



## **Farm and Ranch Lands Protection Program (FRPP) Issues of Concern**

June 15, 2006

This fiscal year, NRCS has changed many of the rules related to the Farm and Ranch Lands Protection Program (FRPP). These changes have raised concerns among established state and local farmland protection programs and land trusts alike. While program partners have been concerned for the past several years over growing duplicative and burdensome administrative requirements, the FY 2006 Announcement of Program Funding institutes several particularly troubling new requirements:

- Requiring program partners to use federal “yellow book” appraisals. This change will increase administrative costs for program partners (since appraisal costs are born by FRPP partners, not the FRPP program). And, given the lack of certified “yellow book” appraisers in many states, the requirement could well lead to a reduction in FRPP applications.
- Requiring that USDA’s Office of General Counsel reviews every easement and does a title review for each project prior to closing.
- Suggesting that USDA be named as a co-holder on every easement acquired using FRPP funds. This is a significant departure from the current requirement that USDA retain a contingent interest in property protected using FRPP funds.

Program partners have indicated to NRCS their strong concern about these new requirements. Comments from recent letters to NRCS Chief Knight include:

- Pennsylvania Secretary of Agriculture Dennis C. Wolff, referring to the appraisal, easement and title review requirements: “These new changes and requirements to the FRPP program will make this program ineffective for Pennsylvania’s state farmland preservation program and extremely burdensome for county program administrators to facilitate.”
- Vermont Housing and Conservation Board Executive Director Gus Seelig, and Vermont Secretary of Agriculture Steve Kerr, referring to USDA potentially co-holding easements: “Adding this whole new level of bureaucracy will make the efficient resolution of issues and timely response to landowners who are requesting changes and/or approvals nearly impossible.”
- State Secretaries of Agriculture from New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware and Virginia: “The FY 2006 Announcement of Program Funding has imposed significant new requirements on all program applicants, creating additional administrative and financial burdens on our state programs and causing a drop in FRPP applications in several of our states.”