

U.S. Department of Agriculture
Natural Resources Conservation Service

**FARMLAND PROTECTION
POLICY ACT
ANNUAL REPORT
FOR
FY 2010**

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

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The fiscal year (FY) 2010 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 non-agricultural uses and to consider alternative actions that would lessen the adverse effects of the land's conversion (7 CFR Parts 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 ordinances adopted by local government. When jurisdictions adopt local LESA systems, Federal agencies use these systems to review activities that may impact farmland. Less than 10 percent of the reviews conducted by NRCS in FY 2010 offered alternative sites or were able to use a local LESA system for the conversion evaluation and site assessment.

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 FY 2001 through 2010.

Table 1: Important Farmland Evaluated under FPPA FY 2001–2010 (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
2001	34%	102,604	26
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

In FY 2010, NRCS received 3,577 AD-1006 forms from 30 Federal agencies requesting assistance to evaluate the impact of proposed conversions of lands that would result from their projects. A total of 143,422 acres of land from 46 States were proposed for conversion to non-agricultural uses. Of the acres reviewed, 38 percent (54,103 acres) were identified as important farmland (as defined in 7 CFR part 657); of these, 43,318 acres were prime or unique farmland, and 10,785 acres were State or locally important soils.

Arkansas and Indiana had the highest number of farmland acres proposed for conversion, with 48,429 and 14,494 acres, respectively (Table 2). Five States reported no acres, and nine States reported less than 100 acres with proposed Federal actions that would result in farmland conversion (Table 3).

In FY 2010, the Federal Highway Administration reported the largest amount of acres identified as important farmland proposed for conversion, with 12,149 acres. The Army Corps of Engineers reported the second largest amount of acres identified as important farmland proposed for conversion, with 10,503 acres (Table 4). These two agencies account for 42 percent of all acres identified as important farmland proposed for conversion.

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

STATES	ACRES
Arkansas	43,429
Indiana	14,494
Minnesota	9,143
Tennessee	7,976
South Dakota	7,479
Texas	7,100
North Carolina	6,711
California	5,973
Missouri	3,360
Iowa	3,193

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	799	0.56%	308	0.57%	MT	12	0.01%	6	0.01%
AL	2,012	1.40%	1,874	3.46%	NC	6,711	4.68%	3,817	7.05%
AR	43,429	30.28%	753	1.39%	ND	1,498	1.04%	29	0.05%
AZ	192	0.13%	192	0.35%	NE	1,417	0.99%	638	1.18%
CA	5,973	4.16%	4,695	8.68%	NH	672	0.47%	648	1.20%
CO	69	0.05%	69	0.13%	NJ	0	0.00%	0	0.00%
CT	0	0.00%	0	0.00%	NM	30	0.02%	2	0.00%
DE	0	0.00%	0	0.00%	NV	1	0.00%	1	0.00%
FL	2,396	1.67%	530	0.98%	NY	26	0.02%	26	0.05%
GA	2,678	1.87%	951	1.76%	OH	2,081	1.45%	2,036	3.76%
HI	607	0.42%	503	0.93%	OK	2,469	1.72%	1,223	2.26%
IA	3,193	2.23%	3,101	5.73%	OR	8	0.01%	8	0.01%
ID	2,540	1.77%	64	0.12%	PA	2,416	1.68%	1,897	3.51%
IL	2,117	1.48%	1,985	3.67%	PR	0	0.00%	0	0.00%
IN	14,494	10.11%	8,770	16.21%	RI	358	0.25%	184	0.34%
KS	1,593	1.11%	1,489	2.75%	SC	234	0.16%	156	0.29%
KY	2,421	1.69%	717	1.32%	SD	7,479	5.21%	2,006	3.71%
LA	129	0.09%	46	0.09%	TN	7,976	5.56%	827	1.53%
MA	28	0.02%	28	0.05%	TX	7,100	4.95%	1,645	3.04%
MD	334	0.23%	175	0.32%	UT	28	0.02%	28	0.05%
ME	414	0.29%	112	0.21%	VA	2,264	1.58%	1,268	2.34%
MI	353	0.25%	314	0.58%	VT	34	0.02%	29	0.05%
MN	9,143	6.37%	8,789	16.24%	WA	100	0.07%	98	0.18%
MO	3,360	2.34%	1,057	1.95%	WI	765	0.53%	507	0.94%
MS	1,178	0.82%	404	0.75%	WV	293	0.20%	102	0.19%
					WY	0	0.00%	0	0.00%

Table 4: Breakdown of Acres and AD-1006 Forms Received by Federal Agencies in FY 2010

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 Army (DOA)	Army Corps of Engineers	52	52,392	10,503	9,668	834
Department of Interior	Bureau of Indian Affairs	84	991	438	114	324
DOI (DOI)	Bureau of Land Management	0	0	0	0	0
Department of Justice (DOJ)	Bureau of Prisons	0	0	0	0	0
DOI	Bureau of Reclamation	1	13	3.6	0	4
Department of Homeland Security (DOH)	Customs and Border Protection	2	14	11	4	7
Department of Agriculture (USDA)	Department of Agriculture	63	656	297	297	0
DOA	Department of Army	7	109	7	7	0
Department of Commerce (DOC)	Department of Commerce	13	229	42	18	24
Department of Defense (DOD)	Department of Defense	1	0	0	0	0
Department of Energy (DOE)	Department of Energy	30	1,373	1,084	988	96
DOI	Department of Interior	1	5	2	2	0
Department of Health and Human Service (DHHS)	Dept. of Health & Human Services	7	13	7	7	0
DOJ	Dept. of Justice	0	0	0	0	0
Department of State (USDS)	Department of State	5	0	0	0	0
Department of Transportation (DOT)	Dept. of Transportation	163	3,863	3,435	2,935	501
DOC	Econ Development Administration	4	1,602	1,600	1,600	0
Environmental Protection Agency (EPA)	Environmental Protection Agency	258	1,819	1,230	1,053	177
USDA	Farm Service Agency	5	10	8	7	1
DOT	Fed Aviation Administration	46	5,627	1,783	1,365	418
DOE	Fed Energy Regulatory Commission	1	578	474	341	133
DHS	Federal Emergency Management Agency	146	664	624	612	12
DOT	Federal Highway Administration	401	28,851	12,149	8,916	3,233
Housing and Urban Development (HUD)	Federal Housing Administration	280	10,801	5,896	5,503	393

DOT	Federal Railroad Administration	3	3,626	3,092	2,315	777
DOI	Fish & Wildlife Service	7	5,669	855	508	347
USDA	Forest Service	0	0	0	0	0
General Service Administration (GSA)	General Services Administration	2	3	3	3	0
HUD	Housing Urban Development	821	2,060	1,201	984	217
DOI	Indian Housing Authority	0	0	0	0	0
National Indian Gaming Commission (NIGC)	National Indian Gaming Commission	1	75	5	0	5
DOI	National Park Service	1	11	0	0	0
DOC	National Telecommunications and Information Administration	0	0	0	0	0
USDA	Natural Resources Conservation Service	112	2,693	1,284	496	788
DOI	Office of Service Mining	1	0	0	0	0
USDA	Rural Development	888	16,843	6,365	4,402	1,962
HUD	Rural Housing and Economic Development	1	4	4	4	0
USDA	RD-Office of Community Development	3	1	1	1	0
USDA	RD-Rural Utilities Service	163	2,742	1,652	1,119	532
Tennessee Valley Authority (TVA)	Tennessee Valley Authority	2	88	51	51	0
Veterans Administration (VA)	Veterans Administration	2	0	0	0	0
	TOTALS	3,577	143,422	54,103	43,318	10,785

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 Efforts 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 1996-2010, over \$885 million in FRPP financial assistance was provided in 49 States to purchase easements on 3,993 farms and ranches, totaling over 893,000 acres. Of the total acreage, almost 577,473 acres are classified as having prime, unique, and State or locally identified important farmland soil on the urban fringe that will be permanently protected from conversion to non-agricultural uses with these easements.

Figures 1 and 2 display information on FRPP cooperative agreements in FY 2010 that obligated \$144 million to protect nearly 171,500 acres on 417 farms. Additional information on FRPP can be viewed at <http://www.nrcs.usda.gov/programs/frpp/>.

Figure 1: FY 2010 FRPP Financial Assistance Dollars Obligated by State

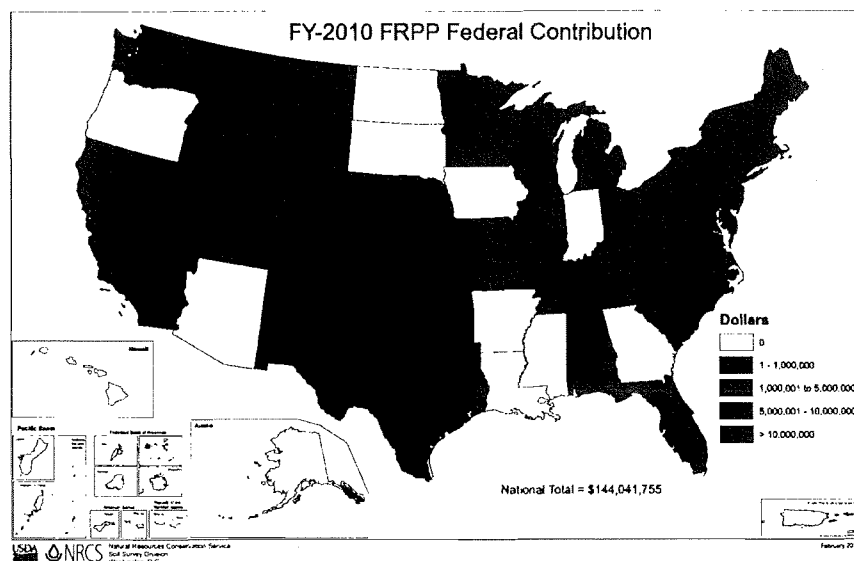
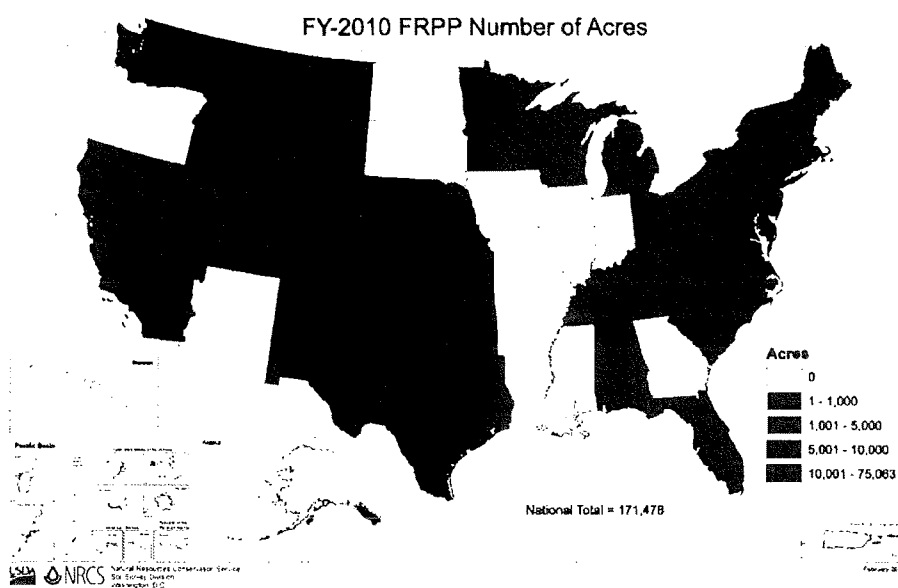


Figure 2: Number of Acres Protected by FRPP in FY 2010 by State



FARMLAND INFORMATION CENTER

Since 1994, NRCS and the 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 monitors and reports on farmland protection activities nationwide through surveys of existing programs and policies, develops educational materials and provides more in-depth research assistance to key stakeholders. In FY 2010, NRCS contributed \$240,000 to this project.

KEY ACTIVITIES IN FY 2010

Answer Service and Web site

During FY 2010, FIC staff provided direct technical assistance to more than 500 individuals from 46 states, the District of Columbia and Canada. Visitors to the FIC Web site generated more than 2.4 million hits during nearly 195,136 visits. 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 and growth management. Staff also added online resources related to improving farm viability such as laws about farm-to-school purchases, farmers markets, and, more recently, urban agriculture and community gardens.

Educational Materials

FIC staff analyzed data from the newly released 2007 NRI and worked to make it more accessible to farmland protection advocates nationwide. FIC staff produced a series of memos, tables, and maps that were posted on the FIC Web site and distributed to key partners. 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. To date, FIC press releases on the 2007 NRI reached approximately 20.5 million people through a variety of media outlets, including the *Los Angeles Times* (online), MSNBC (online), *The Denver Post*, and *Forbes* (online).

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, State and local PACE program managers, and to members of the Agriculture Network Information Center, an alliance of the National Agriculture Library, land grant university libraries, and other organizations that provide online access to agricultural information. 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 examined the Virginia Office of Farmland Preservation's certification process for counties seeking matching funds to buy agricultural conservation easements. Staff presented this information to the New York State Department of Agriculture and Markets as one option to improve the efficiency of New York's farmland protection program. Staff also developed model ordinances in partnership with the Burlington County, New Jersey, farmland preservation program to help improve agricultural viability and support local food production. The model local laws—posted on the FIC Web site—address formation of an agricultural commission, a community statement in support of agriculture and notification requirements, farm labor housing, and on-farm direct marketing.