

Appendix G

Nonregulatory Protection Programs

Federal Programs

Natural Resources Conservation Service

Agricultural Management Assistance – is a voluntary effort for agricultural producers, that provides cost share payments to construct or improve water management structures or irrigation structures; to plant trees for windbreaks or to improve water quality; and to mitigate risk through production diversification or resource conservation practices, including soil erosion control, integrated pest management, or transition to organic farming. Not currently available in Washington.

Conservation Reserve Enhancement Program (CREP) – is a joint partnership between the state of Washington and U.S. Department of Agriculture (USDA) that is administered by the Washington State Conservation Commission and the Farm Services Agency (FSA). The agreement was signed in 1998 and provides incentives to restore and improve salmon and steelhead habitat on private land. The program is voluntary for landowners; the land enrolled in CREP is removed from production and grazing under ten- or 15-year contracts. In return, landowners plant trees and shrubs to stabilize the stream bank and to provide a number of additional ecological functions. Landowners receive annual rent, incentive and maintenance payments and cost share for practice installations. These payments made by FSA and the Conservation Commission can result in no cost to the landowner for participation.

Conservation Reserve Program – provides technical and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands in an environmentally beneficial and cost-effective manner. The program provides assistance to farmers and ranchers in complying with federal, state, and tribal environmental laws, and encourages environmental enhancement. The program is funded through the Commodity Credit Corporation (CCC). CRP is administered by the FSA, with National Resources Conservation Services (NRCS) providing technical land eligibility determinations, Environmental Benefit Index Scoring, and conservation planning.

Comprehensive Nutrient Management Plans (CNMPS) – helps Animal Feeding Operations owners and operators to achieve their production and natural resource conservation goals through development and implementation of CNMPS. Any funding for these plans?

Conservation of Private Grazing Land Program – is authorized by the conservation provisions of the Federal Agricultural Improvement and Reform Act (1996 Farm Bill). The intent of this provision is to provide accelerated technical assistance to owners and managers of grazing land. The purpose is to provide a coordinated technical program to conserve and enhance grazing land resources and provide related benefits to all citizens of the United States. Currently, funds have not been appropriated for this program. However, the 2002 Farm Bill mandates establishment of a separate funding line-item for this purpose.

Emergency Watershed Protection (EWP) Program – helps protect lives and property threatened by natural disasters such as floods, hurricanes, tornadoes, and wildfires. The program

is administered by the NRCS, which provides technical and financial assistance to preserve life and property threatened by excessive erosion and flooding. EWP provides funding to project sponsors for such work as clearing debris from clogged waterways, restoring vegetation, and stabilizing riverbanks. The measures that are taken must be environmentally and economically sound and generally benefit more than one property owner. NRCS provides up to 75 percent of the funds needed to restore the natural function of a watershed. The community or local sponsor of the work pays the remaining 25 percent, which can be provided by cash or in-kind services.

Environmental Quality Incentives Program (EQIP) – provides technical and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands in an environmentally beneficial manner. The program provides assistance to farmers and ranchers in complying with federal, state, and tribal environmental laws, and encourages environmental enhancement. The EQIP program is funded through the CCC. The purposes of the program are achieved through the implementation of an EQIP plan of operations, which includes structural and land management practices on eligible land. Contracts of up to ten years are made with eligible producers. Cost-share payments may be made to implement one or more eligible conservation practices, such as animal waste management facilities, terraces, filter strips, tree planting, and permanent wildlife habitat. Incentive payments can be made to implement one or more land management practices, such as nutrient management, pest management, and grazing land management.

Farmland Protection Program – provides matching funds to help purchase development rights to keep productive farm and ranchland in agricultural uses. Working through existing programs, the U.S. Department of Agriculture (USDA) partners with state, tribal, or local governments and non-governmental organizations to acquire conservation easements or other interests in land from landowners. USDA provides up to 50 percent of the fair market easement value. To qualify, farmland must: be part of a pending offer from a state, tribe, or local farmland protection program; be privately owned; have a conservation plan for highly erodible land; 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.

Wetlands Reserve Program – is a voluntary program offering landowners the opportunity to protect, restore, and enhance wetlands on their property. The USDA's NRCS provides technical and financial support to help landowners with their wetland restoration efforts. The NRCS goal is to achieve the greatest wetland functions and values, along with optimum wildlife habitat, on every acre enrolled in the program. This program offers landowners an opportunity to establish long-term conservation and wildlife practices and protection. The program offers three enrollment options:

- Permanent easement – conservation easement in perpetuity. This program pays the lowest of either agricultural value of land, established payment cap, or an amount offered by the landowner and pays 100 percent of wetland restoration costs.
- Thirty-year easement – 75 percent of permanent easement and 75 percent of restoration costs.
- Restoration cost-share agreement – agreement to re-establish degraded or lost wetlands for minimum of 10 years. The program pays 75 percent of the restoration costs.

Wildlife Habitat Incentives Program (WHIP) – is a voluntary program for people who want to develop and improve wildlife habitat primarily on private land. Through WHIP, USDA's NRCS provides both technical assistance and up to 75 percent cost-share assistance to establish and

improve fish and wildlife habitat. WHIP agreements between NRCS and the participant generally last from five to ten years from the date the agreement is signed. The 2002 Farm Bill provides for up to 15 percent of annual WHIP funds for increased cost-share payments to producers using agreements with a duration of at least 15 years.

U.S. Fish and Wildlife Service

North American Wetlands Conservation Fund – has funds for local governments with at least a 50 percent match to: (1) acquire real property interest in lands or waters, including water rights, if the obtaining of such interest is subject to terms and conditions that will ensure that the real property will be administered for the long-term conservation of such lands and waters and the migratory birds and other fish and wildlife dependent thereon; and (2) restore, manage, or enhance wetland ecosystems and other habitat for migratory birds and other fish and wildlife species if such restoration, management, or enhancement is conducted on lands and waters that are administered for the long-term conservation of such lands and waters and the migratory birds and other fish and wildlife dependent thereon. Further, funds from the Coastal Wetlands Planning, Protection, and Restoration Act may only be used in coastal wetlands ecosystems in coastal states.

National Coastal Wetlands Conservation Grant Program – is a program to acquire, restore, and enhance wetlands of coastal states and the trust territories has been established by the Coastal Wetlands Planning, Protection, and Restoration Act. Since enactment of the law in 1990, the NRCS has been working with the states to acquire, restore, manage, or enhance coastal wetlands through a matching grants program.

Cooperative Conservation Initiative – has funds available to support efforts to restore natural resources and establish or expand wildlife habitat. The program pays up to 50 percent.

Private Stewardship Grants – provides grants or other assistance on a competitive basis to individuals and groups engaged in private conservation efforts that benefits species listed or proposed as endangered or threatened under the Endangered Species Act, candidate species, or other at-risk species on private lands within the United States. The program pays up to 90 percent.

Cooperative Endangered Species Conservation Fund (Recovery Land Acquisition Grants) – is authorized under the Endangered Species Act. This fund provides grants to states and territories to support their participation in a wide array of voluntary conservation projects for listed species, as well as for species either proposed or candidates for listing. By law, the state or territory must contribute 25 percent of the estimated program costs of approved projects, or 10 percent when two or more states or territories undertake a joint project. One of the three grants available is the Recovery Land Acquisition Grants (\$17.8 million). These grants provide funds to states and territories for acquisition of habitat for endangered and threatened species in support of approved recovery plans.

Bonneville Power Administration

Wildlife Mitigation for the Federal Columbia River Power System – provides funding to acquire fish and wildlife habitat above Bonneville Dam.

Bureau of Reclamation

National Fish and Wildlife Foundation – the environmental restoration challenge grants program uses challenge grants, where recipients match funds, to encourage partnerships among federal agencies, tribes, state and/or local governments, nonprofit organizations, and individual landowners. The program offers reclamation awards grants for on-the-ground efforts to recover or conserve endangered or sensitive fish, plant, and wildlife species; restore riverine, wetland, riparian, or upland habitats; improve water quality; and control noxious weeds. All projects receiving reclamation funds must be connected to the waters or lands the Bureau of Reclamation administers.

Yakima River Basin Water Enhancement Project – the \$200 million project to address the problem of declining fish populations includes funding for restoring and repairing riparian habitat and acquiring land along the Yakima River.

State Programs

Washington State Conservation Commission

Conservation Reserve Enhancement Program – a joint partnership between the state of Washington and USDA that is administered by the Washington State Conservation Commission (WSCC) and the FSA. See Federal programs above.

Conservation Easements program (SHB 2754) – the WSCC is creating a Washington purchase of agricultural conservation easements program that will facilitate the use of federal funds, ease the burdens of local governments launching similar programs at the local level, and help local governments fight the conversion of agricultural lands.

Washington State Department of Ecology

Water Quality Financial Assistance – The state Department of Ecology administers funding from three programs:

- The Centennial Clean Water Fund (Centennial), which provides low-interest loans and grants for wastewater treatment facilities and fund-related activities to reduce nonpoint sources of water pollution.
- The State Revolving Loan Fund (SRF), which provides low-interest loans for wastewater treatment facilities and related activities, or to reduce nonpoint sources of water pollution.
- The Section 319 Nonpoint Source Grants Program (Section 319), which provides grants to reduce nonpoint sources of water pollution.

Examples of the type of projects that they have funded in the past:

- Planning, design, and construction of wastewater and stormwater treatment facilities.
- Agricultural best management practices projects.
- Stream and salmon habitat restoration.
- Local loan funds for water quality projects.
- Watershed planning.
- Water quality monitoring.
- Water reuse planning and facilities.
- Lake restoration.
- Wellhead protection.

- Acquiring wetland habitat for preservation.
- Construction of public boat pump-outs.
- Public information and education.

Salmon Recovery Funding Board

Salmon Recovery Funding Board (SRFB) – grants to provide funding of habitat protection and restoration projects and related programs and activities that produce sustainable and measurable benefits for fish and their habitat. Local governments, private landowners, conservation districts, Native American tribes, non-profit organizations, and special purpose districts are eligible to receive funding. Private landowners are eligible applicants only when the project takes place on their own land. All projects must come through the local lead entity group and a Technical Advisory Group to the SRFB for final funding decisions.

Interagency Committee on Outdoor Recreation

Washington Wildlife and Recreation Program – funds for municipal subdivisions, tribes, and state agencies in seven categories, including critical habitat and natural areas. They must be able to document at least a 50 percent match in funding for a project.

Washington State Department of Natural Resources

Aquatic Land Enhancement Grants – grants to state agencies, tribes, and local governments. The project sponsor must document a minimum 50 percent match in funds. Eligible projects must be associated with navigable waters and are limited to aquatic habitat acquisition projects (including conservation easements), restoration projects, and public access and development projects. Acquisition projects have first priority and restoration projects second priority.

Local Government Programs

Comprehensive Land Use Plan Policies – Policies in the plan requiring use of incentive programs to encourage water quality and habitat protection.

Land Acquisition or Purchase of Conservation Easements – County and city programs for acquisition funded by conservation futures or other local funding sources and federal and state. Funding noted above.

Long-Term Lease – Land trust/governmental agency leases property from the landowner, thereby preventing other uses of the property during the lease term.

Restoration of Habitat Projects – Projects to create fish passage at culverts, restore estuaries, etc., with conservation futures or other local funding sources and federal and state funding noted above.

Purchase of Development Rights – The local government purchases rights to develop as allowed under current zoning from the landowner with conservation futures or other local, state, or federal funding sources.

Transfer of Development Rights – The local government sets up a program whereby development rights may be transferred from agricultural land to an area where higher densities are encouraged.

Open Space Taxation – The Open Space Taxation Act, enacted in 1970, allows property owners to have their open space, farm and agricultural, and timberlands valued at their current use rather than their highest and best use. The act allows for property tax abatement for land designated as open space land in local comprehensive plan and zoned accordingly or otherwise meeting certain criteria. To receive property tax relief, a landowner must apply for and receive the open space classification and abide by the restrictions placed upon the land in the open space classification. The owner is obliged to leave property in the program for ten years, or face penalties upon withdrawal. Some counties have made it easier for property owners to enter the system by adopting a public benefit rating system. If the county legislative authority has established a public benefit rating system for the open space classification, the criteria contained within the rating system govern the eligibility of the lands described in each application for that classification and the current use valuation of that land.

Nongovernmental Organizations

Land Trusts – Local and national land trusts can be used to acquire fee simple or conservation easements in habitat.