

BPA Response on Project ID: 31018

- 1. Why is this program necessary when there are other incentive programs such as CREP?** CREP is a 15-year rental agreement program. When it is over the land can be converted back to farmland. It doesn't provide long-term protection for riparian buffers as a conservation easement would. CREP only allows 150 foot of riparian buffer to be installed. Along the Willamette River this is not adequate protection. Often the first terrace of the floodplain needs to be included, and can be up to ¼ mile away from the river. Currently, there is no conservation easement program in place that can be easily utilized by the farmer.

This proposal would pilot the development of a conservation easement program including conceptual changes to the CREP program. There is \$250 million available to the state of Oregon under CREP. To date, only \$7 million has been spent in the last two years. This project would act as a demonstration to introduce changes into the CREP Program to allow it to be used for conservation easements. This idea is currently being implemented in Maryland, Illinois, North Carolina and Minnesota. Landowners seem to be more amenable to an initial lump sum payment equal to the market value of their land. This ranges from about \$2,000 to \$3,000 per acre. The easement is in perpetuity. In this case the easement would be monitored by a SWCD, county, or a land trust with enforcement coming from the state.(See Maryland example attached).

- 2. What attributes of the USDA riparian protection programs are deemed inadequate for this area?** As mentioned above the requirements of CREP and CRP allow only for 150 foot buffers along the river. According to Stan Gregory, OSU Department of Fisheries and Wildlife, a larger meander corridor is needed to re-establish historic complexity and rejuvenate floodplain function.(See Stan Gregory letter attached). With the intensity of the flood events, trees and shrubs need to cover the first terrace of the floodplain as they did historically. The CREP and CRP programs are rental programs and do not protect the riparian buffer longer than 15 years.

For a variety of reasons landowners feel more comfortable working with a local, non-profit organization rather than a government agency. Cascade Pacific RC&D has a long time working relationship with farmers in the mid-Willamette Valley, and has developed trust and excellent communication with the farmers in our pilot area. Two of our eleven member Board of Directors are agricultural producers. This representation has given credibility to this project. Currently, two landowners are ready to sign up for conservation easement along the mainstem Willamette River.

- 3. How would the proposed approach address those inadequacies?** The limitation of 150- foot buffer would be addressed, because an easement can cover a larger area. A CREP rental agreement supplemented by a conservation easement, or in some

instances an outright easement or land acquisition would be options available to the landowner.

CPRC&D, as a non-profit organization, has an advantage over government when working with landowners. Farmers, in particular, have a distrust of government. CPRC&D has a long-standing working relationship with farmers along the Willamette River which gives us a better chance of starting and gaining acceptance of a conservation easement program. We hope with this pilot we will begin a trend where partners such as the County, OWEB, and State Parks might join the vision of a restoring the greenway along the Willamette River.

- 4. How would the proposed program differ from CREP and other state and federal programs?** Described in Question 1 and 2.
- 5. How will the proposed program meet conservation objectives? What are the benefits to fish and wildlife?** Riparian gallery forest along the Willamette River provide many benefits to fish and wildlife including 1) Bank stabilization, 2) Improved water quality, 3) Reduced flooding and sedimentation, 4) Additional wildlife habitat, 5) Cooler stream temperatures, and 6) Improved floodplain function. Deep-rooted vegetation binds the soil along rivers which prevents sloughing during high runoff. Trees, shrubs and grasses along rivers remove sediment, nutrients, pesticides, pathogens, and other potential pollutants before they enter surface or groundwater. They also help retain runoff longer, improve infiltration, and filter out sediments that might be otherwise delivered downstream during floods. Trees and shrubs supply habitat and travel corridors for many wildlife species. They also cool the river which increases food and oxygen available for fish. (See letter from Stan Gregory).
- 6. What are the oversight and easement requirements? What sort of oversight will occur?** The oversight will be modeled after the Maryland Easement Program. (See attached).
Once an easement is purchased it will be inspected annually to make sure it is in compliance with the conditions of the easement document. The easements may be held by a county, Soil and Water Conservation District, or land trust.
- 7. Will the program be more flexible than state and federal programs? Yes.** In addition to state and federal programs there will be a conservation easement option. Currently, there is no conservation easement program in Oregon.

This will allow CPRC&D to tailor a conservation approach with a variety of tools for each landowner. To date, landowners along the Willamette River have not been enticed by CRP and CREP. They have shown interest in the idea of a lump-sum payment for a perpetual easement. If we can get a few sample easements installed, we feel that the program will take off and other farmers will follow suite.

- 8. What are the guiding principles and standards for the landowner developed program?** The guiding principle for the landowner program is to identify a meander belt along the Willamette River and return it to riparian gallery forest using CREP, conservation easements and land acquisition in order to keep it permanently in place from generation to generation. This will protect the land from future erosion, keep the river cooler and healthier and increase food and oxygen for fish, improve water quality by acting as a filter for pesticides, pathogens and other potential pollutants, and enhance wildlife habitat by providing travel corridors, food and shelter.