

# FARM AND RANCHLAND PROTECTION PROGRAM

**Final Rule 2008 Farm Bill**

# Overview



- Program changes in Final Rule for 2008 Farm Bill
  - Certification Process
  - Land eligibility / scoring

# Certification



- Has no impact on ability to receive grant funding
- Certified Entity
  - ▣ Have capacity to implement FRPP with minimal input
    - Makes FRPP job easier
  - ▣ Entity has 180 days if non-compliant
  - ▣ State Conservationist may de-certified entity if non-compliant
  - ▣ 5-year agreement vs. 3-year agreement
- State Conservationist recommends certification to NRCS Chief who has final authority to approve or deny

# What would certification mean for City?

## Current Process

- City submits appraisal for FRPP Technical Review
- City submits Easement to FRPP for review
- City submits title commitment for FRPP review
- City closes and submits all documents for reimbursement

## Certified Entity Process

- City completes easement acquisition without review by FRPP prior to closing and recording easement
- City submits the filed deed and all documents for reimbursement
- FRPP reviews minimum 10% of deals for compliance

# Certification Requirements



- Entity must have acquired, hold and manage at least 25 conservation easements
  - ▣ 5 of which must be FRPP easements, over last 5 years
- Average closing efficiency of 18 months or less for FRPP projects, over the previous 5 years
  - ▣ 50% parcels closed in 18 months or less
- Entity executes the entire acquisition process without prior FRPP review (appraisal, deed and title)

# Where does the city stand?



- City holds 13 conservation easements
  - ▣ Easements with partners as lead agency, do not count toward 25 minimum
  - ▣ Additional 3+ to be completed before end of year
- City has completed 10 easements with FRPP
- City's closing efficiency: 10 months (average)
  
- May request certification when submitting application for funding
- May request waiver if minimum requirements not met

# Certification Process



- Certification Process To Be Determined
  - ▣ Looking at Land Trust Alliance Accreditation Process

# Land Eligibility / Scoring

- 66% of land may be forest land
  - ▣ Previously at least 50% had to be in agriculture production
- Size of parcels
  - ▣ No minimum size limitation, but still favor larger parcels
  - ▣ Size Criteria
    - Parcels 30 – 50 acres = 2 points
    - Parcel less than 30 acres = 0 points
  - ▣ Additional criteria for ratio to average farm size in county (128 acres for Washtenaw)
    - Ratio < 1 = 0 points
    - Ratio 1.1 to 2 = 2 points
    - Ratio > 2 = 4 points



# New Farm Bill

- 2012 Farm Bill discussions underway