bill Priorities



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## OVERVIEW OF IMPORTANCE OF FARM BILL TO WASHINGTON

The Farm Bill in Washington delivers multiple benefits to agricultural communities and improves conservation practices. Improving conservation enhances fishing and hunting opportunities which in turn provides critical economic benefits to small rural communities. Many Farm Bill programs in Washington also include tribal partnerships to bridge salmon- agriculture divides through ensuring clean and adequate water for agriculture and fish while simultaneously maintaining critical habitat and agricultural viability. Examples of these partnerships include the Conservation Reserve Enhancement Program, Regional Conservation Partnership Program, and fish passage through Environmental Quality Incentives Program.

Washington is also unique in that the state has developed a non-regulatory approach to ensure protection of environmentally critical areas on agricultural lands. Washington recently passed state legislation – the Voluntary Stewardship Program for agricultural lands – which serves as an alternative to typical regulatory land use programs. This program relies on voluntary actions by farmers, ranchers and producers to meet the goal of protecting environmental sensitive areas like wetlands, riparian areas, and critical habitat. The federal Farm Bill is a core part of this program and provides the incentives necessary to maintain this non-regulatory approach. The state legislation prescribes that if counties are not able to meet their conservation goals through voluntary measures, then those counties must revert to regulatory measures on agricultural lands. Reducing funds for Farm Bill conservation programs puts farmers at risk throughout the state for additional regulatory actions, which would likely increase the cost of farming.

# CONSERVATION RESERVE PROGRAM (CRP)

## IMPORTANCE TO WASHINGTON

With approximately 1.2 million acres enrolled, CRP is one of Washington's most successful conservation programs. Two initiatives – in particular the Conservation Reserve Enhancement Program (CREP) and the State Acres for Wildlife Enhancement (SAFE) program – highlight the program's success in Washington because they are tailored to the type of landowner and their land. Both provide additional incentives above and beyond general CRP such as sign up incentive payment, higher cost-share, higher rental rates, and longer contract option.

CREP incentivizes farmers and ranchers to establish riparian forest buffers for salmon habitat along streams and wetlands. As of April 2017, farmers and ranchers have

enrolled over 14,000 acres in CREP in the state. The tribal treaty rights in western Washington have created an urgency to maintain and improve riparian areas in agricultural areas. The ability to meet the tribal rights and preclude additional litigation is critical for the long term sustainability of agriculture in Washington and CREP is an essential component.

SAFE focuses more broadly on establishing wildlife habitat through cropland and marginal pasturelands enrolled in CRP. As of April 2017, SAFE has over 98,000 acres enrolled. The SAFE program is particularly important to sage-grouse and sharp-tailed grouse with over 70,000 acres enrolled in Douglas County – home to core grouse populations on mostly private working lands.

## REQUEST

Based on the following considerations, WDFW requests the reauthorization of CRP and increasing the acreage cap to 40 million acres by the end of the next Farm Bill:

- Create a structure to transition continually-reenrolled CRP acres out of the program into long term easements and provide the necessary infrastructure to support the transition to grass-based agricultural production. This is pertinent to developing easement options for CREP (forest riparian) and SAFE (shrubsteppe). This would ultimately allow for longer term conservation on private lands and to stabilize recovering wildlife populations such as sage grouse.
- Exempt lands enrolled in CRP and Agricultural Conservation Easement Program-Wetlands Reserve Easements (ACEP-WRE) that are engaged in agricultural production from the 25 percent county acreage cap found in 16 U.S.C. § 3844(f)(1).
- Make the date-certain cropping history requirement of February 7, 2014 permanent so as to discourage conversion of native habitat such as wetlands and grasslands to cropland. The crop history date affects eligibility for USDA farm programs including conservation incentive payments and crop insurance subsidies. If a producer makes a conversion prior to the crop history date, the producer could still be eligible for USDA programs. If a producer makes a conversion after the crop history date, the producer could lose eligibility for USDA programs. The practice of moving the crop history date forward to the start date of the current Farm Bill is not as protective of wildlife habitat as a permanent crop history date.
- The current annual rental payment cap of \$50,000 is from the 1985 Farm Bill and is a major obstacle to conservation efforts in Washington because it has prevented large landholders from participating to the extent they would like. The entity limitation on annual rental payments to account for changes in land rental rates and other economic factors needs to be adjusted for inflation to help address this issue.
- Require management to establish or enhance high-value wildlife cover on reenrolled CRP or CCRP acres to ensure wildlife habitat resource concerns continue to be met on all CRP acres.
- Currently if a landowner offers acreage in a wildlife Conservation Priority Area (CPA) they receive ranking points regardless of whether or not they will plant cover that benefits the priority wildlife species. Only contracts containing management practices that benefit the priority wildlife species should receive the CPA points.

# VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM (VPA-HIP)

## IMPORTANCE TO WASHINGTON

The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) encourages landowners to voluntarily open their land to public recreation—primarily for hunting and fishing and sometimes for wildlife watching. Landowners are offered incentives—such as lease payments, technical services for habitat enhancement and legal protection against landowner liability—to open their lands to public access. WDFW has utilized VPA-HIP to expand access to thousands of acres statewide for outdoor recreation. As outdoor recreation in the state generates over \$20 billion in annual revenue, continuing to create recreational opportunities like these will be integral to Washington’s economy.

### Southeast Washington Pheasant Focus Area:

VPA-HIP is very popular with landowners and hunters alike

in the Southeast Washington Pheasant Focus Area – so much so that there is a waiting list of landowners who would like to enroll in the program. WDFW’s Hunting by Reservation Only program is a tool that has a dual-function: it helps landowners manage pheasant habitat and public access on their property, while also allowing hunters to plan a quality hunt without a lot of other people in the area.

### North Puget Sound Recreational Access Sites:

WDFW used VPA-HIP funding to expand quality waterfowl hunting access at 71 sites across three counties along North Puget Sound. Over 4,100 hunters are estimated to have made use of the Waterfowl Quality Hunt Program. VPA-HIP has also funded three big game hunting sites and three wildlife viewing sites. Access opportunities are crucial as Puget Sound is the most densely populated area of the state and hunting opportunities are limited.

## REQUEST

VPA-HIP’s popularity in Washington is a result of its success in providing recreational access and improving wildlife habitat in several areas of the state. In addition to reauthorizing the program at no less than \$150 million over 5 years, WDFW requests:

- Reaffirm program priority of hunting, fishing, wildlife watching and other wildlife-compatible recreational activities.
- Retain program participation eligibility for state fish and wildlife agencies and tribal governments.
- Amend 16 U.S.C. § 3839bb-5(c)(3) to read: “(3) to strengthen access and wildlife habitat improvement efforts on land enrolled in federal, state, and tribal conservation programs by providing incentives to increase public hunting, fishing, wildlife watching and other recreational access on that land;”

Volunteer releasing pheasants on a Feel Free to Hunt site in Klickitat County, WA. Photo by Tara Meyer, WDFW.



# ENVIRONMENTAL QUALITY INCENTIVES PROGRAM (EQIP)

## IMPORTANCE TO WASHINGTON

As one of the most widely used programs in the Farm Bill Conservation Title, EQIP provides assistance for perhaps a wider spectrum of environmental improvements than any other USDA program. It is a voluntary, technical, and financial assistance program designed to help farmers, ranchers, non-industrial private forestland owners, tribes and other private landowners/managers improve soil, water, plant, animal, air and related natural resources on agricultural land and non-industrial private forestland. Examples range from managing the use of manure in a livestock operation to implementing reduced tillage of crops, and from managing wildlife and fish habitat to improving the quality of forest stands. In most instances, program participants pay for roughly half of the costs of the conservation measures or practices.

EQIP includes a number of targeted initiatives. For example, Conservation Innovation Grants help stimulate the development and widespread adoption of innovative conservation practices. CIGs are not projects on individual farms, but help disperse information among many producers who are eligible for EQIP in order to spur adoption of new

technologies or methods. The 2014 Farm Bill required that 5% of EQIP funds be used to protect wildlife habitats, incorporating a similar program (Wildlife Habitat Incentives Program – WHIP) that had existed under prior law. Still more EQIP initiatives address air quality, on-farm energy conservation, the reduction of fertilizer runoff from agricultural lands, and the transition from conventional to organic production.

## FISH PASSAGE

WDFW has a cooperative agreement with USDA's Natural Resources Conservation Service (NRCS) to provide technical assistance to landowners interested in fish screening and passage projects. In FFY2017, WDFW biologists identified 60 potential projects on private and tribal lands. Fish screening and passage projects promote recovery of ESA listed fish with the ultimate goal of de-listing once recovery goals are achieved. At least 13 of the projects will receive EQIP funding to address fish screening and passage concerns. These projects are critical to maintaining healthy and harvestable fish populations that fuel the economy of many small towns through commercial and recreational fisheries, and contribute toward meeting tribal treaty responsibilities.

## REQUEST

- Currently, the minimum amount of EQIP funds required to be used for wildlife conservation practices is 5 percent nationally. WDFW requests the minimum be increased to 10 percent.
- Incorporate state input to target EQIP wildlife funds towards priority fish and wildlife species, including Species of Greatest Conservation Need as identified in State Wildlife Action Plans.
- Increase the availability of and emphasis on long-term incentive payments and contracts (such as up to 10 years) to encourage sustained management for wildlife and increase long-term benefits.
- Eligible land should include lands in production as well as lands capable of production. These lands were previously eligible for the Wildlife Habitat Incentives Program (WHIP), but were not carried over into the wildlife portion of EQIP in the 2014 Farm Bill.
- Amend 16 U.S.C. § 3839aa–5(a)(4) to allow forest landowners the option of following a wildlife management plan, written by a state fish and wildlife agency or a technical service provider who is a Certified Wildlife Biologist, as an alternative to a forest management plan in order to address wildlife habitat objectives on forestland. This change would enable landowners to manage their forestland specifically for wildlife habitat.

# AGRICULTURAL CONSERVATION EASEMENT PROGRAM (ACEP): Agricultural Land Easements (ALE) and Wetlands Reserve Easements (WRE)

## IMPORTANCE TO WASHINGTON

The Agricultural Conservation Easement Program (ACEP) is a voluntary federal conservation program implemented by NRCS. ACEP restores, protects, and enhances wetlands on eligible land; protects the agricultural use, viability, and related conservation values of eligible land by limiting non-agricultural uses of that land; and protects grazing uses and related conservation values by restoring and conserving eligible land. Two enrollment options comprise ACEP: Agricultural Land Easements (ALE) and Wetland Reserve Easements (WRE).

ACEP-ALEs protect the long-term viability of the nation's food supply by preventing conversion of productive working lands to non-agricultural uses. Land protected by agricultural land easements provides additional public benefits, including environmental quality, historic preservation, wildlife habitat and protection of open space. The first ever Sage Grouse Initiative ALE permanent conservation easement in Washington is slated for funding in federal FY2017. The project will extinguish development rights on 6,700 acres of farm and rangeland in southwest Douglas County while allowing the family to continue farming and ranching in a manner that benefits sage-grouse

and other wildlife. Agricultural land easements could also prove beneficial to four ESA listed species found on South Puget Sound prairies: the Mazama pocket gopher, Taylor's checkerspot, streaked horned lark, and Oregon spotted frog. The remaining prairies on private lands are largely working ranchlands. Conservation easements on these properties could maintain working lands while conserving habitat for these listed species.

ACEP-WREs provide habitat for fish and wildlife, including threatened and endangered species, improve water quality by filtering sediments and chemicals, reduce flooding, recharge groundwater, protect biological diversity and provide opportunities for educational, scientific and limited recreational activities. To date, NRCS has purchased conservation easements on 27,000 acres of wetlands and working lands in Washington. The majority of these easements are permanent with Wetland Reserve Program (now WRE) accounting for 21,800 acres. Grassland Reserve Program (now ALE) covers 4,370 acres. Farm and Ranch Lands Protection Program (now ALE) covers about 550 acres, and Emergency Watershed Protection Program covers about 270 acres.



## REQUEST

- Restore ACEP funding to a minimum of \$500 million per year, with an increase to at least \$750 million over the life of the Farm Bill. The funding also should be allowed to be used for restoration and management activities.
- Provide greater flexibility with match requirements for ACEP-ALE.
- Restoration of native wetland and grassland vegetation and hydrology should contribute to the goals of ACEP- WRE wetland functions and values and/or state, regional, and national conservation initiatives.

Private contractors installing a fish screen on a diversion to protect fish species in northeast Washington. Project funded by EQIP. Photo by Sean Taylor, WDFW.

## LANDSCAPE SCALE INITIATIVES: Regional Conservation Partnership Program (RCPP) Working Lands For Wildlife (WLFW)

### IMPORTANCE TO WASHINGTON

Landscape scale initiatives accelerate the benefits of voluntary conservation programs by focusing work in a geographic area or on specific resource concerns, such as cleaner water and air, healthier soil, and enhanced wildlife habitat.

The Regional Conservation Partnership Program (RCPP) promotes coordination between NRCS and private companies, local, state, and tribal governments, universities, non-profits and other non-government partners to work with farmers, ranchers and non-industrial private forest landowners on landscape- and watershed-scale conservation solutions that work best for their region. Through the RCPP, NRCS seeks to co-invest with partners in innovative, workable and cost-effective approaches to benefit farming, ranching and forest operations, local economies, and communities and resources in a watershed or other geographic area. In Washington alone, 11 projects have been awarded \$48.5 million in funds. These projects span the state, and range anywhere from salmon recovery and water quality improvement efforts in Whatcom County to fish and wildlife habitat restoration in the Yakima Basin.

In the Chehalis Basin, \$16M of state funding has contributed to the restoration of streams for salmon while helping to relieve landowners from catastrophic flood damage. The basin is

included in a southwest Washington RCPP that covers eight counties to improve fish and wildlife habitat, protect water quality, improve forest resiliency in the face of climate change, and help meet regulatory requirements while keeping working forests working. This RCPP is positioned to receive \$1.3 million of NRCS funding and \$1.9 million of state funding.

The Working Lands for Wildlife Program combines funding from multiple NRCS programs to implement conservation practices and easements that benefit priority wildlife species (e.g. sage-grouse, prairie chicken, monarch butterfly) while keeping working farm and ranchlands in production. The Sage Grouse Initiative (SGI) within the Working Lands for Wildlife Program is an example of a wildlife-focused landscape conservation initiative. In Washington, since 2010 SGI has provided over \$4.2 million to improve management of nearly 73,000 acres of farm and ranchlands within core sage-grouse areas. A planned conservation easement funded through SGI – ACEP in FY2017 will permanently protect 6,700 acres from development while allowing the family to continue farming and ranching in a manner that benefits sage-grouse and other wildlife. Landscape initiatives enhance the locally driven process to better address nationally and regionally important conservation goals by building on locally led efforts and partnerships.



### REQUEST

- Support reauthorization and maintain funding levels for RCPP.
- Maintain EQIP, CSP, ACEP, and HFRP as eligible and financially-viable programs within RCPP.
- Allow a limited portion of partners' administrative costs to be funded through RCPP.
- Provide USDA with the necessary technical assistance and administrative funds to implement the program. This amount should be a fixed percentage of RCPP funding and not be negotiated after grants are awarded to projects, as is the case now.
- Continue to support agency authority and flexibility to implement initiatives that address important and emerging natural resource concerns.

## IMPORTANCE TO WASHINGTON

From the Pacific Ocean, across the crest of the Cascade Mountains and into the dry interior, over half of Washington State's total land area is forested. Forests are an important economic driver to regional and state economies and are a critical ecosystem for dozens of species of greatest conservation need, and thus their health is imperative. In addition to timber harvest, forests provide many functions including: fish and wildlife habitat, protection of water quality, flood control, recreational opportunities, and carbon sequestration to help combat climate change.

The timber industry in Washington has been greatly impacted by ESA listings, particularly in the watersheds

containing listed salmonids. These impacts have been particularly significant to non-industrial private forest landowners because of their small land ownership and close proximity to rivers and streams. Many communities in Washington are highly dependent on the timber industry and struggling to recover from the collapse of the industry in the 1990s. NRCS conservation programs including EQIP, CSP, and Healthy Forests Reserve Program (HFRP), provide technical and financial assistance to small forest landowners. Assistance from NRCS can improve forest health, increase timber production, improve fish and wildlife habitat and encourage keeping these lands as working forests instead of converting to other uses.



## REQUEST

- Authorize the Healthy Forests Reserve Program (HFRP) with mandatory annual funding at \$12 million.
- Amend 16 U.S.C. § 3839aa-5(a)(4) to allow forest landowners the option of following a wildlife management plan, written by a state fish and wildlife agency or a technical service provider who is a Certified Wildlife Biologist, as an alternative to a forest management plan in order to address wildlife habitat objectives on forestland. This change would enable landowners to manage their forestland specifically for wildlife habitat.
- Direct the Forest Stewardship Program to recognize fish and wildlife as integral components of healthy forested ecosystems. Forest Stewardship Plans should utilize the State Wildlife Action Plans, National Fish Habitat Action Plans, and State Forest Action Plans to determine state forest priorities during program implementation to maximize taxpayer investment in federal conservation programs.

# CONSERVATION COMPLIANCE

## IMPORTANCE TO WASHINGTON

Native ecosystems in the U.S. are among the most threatened resources. The purpose of conservation compliance is to reduce soil loss due to erosion, protect the nation's long-term ability to produce food and fiber, reduce sedimentation and improve water quality, and assist in preserving the values, acreage, and functions of the nation's wetlands. Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) provisions – known as conservation compliance – aim to reduce soil loss on erosion-prone lands and to protect wetlands for the multiple benefits they provide. They require producers to have a conservation plan approved by and on file with USDA if they plant annually tilled crops on highly erodible soil, and prohibits producers from planting on converted wetlands or converting wetlands for crop production. The program

requires producers, and any affiliated individuals or entities to participating producers, to comply with these provisions who participate in most programs administered by the Farm Service Agency (FSA), the Natural Resources Conservation Service (NRCS), and the Risk Management Agency (RMA).

Palouse Prairie historically covered a vast area in southeast Washington. Today very little of this ecological system remains, with over 90% converted to agricultural production. Historically shrub-steppe habitat covered the Columbia Basin. This habitat supported many species including sage-grouse and pygmy rabbits. The majority of shrub-steppe habitat on deep soils was converted to agricultural production. The remaining shrub-steppe habitat is primarily found in fragmented patches largely in scablands too difficult to farm.

## REQUEST

Maintain and fully implement existing conservation compliance provisions.

