

U.S. Department of Agriculture
Natural Resources Conservation Service

**FARMLAND PROTECTION
POLICY ACT
ANNUAL REPORT
FOR
FY 2011**

REPORT FROM THE SECRETARY OF AGRICULTURE

TO THE COMMITTEE ON
AGRICULTURE, NUTRITION, AND FORESTRY
UNITED STATES SENATE

AND

THE COMMITTEE ON AGRICULTURE
UNITED STATES HOUSE OF REPRESENTATIVES

February 2011

TABLE OF CONTENTS

I.	Progress of Federal Agencies in Implementing Farmland Protection Policy Act	1
II.	Review and Revision of Federal Policies and Procedures Affecting Farmland Conversion	6
III.	Federal, State, and Local Efforts to Protect Farmland	7

Figure 1- Fiscal Year 2011 Farm and Ranch Lands Protection Program Financial Assistance Dollars Obligated	8
---	---

Figure 2- Fiscal Year 2011 Farm and Ranch Lands Protection Program Number of Acres	8
--	---

Tables:

Table 1- Farmland Protection Policy Act and Important Farmland Numbers, 2002-2011	2
Table 2- Top Ten States Acres of Farmland Proposed for Conversion	3
Table 3- Acres of Farmland Proposed for Conversion by State	4
Table 4- Breakdown of Acres and AD-1006 forms received by Federal Agencies in 2011	5

The FY 2011 Farmland Protection Policy Act Annual Report consists of three components:

- I. Progress of Federal agencies in implementing Farmland Protection Policy Act
- II. Review and revision of Federal policies and procedures affecting farmland conversion; and
- III. Federal, State, and local efforts to protect farmland.

I. Progress of Federal Agencies in Implementing Farmland Protection Policy Act

According to the Farmland Protection Policy Act (FPPA) regulation, Federal agencies are required to evaluate the impacts of federally funded projects that may involve converting farmlands to nonagricultural uses and to consider alternative actions that would lessen the adverse effects of the land's conversion (7 CFR Part 658 and 675). In complying with the FPPA, Federal agencies request assistance from the Natural Resources Conservation Service (NRCS) by submitting a Farmland Conversion Impact Rating Sheet (Form AD-1006). The requesting agency then conducts a Land Evaluation and Site Assessment (LESA) of the project area. NRCS provides land evaluation information, while the responsible Federal agency completes the site assessment portion of the analysis. To implement FPPA, Federal agencies address the potential conversion of agricultural land when reviewing internal projects or providing assistance to local communities.

Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is available for these uses (the land could be cropland, pastureland, rangeland, forestland, or other land, but not urban built-up land or water). Land used for a specific high-value food or fiber crop is classified as unique farmland. Generally, additional farmlands of statewide importance include those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. In some local areas, there is concern for certain additional farmlands, even though these lands are not identified as having national or statewide importance. These farmlands are identified as being of "local importance" through ordinance adopted by local government. When jurisdictions adopt local LESA systems, Federal agencies use these systems to review activities that may impact farmland. Approximately 3 percent of the reviews conducted by NRCS in fiscal year 2011 offered alternative sites. A local LESA system was used for the conversion evaluation and site assessment on about 15 percent of the sites.

According to 2007 Department of Agriculture (USDA) National Resources Inventory (NRI) data, in the period 1982–2007, about 11.5 million acres or 28 percent of the new land developed was prime farmland. Almost half of these prime farmland conversions occurred during the period 1992 – 2002. The rate at which prime farmland was developed decreased from an average of over 600,000 acres per year during the period 1992–1997 to an average of 400,000 acres per year during 2002 – 2007. For more information about the NRI, visit <http://www.nrcs.usda.gov/technical/NRI/>.

As defined in 7 CFR part 657, important farmland encompasses prime and unique farmland, as well as farmland of statewide and local importance. Table 1 summarizes the proportion and amount of important farmland considered for conversion, as a part of Federal projects under FPPA in fiscal 2002 through 2011.

Table 1 – Important Farmland Evaluated under FPPA 2002–2011 (percent and acres)

	PERCENT IMPORTANT FARMLAND (of total land evaluated)	IMPORTANT FARMLAND (within land evaluated)	AGENCIES SUBMITTING REQUESTS
Fiscal Year	% Total Acres	Acres	No. of Agencies
2002	30%	75,151	26
2003	30%	76,892	28
2004	52%	60,040	38
2005	67%	73,007	25
2006	62%	65,989	26
2007	39%	74,220	25
2008	71%	87,902	25
2009	67%	58,106	23
2010	38%	54,103	30
2011	49%	99,386	29

In Fiscal Year 2011, NRCS received 3,154 AD-1006 forms from 29 Federal agencies requesting assistance to evaluate the impact of proposed conversions of lands that would result from their projects. A total of 202,513 acres of land from 42 States were proposed for conversion to nonagricultural uses. Of the acres reviewed, 49% (99,386 acres) were identified as important farmland (as defined in 7 CFR part 657); of these, 71,651 acres were prime or unique farmland and 27,736 acres were State or locally important soils.

South Dakota and Mississippi had the highest number of farmland acres proposed for conversion, with 41,598 acres and 22,874 acres, respectively. Eight States reported no acres, and seven States reported less than 100 acres with proposed Federal actions that would result in farmland conversion (Tables 2 and 3).

In FY 2011, the Federal Highway Administration reported the largest amount of important farmland proposed for conversion, with 27,688 acres. The Department of Energy reported the second largest amount of proposed conversion, 24,493 acres. These two agencies account for 53% of all proposed important farmland conversion (Table 4).

Table 2 - Top Ten States with Acres of Farmland Proposed for Conversion by Federal Projects

STATES	ACRES
South Dakota	41,598
Mississippi	22,874
Texas	19,757
Arizona	14,966
Georgia	12,892
Indiana	12,246
Louisiana	9,470
Florida	8,557
Missouri	7,474
California	6,479

Table 3 - Acres of Farmland Proposed for Conversion by State

State	Total Land Acres Proposed	Percentage of Land Acres Proposed Within State	Total Important Farmland Acres proposed	Percentage Important Farmland Acres Proposed	State	Total Land Acres Proposed	Percentage of Land Acres Proposed Within State	Total Important Farmland Acres proposed	Percentage Important Farmland Acres Proposed
AK	787	0.39%	475	0.48%	NC	3,167	1.56%	2,047	2.06%
AL	2,912	1.44%	779	0.78%	ND	121	0.06%	116	0.12%
AR	3,094	1.53%	1,674	1.68%	NE	1,797	0.89%	224	0.23%
AZ	14,966	7.39%	14,276	14.36%	NH	6	0.00%	6	0.01%
CA	6,479	3.20%	2,866	2.88%	NJ	5	0.00%	5	0.00%
CO	0	0.00%	0	0.00%	NM	0	0.00%	0	0.00%
CT	0	0.00%	0	0.00%	NV	6	0.00%	6	0.01%
DE	9	0.00%	0	0.00%	NY	284	0.14%	257	0.26%
FL	8,557	4.23%	2,720	2.74%	OH	1,386	0.68%	325	0.33%
GA	12,892	6.37%	5,026	5.06%	OK	1,540	0.76%	1,087	1.09%
HI	168	0.08%	158	0.16%	OR	309	0.15%	257	0.26%
IA	5,180	2.56%	4,598	4.63%	PA	1,901	0.94%	1,443	1.45%
ID	4,208	2.08%	678	0.68%	PR	15	0.01%	11	0.01%
IL	571	0.28%	424	0.43%	RI	500	0.25%	0	0.00%
IN	12,246	6.05%	8,982	9.04%	SC	633	0.31%	459	0.46%
KS	1,712	0.85%	1,232	1.24%	SD	41,598	20.54%	23,707	23.85%
KY	6,163	3.04%	636	0.64%	TN	1,085	0.54%	331	0.33%
LA	9,470	4.68%	4,573	4.60%	TX	19,757	9.76%	9,593	9.65%
MA	0	0.00%	0	0.00%	UT	26	0.01%	23	0.02%
MD	4,589	2.27%	2,867	2.88%	VA	2,071	1.02%	1,388	1.40%
ME	62	0.03%	22	0.02%	VT	15	0.01%	0	0.00%
MI	127	0.06%	116	0.12%	WA	157	0.08%	149	0.15%
MN	464	0.23%	411	0.41%	WI	843	0.42%	370	0.37%
MO	7,474	3.69%	1,402	1.41%	WV	155	0.08%	56	0.06%
MS	22,874	11.30%	3,527	3.55%	WY	0	0.00%	0	0.00%
MT	135	0.07%	86	0.09%	Totals	202,513	100.00%	99,386	100.00%

Table 4 - Breakdown of Acres and AD-1006 Forms Received by Federal Agencies in FY 2011

Department	Federal Agency	No. of AD1006 Requests to NRCS	No. of Acres Proposed for Conversion	No. of Acres Identified as Important Farmland	Of which:	
					Prime or Unique	State or Locally Important
Department of Agriculture (USDA)	Agricultural Research Service	1	0	0	0	0
Appalachian Regional Commission (ARC)	Appalachian Regional Commission	1	0	0	0	0
Department of Army (DOA)	Army Corps of Engineers	38	24,308	10,045	8,300	1,745
DOA	Army National Guard	1	39	39	0	39
Department of Interior (DOI)	Bureau of Indian Affairs	105	10,356	8,212	7,962	250
DOI	Bureau of Land Management	1	0	0	0	0
Department of Justice (DOJ)	Bureau of Prisons	2	90.6	36.6	0	37
DOI	Bureau of Reclamation	3	1102	45	30	15
Department of Homeland Security (DHS)	Customs and Border Protection	3	0	0	0	0
USDA	Department of Agriculture	0	0	0	0	0
DOA	Department of Army	11	4,250	3,676	3,638	39
Department of Commerce (DOC)	Department of Commerce	14	236	236	236	0
Department of Defense (DOD)	Department of Defense	9	4,387	2,732	1,761	972
Department of Energy (DOE)	Department of Energy	17	41,086	24,493	12,894	11,599
DHS	Department of Homeland Security	6	58	15	15	0
DOI	Department of Interior	0	0	0	0	0
Department of Health and Human Services (DHHS)	Dept. of Health & Human Services	0	0	0	0	0
DOJ	Dept. of Justice	0	0	0	0	0
Department of State (USDS)	Department of State	0	0	0	0	0
Department of Transportation (DOT)	Dept. of Transportation	240	3,365	1,588	1,001	587
DOC	Econ Development Administration	31	1,474	1,101	912	188
Environmental Protection Agency (EPA)	Environmental Protection Agency	243	5,932	2,508	2,312	196
Farm Credit Administration (FCA)	Farm Credit Administration	1	0	0	0	0
USDA	Farm Service Agency	0	0	0	0	0
DOT	Fed Aviation Administration	49	2,885	993	698	294
DOE	Fed Energy Regulatory Commission	1	156	67	67	0
		5				

DHS	Federal Emergency Management Agency	121	859	732	378	354
DOT	Federal Highway Administration	543	43,709	27,688	22,866	4,821
Department of Housing and Urban Development (HUD)	Federal Housing Administration	1	88	39	0	39
DOT	Federal Railroad Administration	0	0	0	0	0
DOT	Federal Transit Administration	1	0	0	0	0
DOI	Fish & Wildlife Service	4	5,080	862	720	142
USDA	Forest Service	3	16	16	0	16
General Services Administration (GSA)	General Services Administration	2	65	34	7	28
DHHS	Health Resources and Services Administration	7	7	0	0	0
HUD	Housing Urban Development	664	5,721	1,541	1,320	221
DHHS	Indian Health Service	7	7	7	1	6
DOI	Indian Housing Authority	0	0	0	0	0
National Indian Gaming Commission (NIGC)	National Indian Gaming Commission	0	0	0	0	0
DOI	National Park Service	0	0	0	0	0
DOC	National Telecommunications and Information Administration	30	4,595	212	206	7
USDA	Natural Resources Conservation Service	50	4,290	2,871	1,564	1,307
DOI	Office of Service Mining	1	40	40	21	19
USDA	Rural Development	748	37,123	9,279	4,573	4,706
HUD	Rural Housing and Economic Development	0	0	0	0	0
USDA	RD-Office of Community Development	0	0	0	0	0
USDA	RD-Rural Utilities Service	192	1,131	236	126	110
Tennessee Valley Authority (TVA)	Tennessee Valley Authority	2	58	45	45	0
Department of Veterans Affairs (VA)	Veterans Affairs	1	0	0	0	0
	TOTALS	3,154	202,513	99,386	71,651	27,736

II. Review and Revision of Federal Policies and Procedures Affecting Farmland Conversion

To implement FPPA more efficiently, NRCS has developed a proposal to fully automate FPPA tasks. The fully automated process will replace the current manual completion of farmland assessment forms AD-1006 and NRCS-CPA-106. The process will fully integrate the Farmland Conversion Impact Rating, Web Soil Survey (WSS), and Computer-Aided Land Evaluation System (CALES) computer programs along with information in the Soil Data Mart (SDM). Moreover, the forms could be programmed to assist other Federal agencies with submitting copies to NRCS for use in completing the form NRCS-CPA-2 (Evaluating Implementation of FPPA), the information used to complete the FPPA-Annual Report.

III. Federal, State, and Local Effort to Protect Farmland

Farm and Ranch Lands Protection Program

The Farm and Ranch Lands Protection Program (FRPP), first authorized by Congress in 1996, provides financial assistance to farmers and ranchers, enabling them to keep their land in agriculture. More specifically, the FRPP provides matching funds to State, Tribal, local governments and non-governmental organizations with existing farmland protection programs to purchase conservation easements from farmers and ranchers. These entities purchase easements from landowners in exchange for a lump sum payment not to exceed the appraised fair market value of the land's development rights. Participating landowners agree not to convert their land to non-agricultural uses and to develop and implement a conservation plan for any highly erodible land. Landowners retain all rights to use the property for agriculture.

In the period 1996-2011, over \$1.93 billion in FRPP financial assistance was provided in 49 States to purchase easements on 4,412 farms and ranches, totaling over 1,131,000 acres.

Figures 1 and 2 display information on FRPP cooperative agreements in FY 2011 that obligated \$161 million to protect over 238,900 acres on 419 farms. Additional information on FRPP can be viewed at <http://www.nrcs.usda.gov/programs/frpp/>.

Figure 1 – FY 2011 FRPP Financial Assistance Dollars Obligated by State

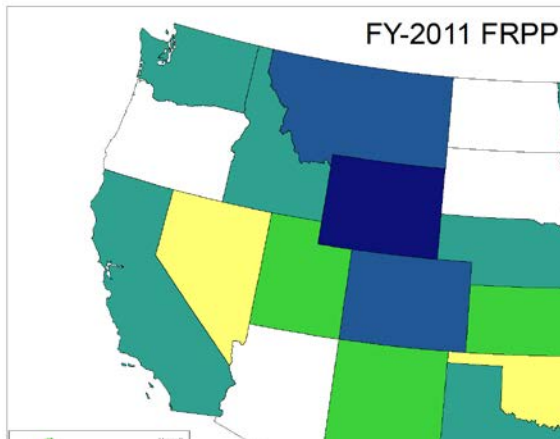
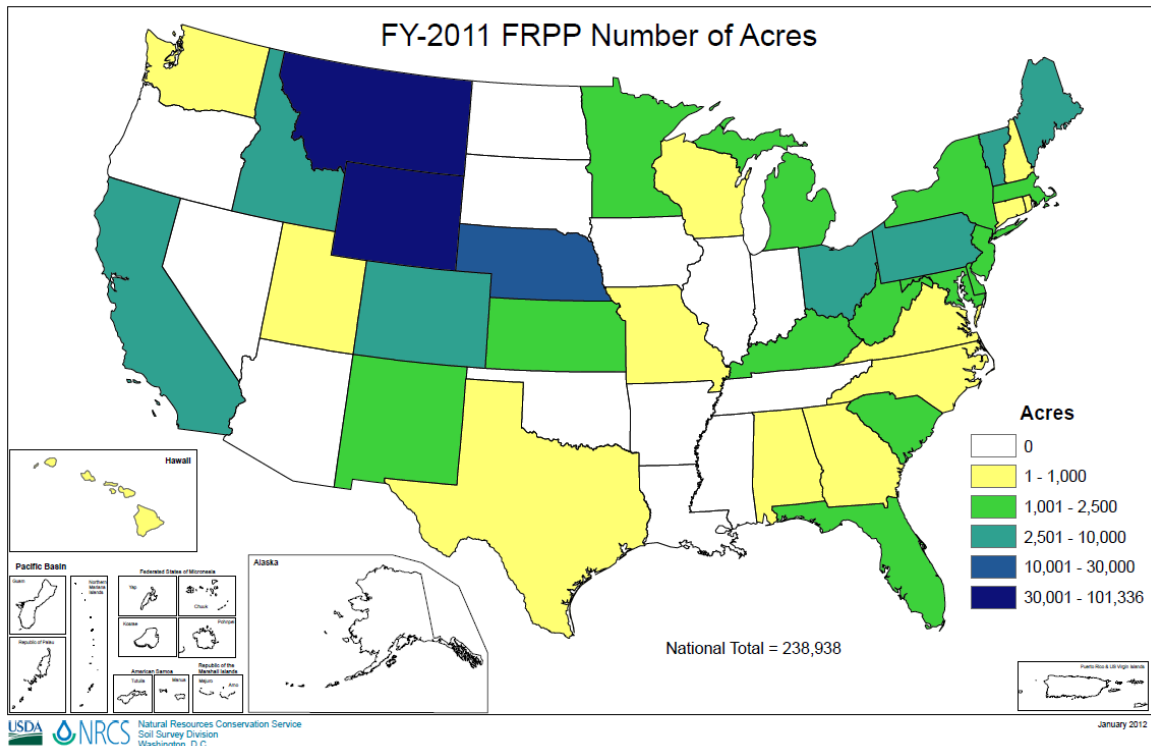


Figure 2 – Number of Acres Protected by FRPP in FY 2011 by State



FARMLAND INFORMATION CENTER

Since 1994, NRCS and American Farmland Trust (AFT) have entered into contribution agreements to fulfill the public education role related to farmland protection outlined in the FPPA. AFT developed and oversees the Farmland Information Center (FIC) with support from NRCS. The FIC offers a staffed answer service and online collection of resources at www.farmlandinfo.org. In addition, FIC staff monitor and report on farmland protection activities nationwide through surveys of existing programs and policies, develop educational materials and provide more in depth research assistance to key stakeholders. In FY 2011, NRCS contributed \$250,000 to this project.

KEY ACTIVITIES IN FISCAL 2011

Answer Service and Web site

During FY 2011, FIC staff provided direct technical assistance to 468 individuals from 47 states, the District of Columbia and Canada; 30,184 unique visitors to the FIC Web site generated 37,605 visits (an average of 103 visits per day) and 121,820 pageviews. During the year, FIC staff continued to build the online collection, adding model documents and laws related to programs that buy easements on agricultural land, smart growth, agricultural economic development and food system planning.

Educational Materials

FIC staff continued to analyze data from the 2007 National Resources Inventory (NRI) and updated memos, tables and maps that were posted on the FIC Web site (**Attachment A**). The FIC analysis builds off the wealth of information collected through the NRI and focuses on changes in land cover/use to help people working to protect agricultural land make the case for protection, set goals and track progress. FIC staff wrote an article, "Farmland by the Numbers," published in AFT's *American Farmland* magazine, which included a map of acres of land converted to development from 1982–2007. The magazine reaches 32,000 people. FIC staff updated the Farm and Ranch Lands Protection Program (FRPP) fact sheet, which includes a table of final FRPP allocations by state and year through fiscal year 2010 to support the national FRPP program manager and FRPP implementation (**Attachment B**). The FIC also updated a fact sheet on Agricultural Conservation Easements and completed a draft update of the Why Save Farmland fact sheet. Hundreds of entities ranging from the Virginia Department of Consumer Services to the USDA ERS continue to link to or cite our resources.

The FIC hosted a Webinar on the federal FRPP program. NRCS' national FRPP Program Manager, Mark Rose, provided an overview of the FRPP Final Rule. Bob Wagner, AFT's Senior Policy and Program Advisor, moderated the session and facilitated the question and answer period. One hundred and eighty individuals registered for the program with 131 in attendance on the day of the event. Participants included state and local farmland protection program administrators, land trust representatives and NRCS field office staff. A recording of the Webinar and a full transcript of the Q&A session are available on the FIC Web site. The FIC also co-hosted an informational Webinar with the Partnership of Rangeland Trusts (PORT) on the GRP Final Rule, including program highlights and current status. Seventy-three people participated. A recording of the Webinar, presentations and a transcript of the Q&A session are available on the FIC Web site.

Farmland Protection Survey

FIC staff completed an annual survey of established state and local purchase of agricultural conservation easement (PACE) programs. The results are summarized in two tables that are posted on the FIC Web site and distributed to the State FRPP administrators, and to State and local PACE program managers. The updated PACE tables provide a summary of PACE activity including easements acquired, acres protected and funds spent by program (**Attachments C and D**). The FIC also created a map that highlights PACE activity across the country (**Attachment E**). State and local programs have protected more than 2.5 million acres to date. Tracking PACE program activity enables FIC staff to direct landowners to active programs. Survey results also are used by Federal, State and local officials, lawmakers, researchers and the media.

Research Assistance

FIC staff provided specialized support to State and local officials working to save agricultural land. For instance, this year, staff submitted a preliminary report to San Diego County's Department of Planning and Land Use (DPLU) highlighting next steps for developing a PACE program. The report included a preliminary program framework, an estimate of the cost to acquire easements and potential sources of funding. As part of AFT's continuing work in Burlington County, New Jersey, to encourage local food production, FIC staff completed an audit of Sustainable Jersey on behalf of Chesterfield Township—a locality in Burlington County. SUSTAINABLE JERSEY™ is a certification program for New Jersey municipalities that identifies concrete actions municipalities can take and provides guidance tools to help them become more sustainable. FIC staff also supplied information to the National Conference of State Legislatures (NCSL) about state-level policies that help reduce the loss of agricultural land including subdivision review for large parcels, grants for community planning that addresses agriculture, mitigation for farmland conversion and policies discouraging state agency conversion of agricultural lands. The NCSL is an entity that provides technical assistance to state lawmakers. Staff provided information about agricultural conservation easements and contact information for the state level farmland protection programs in Connecticut, Maryland, New Jersey and Pennsylvania to farmers interested in permanently protecting their land. FIC staff also supplied USDA National Agricultural Statistics Service data on farmland values and cash rents to a nonprofit organization examining barriers to land access for beginning farmers.

Attachment A NRI Map of Acres of Agricultural Land Converted to Developed Land from 1982–2007

Attachment B FRPP fact sheet

Attachment C State PACE fact sheet

Attachment D Local PACE fact sheet

Attachment E Map of Current PACE Activity