

U.S. Department of Agriculture  
Natural Resources Conservation Service

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**FARMLAND PROTECTION  
POLICY ACT  
ANNUAL REPORT  
FOR  
FY 2008**

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) 2008 Farmland Protection Policy Act (FPPA) Annual Report consists of three components:

- I. Progress of Federal agencies in implementing farmland protection;
- 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***

According to the FPPA final rule, 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). Federal agencies request assistance from the Natural Resources Conservation Service (NRCS) in complying with the FPPA by submitting a Farmland Conversion Impact Rating Sheet (Form AD-1006). The 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. In order to implement the 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 "local importance" by local ordinance or adoption by local government. When jurisdictions adopt local Land Evaluation and Site Assessment systems (LESA), Federal agencies use these systems to review activities that may impact farmland. Less than 10 percent of the reviews offered alternative sites or were able to use a local LESA system for the conversion evaluation and site assessment.

According to the 2001 USDA National Resources Inventory (NRI) data, in the period between 1992 and 2001 about 6 million acres (28 percent) of the new land developed was prime farmland. Between 1982 and 1992, about 4 million acres (29 percent) was prime farmland.

Correspondingly, the rate of prime farmland development increased from an average of 400,000 acres per year between 1982 and 1992 compared to 600,000 acres per year between 1992 and 2001. For more information about the NRI, visit <http://www.nrcs.usda.gov/technical/NRI/>.

The following table summarizes the land evaluated as a result of Federal projects from 1999-2008.

**Table 1 – FPPA and Important Farmland Numbers 1999-2008**

	% IMPORTANT FARMLAND (of total land evaluated)	IMPORTANT FARMLAND (within land evaluated)	AGENCIES SUBMITTING REQUESTS
Year	% Total Acres	Acres	No. of Agencies
1999	45%	83,452	13
2000	54%	134,975	22
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

In FY 2008, NRCS received 2,585 AD-1006 forms from 25 Federal agencies requesting assistance to evaluate the impact of proposed conversions of lands that would result from their projects. A total of 123,540 acres of land from 42 States were proposed for conversion to nonagricultural uses. Seventy-one percent of the acres reviewed were identified as important farmland (as defined in 7 CFR Part 657). Of the 87,902 important farmland acres reviewed, 58,571 were prime or unique farmland and 29,331 were State or locally important soils. Of the farmland acres proposed for conversion, North Carolina and Texas reported the greatest number of acres with over 30,142 and 19,751 acres respectively. Eight States reported no acres, and five States reported less than 100 acres with Federal impact actions that proposed farmland conversion (Tables 2 and 3).

In FY 2008, the Federal Highway Administration reported the greatest amount of important farmland proposed for conversion with 39,431 acres. The Department of Energy reported the second greatest amount of proposed conversion, 10,553 acres. These two agencies account for 57 percent of all proposed important farmland conversion (Table 4).

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

<b>STATES</b>	<b>ACRES</b>
NC	30,142
TX	19,751
MS	6,115
AR	5,200
LA	3,617
PA	2,878
IN	2,138
SC	1,919
KS	1,584
TN	1,397

**Table 3 - Acres of Farmland Proposed for Conversion by State**

<b>State</b>	<b>Total Land Acres Proposed</b>	<b>Percentage Land Acres Proposed</b>	<b>Total Important Farmland Acres proposed</b>	<b>Percentage Important Farmland Acres Proposed</b>	<b>State</b>	<b>Total Land Acres Proposed</b>	<b>Percentage Land Acres Proposed</b>	<b>Total Important Farmland Acres proposed</b>	<b>Percentage Important Farmland Acres Proposed</b>
<b>AK</b>	0	0.00%	0	0.00%	<b>MT</b>	200	0.16%	174	0.20%
<b>AL</b>	700	0.57%	565	0.64%	<b>NC</b>	30,862	24.98%	30,142	34.29%
<b>AR</b>	8,608	6.97%	5,200	5.92%	<b>ND</b>	876	0.71%	794	0.90%
<b>AZ</b>	1,197	0.97%	592	0.67%	<b>NE</b>	1,235	1.00%	207	0.24%
<b>CA</b>	1,187	0.96%	169	0.19%	<b>NH</b>	102	0.08%	39	0.04%
<b>CO</b>	0	0.00%	0	0.00%	<b>NJ</b>	0	0.00%	0	0.00%
<b>CT</b>	0	0.00%	0	0.00%	<b>NM</b>	40	0.03%	0	0.00%
<b>DE</b>	0	0.00%	0	0.00%	<b>NV</b>	2	0.00%	2	0.00%
<b>FL</b>	4,593	3.72%	11	0.01%	<b>NY</b>	87	0.07%	45	0.05%
<b>GA</b>	1,725	1.40%	982	1.12%	<b>OH</b>	363	0.29%	98	0.11%
<b>HI</b>	147	0.12%	86	0.10%	<b>OK</b>	233	0.19%	230	0.26%
<b>IA</b>	1,333	1.08%	1,151	1.31%	<b>OR</b>	348	0.28%	333	0.38%
<b>ID</b>	78	0.06%	43	0.05%	<b>PA</b>	4,536	3.67%	2,878	3.27%
<b>IL</b>	489	0.40%	482	0.55%	<b>RI</b>	0	0.00%	0	0.00%
<b>IN</b>	3,255	2.63%	2,138	2.43%	<b>SC</b>	2,012	1.63%	1,919	2.18%
<b>KS</b>	1,657	1.34%	1,584	1.80%	<b>SD</b>	2,014	1.63%	1,378	1.57%
<b>KY</b>	1,713	1.39%	738	0.84%	<b>TN</b>	2,174	1.76%	1,397	1.59%
<b>LA</b>	3,646	2.95%	3,617	4.11%	<b>TX</b>	27,423	22.20%	19,751	22.47%
<b>MA</b>	0	0.00%	0	0.00%	<b>UT</b>	279	0.23%	2	0.00%
<b>MD</b>	58	0.05%	20	0.02%	<b>VA</b>	2,240	1.81%	108	0.12%
<b>ME</b>	44	0.04%	27	0.03%	<b>VT</b>	122	0.10%	67	0.08%
<b>MI</b>	732	0.59%	299	0.34%	<b>WA</b>	1,397	1.13%	1,197	1.36%
<b>MN</b>	1,562	1.26%	1,350	1.54%	<b>WI</b>	532	0.43%	296	0.34%
<b>MO</b>	1,673	1.35%	1,076	1.22%	<b>WV</b>	900	0.73%	600	0.68%
<b>MS</b>	11,166	9.04%	6,115	6.96%	<b>WY</b>	0	0.00%	0	0.00%
					<b>Totals</b>	<b>123,540</b>	<b>100.00%</b>	<b>87,902</b>	<b>100.00%</b>

**Table 4 - Breakdown of Acres and AD-1006 Forms Received by Federal Agencies in FY 2008**

<b>Department</b>	<b>Federal Agency</b>	<b>AD1006 requests received</b>	<b>Total land - acres proposed</b>	<b>Total important farmland - acres proposed</b>	<b>Prime or Unique (Acres)</b>	<b>State and local farmland - acres proposed</b>
DHS	Federal Emergency Management Agency	30	817	804	528	276
DHS	Customs and Border Protection	9	357	171	32	139
DOA	Army Corps of Engineers	34	6181	3587	2,667	920
DOC	Econ Development Administration	0	0	0	0	0
DOD	Department of Defense	8	1458	393	338	55
DOE	Department of Energy	9	11060	10553	10,553	0
DOI	Bureau of Indian Affairs	10	23	20	0	20
DOI	Bureau of Land Management	2	50	50	49	1
DOI	Department of Interior	3	0	0	0	0
DOI	Fish & Wildlife Service	0	0	0	0	0
DOI	Indian Housing Authority	6	174	174	174	0
DOI	National Park Service	2	0	0	0	0
DOI	Office of Service Mining	0	0	0	0	0
DOJ	Bureau of Prisons	4	548	507	489	18
DOJ	Dept. of Justice	0	0	0	0	0
DHHS	Dept. of Health & Human Services	0	0	0	0	0
DOT	Dept. of Transportation	156	1780	1053	867	186
DOT	Fed Aviation Administration	59	12448	6919	6,263	656
DOE	Fed Energy Regulatory Commission	5	0	0	0	0
DOT	Federal Highway Administration	192	48782	39431	18,312	21,119
DOT	Federal Railroad Administration	3	798	28	27	1
EPA	Environmental Protection Agency	99	3326	2354	1,252	1,102
HUD	Housing Urban Development	888	3294	2504	2,139	365
HUD	Federal Housing Administration	234	9290	4986	3,821	1,165
TVA	Tennessee Valley Authority	5	100	91	86	5
USDA	Farm Service Agency	3	40	10	0	10
USDA	Forest Service	0	0	0	0	0
USDA	Natural Resources Conservation Service	245	8355	5787	4,685	1,102
USDA	Rural Development	477	12986	7053	5,326	1,727
USDA	Rural Utilities Service	91	1595	1399	935	464
VA	Veterans Administration	11	78	28	28	0
	<b>TOTALS</b>	<b>2,585</b>	<b>123,540</b>	<b>87,902</b>	<b>58,571</b>	<b>29,331</b>

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

In order to implement FPPA more efficiently, there is a proposal to update the technology used to accomplish FPPA tasks in a fully automated venue. 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 and 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 the Farmland Protection Act), the information used to complete the FPPA-Annual Report.

## ***III. Federal, State, and Local Efforts to Protect Farmland***

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, and 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.

From 1996-2008, over \$641.8 million in financial assistance from FRPP funds has been provided in 49 States to purchase easements on 2,220 farms and ranches totaling over 452,000 acres. Of the total acreage, almost 326,000 is classified as having prime, unique, and important farmland soil on the urban fringe that will be permanently protected from conversion to nonagricultural uses with these easements.

In the aggregate, 636,000 acres on 3,185 farms, with an estimated cumulative easement value of nearly \$1.87 billion, are scheduled to have closed easements in the near future.

The following two figures display information on programmatic accomplishments through FRPP cooperative agreements that obligated \$90 million in FY 2008 FRPP funds to protect nearly 78,000 acres on 320 farms.

Figure 1 - FY2008 FRPP Financial Assistance Dollars Obligated

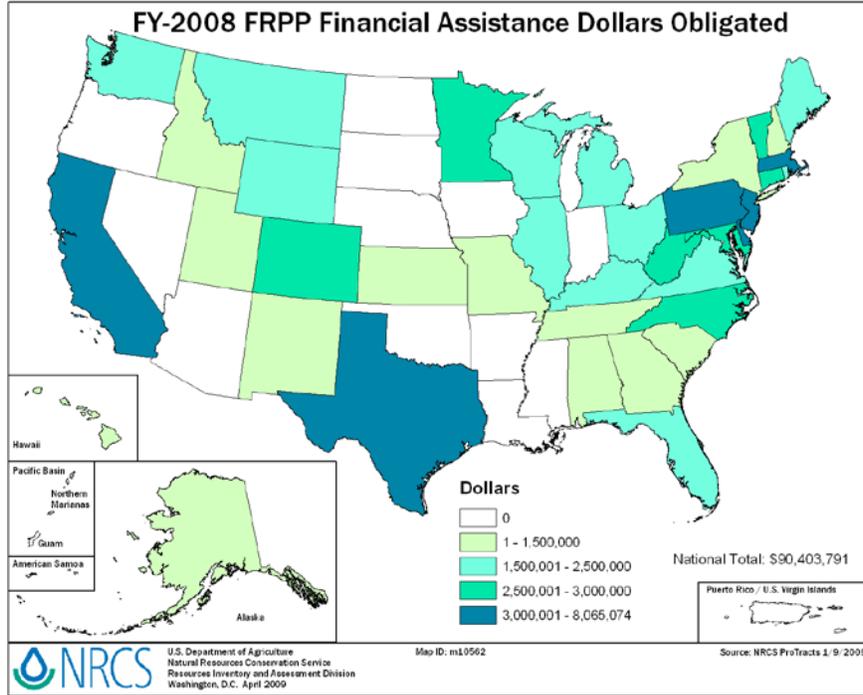
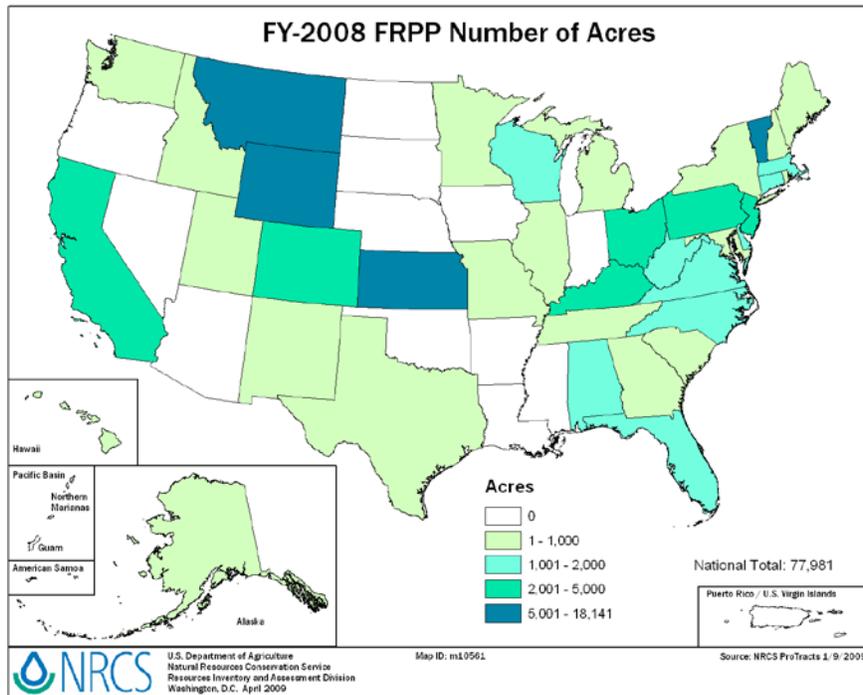


Figure 2 - FY2008 FRPP Number of Acres



More information on FRPP can be found at <http://www.nrcs.usda.gov/programs/frpp/>.

For States and local efforts under the provisions of the Farmland Protection Policy Act, [Section 1544(b), Public Law 97-88], the Farmland Information Center (FIC) provides general information, technical assistance, and targeted research based on inquiries from stakeholders to provide answers for communities trying to protect agricultural land resources from unnecessary conversion to nonagricultural uses. The Farmland Information Library is an electronic library located on the web at: <http://www.farmlandinfo.org/>.

In FY 2008, NRCS contributed \$236,000 to match American Farmland Trust's investment in the Farmland Information Center (FIC). During FY 2008, FIC staff provided direct technical assistance to 135 individuals from 36 States, the District of Columbia, and Canada.

In July, FIC staff attended a gathering of farm viability program professionals in Middlebury, Vermont. The workshop was hosted by the Vermont Farm Viability Enhancement Program, the Vermont Housing and Conservation board, and the Vermont Agency of Agriculture, Food, and Markets. Nearly 70 representatives from state departments of agriculture, extension, and interested non profit organizations attended the event. Staff made contacts and gathered information to distribute through the FIC.

During July, August, and September of 2008 there were 970,996 hits on the FIC Web site, down 17 percent from the previous quarter, but up at least 37 percent from the same quarter last year. There were 474,781 page views during the fourth quarter. Page views represent the Web pages retrieved by visitors as opposed to the files opened as elements of pages (i.e., hits). Page views and hits were generated during 89,717 visits. There was an average of 6,645 unique visitors per month. There were nearly 4 million hits during FY 2008, up 30 percent from last year. The number of visits during FY 2008 was 286,752.

Between July 1 and September 30, FIC staff responded to 135 requests for information via mail, e-mail, fax, and telephone. The number of technical requests declined 7 percent from last quarter (146) and 22 percent from the same quarter last year.

Since last October, staff responded to 532 requests for information, down 30 percent from the year-end total reported last fall (756). There are several reasons for the decline. First, more people are obtaining information online. Answer service staff report that a greater proportion of the individuals who contact FIC for information have already visited the FIC Web site. They contact the answer service with more sophisticated, follow up questions. In addition, the number of hits generated in FY 2008 was up 30 percent from last fiscal year.