# RESTORING
## RURAL ECONOMIES • LAND • WILDLIFE
# AMERICA

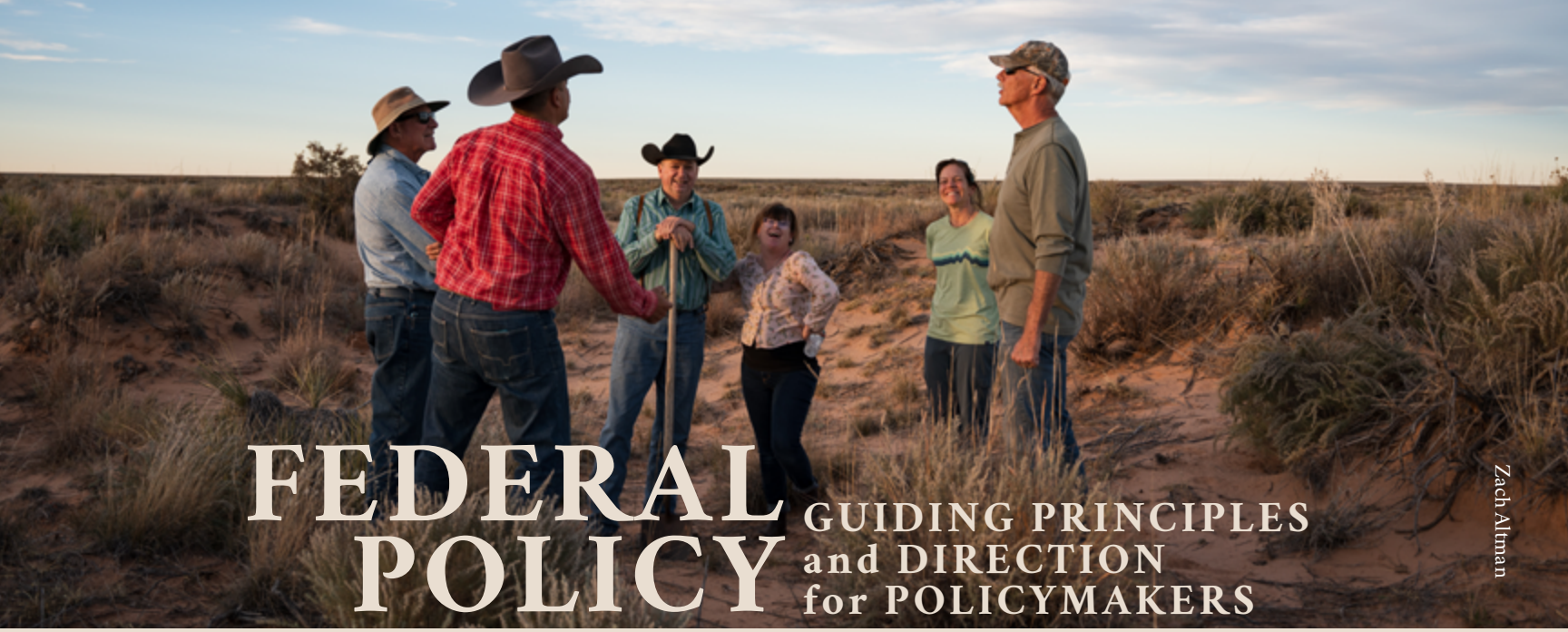
WESTERN LANDOWNERS ALLIANCE

Western Landowners Alliance is dedicated to keeping working lands whole, healthy and productive for the benefit of people and wildlife.

America's working lands provide the food, fiber, water, energy and ecosystems on which we all depend. These vital lands and the people who care for them are cornerstones of our national security, economy and quality of life.

It's not just people who depend on these lands. Eighty percent of wildlife rely on these same private lands for survival. America's croplands, grasslands, timberlands and wildlife habitats—along with the many public and environmental values they provide—are diminishing, posing serious risks to the nation's security and prosperity.

With the right public policies and strategic investments, we can change this. We offer the following guidance and recommendations we believe should be front and center in policy deliberations. Our recommendations are shaped by insights and expertise from landowners, agricultural producers and land managers from across the Western states.



Zach Altman

# FEDERAL POLICY GUIDING PRINCIPLES and DIRECTION for POLICYMAKERS

## Respect and prioritize working lands and the people who produce the food, raw materials and energy essential to all Americans.

• Working lands and rural communities must be a national priority.

• Ensure public policies at every level support the conservation, health and productivity of working lands. Flexibility and active management are needed to improve ecological function, resilience, and long-term health of rangelands and watersheds.[1]

• Design policies to strengthen the economic viability of working lands to ensure prosperous rural communities.

• Proactively engage the working lands community in all relevant areas of public policy and administration.

## Support the critical role working lands and the people who care for them play in sustaining wildlife and the environment.

• Acknowledge the importance of the landowner's role in conserving and managing grasslands, forests, wildlife habitats and water resources.

• Strengthen the resilience of working lands to drought, wildfire, extreme weather and other changing climate conditions.

• Respect and uphold private property rights.

• Remove regulatory barriers to conservation and stewardship on working lands. Landowners should not be penalized for supporting imperiled wildlife.

• Develop economic drivers such as habitat leasing and environmental markets to support working lands in sustaining wildlife and delivering critical ecosystem services.

• Provide fair compensation to landowners for property damage and income losses related to publicly managed wildlife and energy production.

## Take a partnership-based approach.

• Engage the working lands community early and often in policy making and implementation.

• Utilize and expand existing authorities, such as the Good Neighbor Authority and Stewardship Contracting, to promote public-private partnerships and inter agency cooperation.

• Invest in place-based collaborative partnerships for federal program delivery.

• Policies should reward proactive, voluntary conservation and ensure that litigation and Endangered Species Act (ESA) listings are a last resort.

• Congress should provide dedicated capacity for federal agencies, including resources and training, to complete National Environmental Policy ACT (NEPA) processes.

> *"The desire to achieve sustainable prosperity while conserving our lands, water and wildlife for future generations is a common-ground, non-partisan goal.*
>
> – Lesli Allison, CEO, Western Landowners Alliance

# STRENGTHEN ECONOMIC VIABILITY

## OF WORKING LANDS & RURAL ECONOMIES

Glenn Oakley

Working lands support people, community and wildlife. We need to keep them in business.

- **Improve the delivery of federal conservation programs, including the application, negotiation and payment process, as well as reporting requirements.**

- **Support landowners in continuing to provide quality habitat through habitat leasing, term and perpetual conservation easements and payment for ecological services.**

- **Create durable long-term funding mechanisms** that leverage federal, state, and private investments for working lands including public-private partnerships, pooled funding models, and conservation trust funds.

- **Provide tax incentives for land conservation, including deductions and transferable tax credits for voluntary conservation easements.** Conservation easements and tax benefits can relieve financial pressures and make it easier for families to maintain working lands amid development pressures. The transferability of the tax credit provides landowners financial benefit, particularly for those with low tax liability.

Jaxon Derow

> *The Environmental Quality Incentives Program has been essential to implementing stewardship practices on our ranch. Enrolling the same land in both Grassland Conservation Reserve Program and EQIP enabled us to adopt the practices needed to keep the ranch operational while maintaining our commitment to wildlife stewardship.*
>
> – Chris Robinson, Ensign Ranches, Carbon County, WY

Kenyon Fields

# RECOGNIZE & SUPPORT THE ROLE OF PRIVATE LANDS IN CONSERVING WILDLIFE

Landowners are essential partners in wildlife conservation.

Most wildlife in the United States depend on private lands for survival. Landowners appreciate wildlife and actively invest in conserving and restoring habitats and species.

However, elk and other big game can damage fencing, compete with livestock for forage, consume crops and carry transmittable disease. Large carnivores—expanding in range and abundance—further increase the potential for direct livestock loss and indirect impacts.

- **Recognize and support the crucial role that working lands play in sustaining big game and wildlife habitat.**

- **Advance the successful Wyoming USDA Migratory Big Game Partnership model by creating a unified DOI and USDA Big Game strategy across the West** that coordinates resources and removes program participation barriers for the working lands community

Read more about this in our Wyoming USDA Big Game Conservation Impact Report.

- **Support landowners in implementing large carnivore-livestock conflict reduction practices** by providing NRCS cost-share for livestock and habitat management via range riding, fencing practices such as electrified mats and fladry, and carcass management. Continue to support research on emerging technologies and practices to mitigate conflicts.

- **Expand financial and technical support for wildlife-livestock conflict reduction through existing conservation programs** and allow community-based organizations to enter into EQIP contracts to implement NRCS conflict reduction practices.[2]

- **Compensate producers for direct and indirect losses associated with the recovery of large carnivores** by providing an appropriation through the America's Conservation Enhancement (ACE) Act and other funding mechanisms.

- **Revise USDA Animal and Plant Health Inspection Service Wildlife Services standards for depredation investigations** to take into consideration the full body of evidence while utilizing the legal standard of "more likely than not" for determining if an animal has been depredated.

> ***We use our habitat lease payment for buying hay. We don't have much hay ground, so we need to buy around 200 tons a year to feed the cattle in the winter. The cost of hay ranges from about $145-285 per ton, so the extra income helps with these types of operating costs.***
>
> – Ronne Hogg, Hogg's Black Diamond Cattle Co, Meeteese, WY

## IMPROVE EXECUTION & IMPACT OF THE

# ENDANGERED SPECIES ACT

**2/3** ENDANGERED SPECIES DEPEND ON PRIVATE LANDS

The Endangered Species Act (ESA) is a vital wildlife safety net, yet its implementation can inadvertently hinder conservation by imposing penalties on landowners harboring imperiled species. Policy must recognize the essential role of working lands and private landowners in supporting wildlife, and it should promote collaborative, incentive-based approaches that are economically viable for landowners. Removing regulatory barriers and disincentives can enhance outcomes for both wildlife and people.

- **Support proactive voluntary conservation to avoid the need to list species under the ESA in the first place and accelerate the recovery and delisting of those already listed.**

- Enhance ESA regulatory certainty for voluntary, landowner-driven conservation through improved access to regulatory assurance agreements on both federal and private lands.

- Provide funding support for the ESA to states and NGO partners for developing, monitoring and administering long-term regulatory assurance agreements.

- Develop written guidance to support U.S. Fish and Wildlife (USFWS) personnel, state agencies, contractors and landowners in developing and administering regulatory assurance agreements.

- Provide targeted and protected funding within both the USFWS Ecological Services and the Partners for Fish and Wildlife program to better support landowners in the voluntary, proactive conservation and recovery of imperiled species.

*A habitat lease is a negotiated agreement between the landowner and a federal, state or private entity that provides payment for maintaining wildlife habitat. Habitat leasing is an example of a partnership-based approach to conservation that respects private property rights, recognizes the value of habitat on private land to wildlife, and enables income diversification to keep working lands intact and working.*

# ADDRESS CRITICAL WATER RESOURCE MANAGEMENT & DROUGHT

Water shortages in various parts of the country, and particularly in the American West, pose a critical threat to the future of working lands and all Americans.

- **Increase USDA program delivery capacity** and technical assistance expertise to engage and support producers in water resource management and conservation.

- **Provide a water resources/quality specialist in each NRCS state office** to support irrigation and watershed health improvements.

- **Provide consistent funding to encourage and support large-scale, multi-year watershed restoration projects.**

- **Support voluntary groundwater conservation easements in declining aquifers.**

- **Maintain support for USDA's Risk Management Agency Pasture, Range and Forage Insurance program.**

- **Invest in local water collaboratives and support landowner engagement in water policy decisions** so that the working lands community can advance opportunities for collaborative water management.

- **Full funding is needed for EQIP, CSP, RCPP, and PL-566, USFS Navigators Program, Water-Saving Commodities Program, Wetland Reserve Program, and the West Act** to address the water challenges of the West.

> *The frequency of droughts in the West has increased significantly and with it the economic costs have soared. The average cost of a drought event in the United States exceeds $9.5 billion.*
>
> *Community-based collaborative efforts to restore riparian ecosystems and voluntarily conserve water are key to creating drought resilient agriculture and communities in the West.*
>
> – Morgan Wagoner, Western Water Program Director, Western Landowners Alliance

IMPROVE

# PUBLIC LANDS MANAGEMENT

We need to improve the health and management of multiple-use public lands in the West.

- **Take a partnership approach utilizing Good Neighbor Authority, stewardship contracting and pooled conservation funds.**

- **Increase grazing management flexibility with retained accountability**.

- **Reform NEPA to better support efficiency, good stewardship, and conservation outcomes.**

- **Provide directives and guidance to ensure federal land policies and management consider the economic and ecological impacts to adjacent state, tribal and private lands.**

- **Uphold the multiple use directive on public lands, ensuring that all uses, including recreation, are held to the same environmental standards and NEPA analyses.**

- **In designing federal lands management strategies, including energy and recreation, proactively engage landowners to consider potential impacts and benefits to livestock operations, wildlife and surrounding private lands.**

- **Uphold private property rights and landowners' ability to control access to their lands and to manage their operations.** To address public-private checker-boarding and inholdings, improve voluntary access programs and expedite targeted land exchanges.

- **Promote and invest in joint cooperative monitoring on public lands** where permittees partner with outside entities to conduct land health monitoring on allotments.

- **Invest in watershed and forest health improvements to safeguard water supplies and mitigate wildfire.**

- **Actively manage public forests** to benefit watershed health and reduce the risk of wildfires.

- **Design post-fire grazing management strategies on federal allotments to meet specific site resource needs, such as invasive weed control, rather than imposing a mandatory two-year rest period.** Managed correctly and adaptively, cattle grazing can be a tool to reduce fuel loads, prevent wildfires and help restore post-fire rangeland.

- Invest in recruiting, training and retaining a qualified, efficient, service-oriented and adequately staffed federal workforce.

> *If we can do whatever we do (ranching) in a positive way on this place, maybe it will ripple out into the big world.*
>
> – Agee Smith, Cottonwood Ranch, Wells, NV

Melanie Elzinga

ENSURE

# RESPONSIBLE ENERGY DEVELOPMENT

Energy development is necessary to meet the nation's energy and security needs. Energy development in all forms must also be balanced with the conservation of other important agricultural, environmental, natural resource, economic and community values.

• **As part of the multiple-use ethic on federal lands, all forms of energy production should minimize their impacts to other land uses** such as livestock grazing, private lands, wildlife and water resources.

• **Planning for energy development should include appropriate environmental reviews and meaningful public input, including early and consistent engagement with affected grazing permittees and private landowners.** The potential for energy development to impact community and environmental values should be considered.

• **Design and installation of energy infrastructure, such as solar installations, should support multiple use (e.g. agrivoltaics)** whenever possible.

• **Respect private property rights.** Eminent domain should be avoided whenever possible and where it is exercised, landowners must be fairly compensated for losses of land value and land use.

• Use thoughtful, collaborative planning tools (such as community benefit agreements) to minimize land fragmentation.

Zach Altman

# FARM BILL CONSERVATION TITLE RECOMMENDATIONS

The Farm Bill represents a vital investment in partnership with America's farmers and ranchers to ensure food security, maintain a strong agricultural economy and conserve critical natural resources. The Farm Bill must include strong economic and technical support for land stewardship, and promote cost-effective locally led conservation initiatives.

• **Improve the delivery and implementation of the Farm Bill and other federal conservation programs** by by streamlining programs, reducing paperwork, improving service quality and efficiency, and partnering with qualified state agencies.

• **Encourage USDA to develop priority areas to focus** resources to lands with high wildlife values.

• **Adopt and provide funding under both the livestock and wildlife set-asides for conflict-reduction practices through the Environmental Quality Incentives Program (EQIP).**

• **Maintain full funding for Farm Bill Conservation Title programs:** Conservation Stewardship Program (CSP), EQIP, Conservation Reserve Program (CRP) and Grassland CRP, and Agricultural Conservation Easement Program/Agricultural Land Easements (ACEP-ALE).

• **Increase the CRP annual rental payment limitation** from $50,000 (set in 1985) to at least $125,000 to account for increasing land prices and inflation.

• **Increase compatibility between Grassland CRP, ACEP-ALE and EQIP** to achieve multiple conservation objectives in areas of ecological importance.

• **Ensure that Grassland CRP acreage does not contribute toward the 25% CRP county acreage cap.** Separate Grassland CRP and CRP acreage caps and provide USDA flexibility to adjust caps annually.[3]

• **Allow for targeted enrollment of lands with greater than 5% tree canopy cover**, particularly in landscapes facing degradation from encroachment of woody plant species such as eastern red cedar, pinyon and juniper.

• **Require meaningful utilization of NRCS state technical committees to engage local producers** in informing, improving and participating in Farm Bill programs.

• **Partner with producer trusted conservation districts, community-based organizations and land trusts** to work across agencies and provide technical assistance.

• **Reduce regulatory burdens and develop more predictable funding delivery** to support the capacity and general operating needs of community-based organization to assist in the delivery of federal conservation programs and large landscape management collaboration.[4]

## Endnotes

1 Invasion of woody plant species, annual grasses and invasive weeds on native grasslands represents a serious and growing risk to grassland ecosystems and the livelihoods of working lands stewards. Existing USDA programs and initiatives, such as Working Lands for Wildlife, work with producers to address these threats, but could be deployed in tandem with Grassland CRP in certain cases with additional long-term support to producers and conservation benefits.

2 Producers in large carnivore recovery areas bear a disproportionate cost relative to other producers and the general public. Particularly in areas where grizzly bears are expanding, human safety is also a concern and added cost. Farm Bill conservation programs could support conflict reduction at the producer and community-level through the development of conflict reduction conservation practice standards and dedicated support through EQIP, CRP, RCPP and other programs.

3 The Farm Bill currently prohibits the Farm Service Agency from enrolling more than 25% of a county's cropland in CRP at any time. This limitation does not take into account the distinction between different CRP sub-programs and may unnecessarily limit eligibility for producers in the West. General CRP, which broadly focuses on removing highly erodible, environmentally sensitive and/or marginal land from production serves a different purpose from Grassland CRP, which allows enrolled lands to remain in certain forms of production in exchange for land not being developed or converted. Given this difference, Grassland CRP acres should not count toward the 25% county acreage cap.

4 Locally led collaboration is often the best path to ensuring positive outcomes on the ground for both agriculture and conservation. Place-based, producer-supported, collaborative conservation organizations assemble large-scale conservation projects, conduct educational outreach, provide technical assistance and connect landowners with federal and state resources and programs. They do this successfully based on local knowledge and through trust and relationships built over time. Investment is needed to support the organizational capacity of these local partners to do this important and publicly beneficial work. In turn, these local partners alleviate costs and administrative burdens from federal agencies.

Jaxon Derow

The Western Landowners Alliance advances policies and practices that sustain working lands, connected landscapes and native species.

For media inquiries, contact

**Louis Wertz**
Communications Director
louis@westernlandowners.org

To get involved, contact

**Shaleas Harrison**
Policy Manager
sharrison@westernlandowners.org

Cover and back cover photos by Zach Altman

WESTERN LANDOWNERS ALLIANCE

STEWARDSHIP WITH VISION

learn more at **westernlandowners.org**