### Council Member Applicant and Proposal Information Summary Sheet

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Project Identification				
Project Title: Strategic Land Pro	tection, Conservation, and Enh	ancement of Priority Gulf Coast La	ndscapes	
State(s): AL, FL, MS, TX, LA	County/City/R	egion: Gulf Coast Region		
General Location: Projects must be	located within the Gulf Coast Region as	defined in RESTORE Act. (attach map or pho	tos, if applicable)	
Conservation actions will be imp	plemented across the landscap	es within the Gulf Coast Region		
	Project	Description		
<b>RESTORE Goals:</b> Identify all RESTOR	E Act goals this project supports. Place o	a <b>P</b> for Priority Goal, and <b>S</b> for Secondary Go	als.	
<u>P</u> Restore and Conserve Ha <u>S</u> Restore Water Quality <u>S</u> Restore and Revitalize the		<u>S</u> Replenish and Protect Livin <u>S</u> Enhance Community Resil	ng Coastal and Marine Resources ience	
<b>RESTORE Objectives</b> : Identify all R	ESTORE Act objectives this project supp	orts. Place a <b>P</b> for Priority Objective, and <b>S</b> fo	r secondary objectives.	
<u>P</u> Restore, Enhance, and Pro <u>S</u> Restore, Improve, and Pro <u>S</u> Protect and Restore Living <u>S</u> Restore and Enhance Natu	otect Water Resources g Coastal & Marine Resources	<u>S</u> Promote Community Resil <u>S</u> Promote Natural Resource Environmental Education <u>S</u> Improve Science-Based D	Stewardship and	
X Priority 1: Projects that are X Priority 2: Large-scale proje X Priority 3: Projects containe	projected to make the greatest of ects and programs that are project of in existing Gulf Coast State of	ports. [full text provided in Guidelines: Section contribution ected to substantially contribute to a comprehensive plans for the restora natural resources, ecosystems, fishe	restoring tion	
RESTORE Commitments: Identify   X Commitment to Science-bas   X Commitment to Regional E   X Commitment to Engagement   X Commitment to Leverage R   X Commitment to Delivering	ed Decision Making cosystem-based Approach to R at, Inclusion, and Transparency esources and Partnerships	estoration		
<b>RESTORE Proposal Type and Ph</b>	ases: Please identify which type and p	phase best suits this proposal.		
Project X_ Planning Technical Assistance X_ Implementation X_ Program				
Project Cost and Duration				
<u>Project Cost Estimate:</u> Total :	\$103,467,437	Project Timing Estimate: Date Anticipated to Start: Time to Completion: Anticipated Project Lifespan:	01/2016 5 years > 30 years	

#### **Executive Summary**

#### <u>Strategic Land Protection, Conservation, and Enhancement of Priority Lands</u> within the Gulf of Mexico

The Gulf of Mexico is a comprehensive, interconnected ecosystem made up of multiple habitats ranging from open blue water, to estuarine coastal marshes, maritime coastal forests and Chenier plains, to upland terrestrial longleaf pines. All of these systems are inextricably linked through abiotic characteristics of ecological flows of nutrients, hydrology, hydrodynamics, and sediment movement, as well as biotic connections of wildlife and fisheries population dynamics, habitat utilization, and migration patterns. The restoration of such a complex system requires the acknowledgment that we cannot restore everything immediately, nor see a response to restoration right away. As with most restoration efforts there are lag periods associated with the abiotic and linked biotic response of the system. There is also an acknowledgement that initial restoration steps need to be foundational in nature, address conservation pressures, provide opportunity to remedy root causes of habitat degradation and function, and provide significant sustainability and longevity of actions that together will yield great community benefits in the long term. This proposal aims to address the focus areas of habitat and water quality, as well address other RESTORE goals of protecting living resources and enhancing community resilience. By proposing a land conservation and protection strategy, we strategically engage multiple facets of land protection and conservation across the Gulf that address significant conservation priorities and have tangible and multiple long-term benefits for the Gulf of Mexico ecosystem.

This proposal's objectives are the following:

- 1. Protect *priority lands*, through fee-simple and conservation easement programs throughout the Gulf of Mexico.
- 2. Establish a Gulf-wide conservation enrollment assistance program that provides funds to assist with due diligence and monitoring support for voluntary donations of fee simple or conservation easements.
- 3. Create a strategic conservation landscape assessment framework for future land acquisition prioritization through collaborative conservation planning and design.
- 4. Utilize monitoring to understand effects of land conservation on habitat characteristics.
- 5. Undertake education and outreach activities to describe the values of land protection for habitat, water quality improvement and for securing the future of the Gulf of Mexico.

These five objectives underline the commitment to a regional based approach to ecosystem restoration.

These objectives ensure this proposal meets the RESTORE Act priority criteria to achieve comprehensive ecosystem restoration including: a project that makes the greatest contribution to protecting natural resources; large scale project that substantially contributes to restoring and protecting fisheries, marine and wildlife habitats and coastal wetlands; and projects that restore the long-term resiliency of the Gulf coast ecosystem.

Under this proposal, lands will be acquired from willing sellers using two methods: fee simple acquisition and conservation easements. Furthermore, due diligence and monitoring support will be provided to aid in increasing the acreage of land potentially enrolled. The lands to be purchased will be carefully selected and acquired at fair market value unless landowners specifically prefer to do a bargain sale or donation. Values will be determined using the Uniform Appraisal Standards for Federal Land Acquisition (otherwise known as Yellowbook). Acquisitions and programs within this proposal will not be rushed to spend the dollars available, but rather will wait on appropriate land holdings to become available. Conservation easements will be held by a qualified private or public agency based on location and habitat acquired. Additionally, efforts of Gulf-wide, multi-agency restoration organizations will be leveraged and engaged to create a strategic land acquisition assessment to establish future land holdings that would be foundational in the preservation of the Gulf of Mexico ecosystem within each state.

There are uncertainties and risks associated with any strategy for land protection. The knowledge that there is a program available to purchase lands will likely lead to increased property values and interest in getting different pieces of properties sold. But adhering to the priority criteria for acquisition as well as only being able to pay fair market value will reduce these two risks. Another necessity is ensuring the required management, maintenance, and sustainability of the acquired lands. By enrolling lands into established state and federal programs or NGO organization easements, the lands will be restored and maintained in perpetuity. Restoration and management needs of the acquired properties will be evaluated on a case by case basis. Management needs of land parcels will be documented, prioritized, and funding avenues investigated to help towards full restoration, and maintenance of ecological functioning.

RESTORE Council Co-Leads:

- Department of the Interior (DOI)
- United States Department of Agriculture (USDA)

#### **RESTORE** Council Partners:

- Texas
- Florida
- Alabama
- Mississippi
- Environmental Protection Agency
- Department of Commerce (DOC)

### Strategic Land Protection, Conservation, and Enhancement of Priority Lands within the Gulf of Mexico

Land protection and conservation in the Gulf of Mexico creates a **foundation** to secure the future of the Gulf of Mexico for generations to come. Effective conservation of natural resources on private lands is critical because private property is the dominant form of landownership in the Gulf. Ultimately those lands derive multiple ecosystem services for adjacent and downstream ecosystems (Stroman and Kreuter, 2014). Land conservation efforts across the Gulf are diverse, and are undertaken by multiple organizations. As such, there are a number of tools that can be used to conserve and protect critical land parcels to enhance water quality delivery to priority bays and estuaries, and establish sustainable habitats for wildlife and fisheries.

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#### **The Science Behind Land Protection**

Connectivity of landscape is the most important environmental characteristic for productive ecosystem functioning and integrity of multiple coastal ecosystems. Connectivity of estuarine coastal ecosystems influences provisions of ecosystem services and upstream management preserves synergistic effects of service delivery (Barbier et al., 2011). The *foundational* and *sustainable* nature of land protection and conservation strategy will contribute significantly to the overarching restoration and recovery of habitats and resources affected by the *Deepwater Horizon* oil spill. **Foundationally**, land protection and conservation of coastal terrestrial and ecotone habitats will not only preserve priority habitats that support migratory birds (Buler et al., 2007) but also enhance the delivery of natural ecosystem services to priority bays and estuaries which enhance critical ecosystem functions of community dependent fisheries resources. Ecosystems, rivers and estuaries, fish and wildlife, and local communities depend on and enjoy healthy natural spaces. Land protection tools such as fee simple acquisition and conservation easements have been successfully implemented across the Gulf region by dedicated land conservation institutions for the benefit of many diverse resources (e.g. threatened and endangered species or critical habitats; community benefits) (PGCLC 2014).

Typically, land conservation occurs through either owning the land outright (fee simple acquisitions), thereby acquiring full property interest or through conservation easements, which is partial interest in the land (Parker 2008) accomplished through perpetual deed restrictions. Fee

simple acquisition has historically been an important tool utilized by land conservation institutions (federal, state, local governments, or private organizations) for procuring land titles. Some 86% of land<sup>1</sup> in the five Gulf states is privately owned and is in agricultural or forestry use (USDA-NRCS 2014). In many of these privately owned areas, fee simple acquisition is not feasible or economical, or the best long-term option. To achieve permanent land protection in priority landscapes, the land conservation community has turned, in more recent history, to conservation easements as a tool (Merenlender et al., 2004; Rissman et al., 2007; Parker 2008; Olmsted 2011; AFT 2005). According to the National Conservation Easement Database, there were 105,884 conservation easements in the United States protecting 22,204,790 million acres through October 2014 (http://nced.conservationregistry.org/). Conservation easements are clearly an important land conservation tool that ensures private lands remain in private ownership, but serves the public by permanently protecting values such as important fish and wildlife habitat, watersheds and waterways, scenic viewsheds, working forests and agricultural landscapes and recreational lands. Increasing the capacity of land trusts in the Gulf of Mexico region to advance the use of conservation easements will help fulfill the overarching goal of the Ecosystem Restoration Council and others to restore the Gulf of Mexico ecosystem.

A conservation easement (also called a conservation servitude in Louisiana) is a voluntary, legally binding agreement with willing land holders that allows the owner to manage the land in a way that benefits habitats and species of concern and are intended to last into perpetuity (Olmstead 2011). The title remains with the owner of the property (Merenlender et al., 2004; Cummins 2011) and can generate income or create tax deductions for landowners (Parker 2008). In the US, conservation investments allocated to easements has grown exponentially (Fishburn et al., 2009). It has been reported that 70% of the area of land protected in any given year, and half of the financial investment, is allocated to easements (Fishburn et al., 2009). There is more opportunity for using this tool in the Gulf Coast region as current land trusts operating in the Gulf use fee acquisition, easements, and re-conveyance fairly equally as their main tools for land protection/conservation on private lands (LTA 2011). Increasing the capacity of land trusts in the Gulf of Mexico region to advance the use of conservation easements will help fulfill the overarching goal of the Ecosystem Restoration Council and others to restore the Gulf of Mexico ecosystem.

According to a USDA-NRCS report, the future of conservation and ecosystem preservation of the Gulf, including coastal watersheds, has to focus on the management of private lands (USDA-NRCS, 2014). Furthermore, statistics highlight that 95% of all federally endangered and threatened flora and fauna occur on private lands, with 19% of those species occurring only on private lands (Wilcove et al., 1996). While current federal, state, and private conservation-owned lands across the landscape protect important habitats and resources, in many cases they are unconnected 'islands' of survival. Working with willing land holders on strategic conservation of land through easements or acquisition will help to connect these fragmented habitats and watersheds that ultimately affect our coastal waters. Economic benefit or 'conservation capital' of land conservation initiatives are well-documented in the literature (Madsen et al. 2006; TPL 2009, 2010; TNC 2009; Levitt 2010) and are generally acknowledged in terms of tourism and outdoor recreation, agriculture, freshwater resources, promotion of a clean and plentiful supply of water, positive effects on coastal counties and resources, reduction in air pollution, prevention of flood

<sup>&</sup>lt;sup>1</sup> The PGCLC Land Conservation Vision (PGCLC, 2014) identified 38 million acres of priority areas for conservation within the RESTORE Act defined area, of which 71% is private, 18% is federal, and 8% is State owned, only 3% is in private conservation.

damage, climate change mitigation, preservation of the infrastructure and history, and reduction of service costs compared to residential development (TNC 2009 - Florida; Madsen et al., 2006 -Georgia). Protecting open spaces have *tangible community benefits* by creating an offset to protect community infrastructure, creating open spaces that provide areas for people to witness and learn about their natural environment, and provide opportunities for low impact recreational activity such as observation of birds, wildlife, fishing, net-casting and kayaking (TPL 2010). In Florida, these ecosystem services were valued at \$1.8B/yr (TNC 2009). A study done by the Trust for Public Land found that every \$1 invested in land conservation returns \$4 in economic value from natural resource goods and services alone on the federal land funded by the Land and Water Conservation Fund. Also, natural open space has a positive effect on property values (up to 23% higher - Merenlender et al., 2004; Madsen et al., 2006; Kroeger 2008; McConnell & Walls 2008). These spaces generate increased property tax revenue and yield a better return on investment than development (Curran 2001; AFT 2005; TPL 2009). This has been shown repeatedly across the country and specifically in the southeast US (northeast Florida – Kiker and Hodges 2002; Florida - Reynolds and Regalado 2002; Texas - Nicholls and Crompton 2005). In the case of agricultural and forest lands, easements allow ecological benefits, while economic production of local goods is able to continue, soil loss from erosion is prevented by not using the property for residential development, and the cost of treating drinking water decreases due to forest cover (AFT 2005; Parker 2008; TPL 2009). Working farms or woodlands require \$0.82 in expenditures for every dollar earned in revenue whereas residential lands require \$1.16 in expenditures, excluding costs of schools (Madsen et al 2006).

Economics aside, the ecological value of land conservation is undeniable, especially in a time when species and habitats are being lost at alarming rates. Values of conservation lands include watershed water quality benefits, conservation of priority bird and wildlife habitat, preservation of open spaces, buffering of sensitive public lands, and allowing the "character" of the ecosystem to be maintained (Dunn et al., 1993; Wallace et al., 2008; PGCLC 2014). By conserving parcels of land adjacent to already conserved state or federal lands, conservation lands are further connected providing ecological corridors and reducing complications associated with isolated management of fire, invasive species, and targeted wildlife. With a changing climate and sea-level rise eroding Gulf Coast shorelines, strategic land protection can allow for migration of coastal habitats and resources. Some of the most important ecological issues we face on land and at sea include land and water use patterns, water management, biodiversity protection, and climate adaptation. Strategic land conservation at large landscape scales can begin to tackle these issues to ensure sustainability of our Gulf Coast habitats and resources (McKinney et al., 2010). Strategic land protection and conservation highlights the commitment to science-based decision making that land conservation is a sustainable restoration practice for sustainable ecosystems services delivery, as well as Gulf of Mexico restoration.

The *foundational* and *sustainable* purposes, benefits, and tools used for land conservation are diverse, but are absolutely essential in addressing comprehensive ecosystem restoration of the Gulf of Mexico. There are many <u>uncertainties and risks</u> associated with taking foundational steps for conserving land. Up front, there are costs associated with due-diligence (e.g. appraisals, title review, mineral determinations, coordination, surveys, legal, environmental site assessments, and baseline documentation). Acquiring interest in real property in the Gulf coast region can sometimes be significantly more expensive than inland properties. Furthermore, property that is acquired or enrolled in an easement program have associated long-term costs for monitoring, management, and general stewardship (Parker 2008) that need to be accounted for. The operations

and management (O&M) of acquired lands and conservation easements will be of concern to agencies and organizations that will be responsible for their long-term administration. This O&M ties specifically to continued management in the future to maintain ecological functioning. By foundationally acquiring lands and placing easements on others, we secure the platform for sustained long-term management. An additional uncertainty with respect to easements is tied socially to a shift in motivation of land protection from generation to generation which could hinder long-term land protection (Stroman and Kreuter, 2014). Stroman and Kreuter (2014) indicate easement holders must maintain satisfaction with successive generations of landowners on receipt of conservation easements. It is imperative to work closely with land conservation institutions such as land trusts and landholders to educate them on the importance of their land and allay negative perceptions associated with land protection through our continued *commitment to engagement, transparency, and inclusion*.

#### The role of land conservation in meeting Priority Criteria of the RESTORE Act

The conservation legacy of state fish and wildlife agencies, federal land management agencies, NGOs and private land stewards have provided a strong foundation to help protect and restore the ecological richness of the Gulf of Mexico region. This foundation is the result of over 100 years of mostly independent funding initiatives and opportunities that focused on an organization's highest conservation priorities. However, these conservation actions were implemented with mostly limited resources and within the context of the organization's conservation practices of the time. During this same period, the extent of undeveloped land (e.g., farm, timber and range lands) that served as de facto buffers and complementary habitat to conservation areas has significantly diminished. Today, conservation lands and the wildlife dependent upon them are being boxed in as competing land uses grow on the landscape and the impacts of climate change increase, especially on coastal lands vulnerable to sea-level rise. Land conservation is an important restoration tool that is: 1) projected to make a significant contribution to restoring and protecting natural resources of the Gulf; 2) has a large spatial scale of influence that will substantially contribute to Gulf-wide ecosystem restoration in multiple ecoregions; and 3) will foundationally restore the long-term resiliency of multiple ecosystems across the Gulf. Land protection has been emphasized in numerous Gulf Coast comprehensive plans, strategies and visions for the restoration of the Gulf prior to and after the Deepwater Horizon oil spill by federal agencies (GCJV 2002; Vermillion et al 2012; USFWS 2011, 2013; USDA-NRCS 2014), state agencies (DMR 2002; MFC 2007), academic community (Peterson et al. 2011 - PEW), and the NGO community (Brown et al. 2011; OC 2011; DU 2012; Audubon 2012; Smith 2014). Many land conservation institutions have provided tools to show their priority locations for conservation such as PGCLC Conservation Vision (PGCLC 2014), LTMCP Conservation Legacy (LTMCP 2012) and TNC Ecoregional mapping tool (TNC 2000). In fact, in testimony to the House Transportation and Infrastructure committee regarding the Deepwater Horizon oil spill restoration the Director of Government Affairs and Alaska Program, stated that the committee should consider land acquisition an essential tool for mitigation of the oil spill, citing that habitat protection can provide the best outcomes for the environment and the economy. The Exxon Valdez oil spill Trustee Council opted to allocate 55% of their available funds to habitat conservation (Richardson 2011).

#### **PROPOSAL OBJECTIVES**

**Objective 1: Protect priority lands through fee simple acquisition and conservation easement** programs throughout the Gulf of Mexico Within this objective there are four action items:

Action #1: State lead Gulf-wide priority land protection, conservation, and enhancement Action #2: Competitive public grant program for enhancing land protection and conservation across the Gulf Action #3: Priority acquisitions enhancing habitat connectivity within DOI lands

Action #4: Establishment of the Gulf Coast Conservation Reserve Program through USDA

Action #1: State Specific Priority Areas for Land Protection, Conservation, and Enhancement Not all lands are created equal when it comes to protecting and sustaining ecosystems services in the Gulf of Mexico, as well as deriving the community benefits that are essential for collaborative ecological and economic growth. For state specific land acquisitions across the Gulf, all lands, within each state will be vetted against a set of established factors. The six factors listed below are not necessarily in any given priority order. All of the factors are considered by all of the states to be important elements of an overall selection process for parcel acquisition of <u>willing-sellers</u>:

- <u>Scale that supports ecosystem processes</u>. As a stand-alone project, or in conjunction with adjacent protected lands, conserves habitats and ecosystems on a scale that supports natural processes such as fire and predator-prey relationships, and of sufficient size and diversity to meet life-cycle needs and genetic dispersal of focal species.
- <u>Adjacency to existing publicly and/or privately owned/managed lands</u>. This would contribute to expanding the size of existing tracts of public lands that in theory support larger and more diverse plant and animal communities while also allowing for efficiencies with respect to costs associated with ongoing land management activities.
- <u>Support priority birds and wildlife for the region.</u> Habitats that already support priority birds and wildlife<sup>2</sup> (and assumedly high overall biodiversity associated with high habitat quality) inherently have higher value as target sites for acquisition because of the opportunity to provide direct conservation protection of the site.
- <u>Habitat quality and ecological services</u>. This factor weighs the habitat quality of coastal wetland and upland habitats sites and the economic valuation of the associated level of ecological and economic services provided by that site. For example, an intact tidal marsh promotes carbon sequestration as well as supports coastal fisheries and in turn contributes to the local and regional seafood economy.
- <u>Ecological corridors</u>. This factor considers how a site might contribute to creating/expanding a natural ecological corridor across the coastal landscape, especially as part of a transition from one habitat type to the next. This factor may also dovetail with the adjacency factor for some sites (i.e., located directly adjacent to an existing public holding).
- <u>Identified in state and/or federal land acquisition plans and in regional management plans</u>. –NGO organizations as well as federal and state agencies have produced countless strategies, reports, and prioritization lists of items for coastal restoration. There has been significant due diligence behind identifying lands for priority acquisition. Lands that complement or build upon existing management plans will be prioritized for acquisition.

<sup>&</sup>lt;sup>2</sup> Based on several references including Audubon's List of Gulf Wide Priority Birds, U.S. Fish & Wildlife Service list of priority birds and wildlife, US Shorebird Conservation Plan, Joint venture priority landscapes, SE US Waterbird Conservation Plan, Partners in Flight Plans for Bird Conservation Regions in the Gulf States (BCRs 25, 26, 27, 31, 37), NAWMP, States Wildlife Action Plans.

As a result of due diligence through multiple state, federal, and NGO led efforts, there are several areas within each state that have already been ranked as priority conservation areas. These priority areas as well as criteria have been established through significant public engagement which emphasizes the <u>commitment to engagement, inclusion, and transparency through the public, and vetting the need for land protection, conservation, and enhancement.</u> These priority areas are listed below by state. These priority areas will be refined, updated, and expanded upon based on additional planning and prioritization. Within each state's identified priority areas, the six factors articulated above will provide an avenue to evaluate and assess the potential of each property that would be eligible for acquisition.

#### Florida

Within Florida, funding would be allocated to eligible properties according to land managing state agency or Water Management District priorities at the time funding is made available. Eligible properties would be within counties immediately adjacent to the Gulf of Mexico, within the boundaries of the Northwest Florida or Suwannee River Water Management Districts (i.e., Escambia through Levy Counties), and within either the Florida Forever project boundaries determined by one of those two Water Management Districts or within the Climate Change Lands or Substantially Complete categories of Acquisition and Restoration Council-determined Florida Forever projects. Examples include, but are not be limited to, lands that would supplement the Wildlife Management Area system, such as remaining parcels at Escribano Point. These areas are critical to sustaining a range of threatened and endangered species and their habitats. Additionally, they protect Florida's water quality and coastal and marine resources and help support the local economies of these rural areas of critical economic concern. Because land acquisition has historically been a priority conservation strategy within the state, numerous publicly-owned properties are in need of restoration in order to enhance and sustain the ecological services they were acquired to preserve. Therefore, within Florida, at least 50% of the allocated funding will be dedicated to hydrological restoration activities on already protected tracts. Priority will be given to restoration on lands newly acquired with the remainder of the funding and then to publiclymanaged sites adjacent to those properties (i.e., within the same management unit). Any remaining funds will be eligible to be spent on other public land management units along the Gulf Coast.

#### Alabama

Within Alabama funding will be directed towards eligible properties within Alabama's Gulf Coast Region including those that support or complement the goals of existing state and federal land acquisition and management programs, such as the National Wildlife Refuge System, National Estuarine Research Reserve Program, and Alabama's Forever Wild Land Trust program establishment by constitutional amendment in 1992 (www.alabamaforeverwild.com). Priority areas for acquisition include, but are not limited to, Fort Morgan peninsula, Grand Bay savannah, Mobile-Tensaw River Delta, Dauphin Island, Lilian Swamp / Perdido River Corridor, the Weeks Bay watershed, and other areas that support existing planning and restoration efforts associated with habitat or water quality improvement and/or land acquisition. To be consistent with the proven land acquisition and stewardship strategy of the Forever Wild Land Trust, RESTORE funds may also be utilized to accomplish long-term management and stewardship of acquired properties.

#### Mississippi

Within Mississippi, funding would be allocated amongst eligible properties according to Mississippi state agencies and leveraged against the existing programs such as the Coastal Preserves Program, existing Secretary of the State properties, federal lands, as well as areas held in conservation easements by private NGO partners. Priority areas for acquiring lands are: Graveline Bay, Grand Bay, and Pascagoula / Escatawpa River systems (Jackson County); Turkey Creek, Wolf River (Harrison County); Hancock County Marsh (Hancock County). These priority areas have been identified through state agencies and NGO organizations within Mississippi.

#### Texas

Within Texas, funding would be allocated amongst eligible properties according to the Texas Commission on Environmental Quality, the Texas General Land Office, and the Texas Parks and Wildlife Department, in consultation with the Office of the Governor. Initial priority areas for acquiring lands would be Matagorda Bay/Powderhorn Lake, East Matagorda Bay, and the Laguna Atascosa – Bahia Grande Corridor and Galveston Bay and its watershed tributaries.

It is important to note that there is a significant need across the Gulf from a state perspective to invest heavily in land conservation and protection. This need, when totaled across all states, far surpasses the amount of funds currently available through the RESTORE program. Facets of land conservation will be leveraged where possible, *fulfilling our commitment to leveraging resources and partnerships*, but these funds are **foundational** steps towards land protection in each state.

# Action #2: An Open Competitive Public Grant Program for Enhancing Land Protection and Conservation

This action item proposes an **open competitive public grants** program that will make RESTORE funds available to enhance private/public partnerships that support land protection and conservation across the Gulf Coast. This program will be aimed at land trusts, NGOs, and institutes of higher learning across the Gulf that have an interest in land protection. This land protection grants program will have several unique objectives.

- Engagement and inclusion of public/private partnerships to significantly enhance land protection and conservation of priority landscapes in the Gulf.
- Emphasize leveraging efforts for land protection.
- Enhance the understandings of the benefit of land protection to communities across the Gulf, as well as habitat and water quality improvement across the Gulf.

This grants program will be administered through the EPA-Gulf of Mexico Program Office as they have a long track record of managing grants in the Gulf of Mexico region, have existing capacity to administer the program, and have inherent interest in water quality and habitat issues across the Gulf. The program will have, at a minimum the following characteristics: 1) occur with the statutory geographic scope as articulated by Treasury regulations; 2) the program will have a single call for proposals and will not be operated on an annual cycle; 3) a mandatory 1:1 cost share component of in-kind or leveraged funds; 4) strongly encouraged coordinated efforts between land conservation groups and their respective resource management agencies to enhance leveraging opportunities; and 5) fund projects that are *foundational* and *sustainable* to habitat protection and conservation and water quality improvement for the Gulf of Mexico. Staff scientists from the EPA-Gulf of Mexico Program Office as well as scientists from the NOAA Coastal Services Center will be engaged from an expertise perspective to merit review submissions. Federal, state, and other experts in land acquisition and protection will also be engaged to provide expertise to project and program selection.

#### Action #3: Priority Acquisitions Enhancing Habitat Connectivity within DOI Lands

The Department of Interior administers over 50 conservation areas within the Gulf Coast region, stretching from the southern tip of Texas to the Florida Keys. These public lands include national parks, seashores and memorials overseen by the National Park Service (NPS), national wildlife refuges managed by the US Fish and Wildlife Service (USFWS), and sensitive public domain lands administered by the Bureau of Land Management (BLM). These lands serve as core areas for conservation, providing habitat for fish and wildlife, protection and interpretation of cultural resources, and a source of recreation and enjoyment for the public. To ensure the long-term function and use of these lands, DOI is proposing to conserve key land parcels that serve to provide a buffer, increase connectivity, and/or facilitate larger landscape management and restoration. It is expected that DOI would hold title to lands conserved through acquisition in fee simple or conservation easement; however, there are important tracts that may be best held by a third party partner, especially if it facilitates management of the tract. As a foundational step to further habitat protection and enhancement, as well as provide protection of lands that will provide downstream water quality improvements, DOI has identified conservation priorities in each of the Gulf states. The NPS priority lands will increase the spatial footprint of the following National Parks: Everglades National Park (FL), Palo Alto Battlefield National Historical Park (TX), Gulf Island National Seashore (MS), and Jean Lafitte National Historical Park and Preserve (LA). The USFWS has identified priority tracts for the following National Wildlife Refuges: St. Marks (FL), Bon Secour (AL), Grand Bay (MS), Bayou Teche (LA) and Laguna Atascosa (TX). The BLM has priority lands on the Fort Morgan Peninsula in coastal Alabama. Land acquisition priorities will be selected based on their ability to enhance or protect existing natural and cultural resources and values by connecting habitats, restoring ecological processes, providing critical biological needs of species, providing prime recreational opportunities, preserving land from future development, as well as those parcels that can leverage other funding sources (e.g., NFWF GEBF, LWCF, NAWCA), and provide the greatest landscape scale benefits. These acquisitions will also be closely coordinated with the state-specific portion of this program to further leverage and enhance land protection and conservation across the Gulf.

#### Action #4: Establishment of the Gulf Coast Conservation Reserve Program through USDA

Given the popularity and success of USDA-Natural Resource Conservation Service and United States Forest Service programs, their strong acceptance by private landowners, and the existence of an effective decentralized delivery system, there is a significant opportunity to create a conservation program that helps private landowners invest in conservation. In the five Gulf states, over 80% of the geographic acreage is in private ownership (USDA-NRCS, 2014) and is used for forestry and agriculture. The quality and, to a large extent, the quantity of freshwater entering the Gulf is affected by how those land uses are managed and whether they are converted to more intensive urban purposes. Thus land protection and conservation aimed at private land owners is a priority for foundationally securing Gulf-wide ecosystem integrity. This action item establishes the *USDA's Gulf Coast Conservation Reserve Program* (GCCRP) as a Gulf-wide conservation program that foundationally targets priority conservation in both pristine and degraded habitats and in both agricultural and forestry lands.

The GCCRP would be operated in a way similar to and parallel with the Environmental Quality Incentive Program (EQIP), the Agricultural Conservation Easement Program (ACEP), the Forest Legacy Program, the Land and Water Conservation Fund, and the Regional Conservation Partnership Program (RCPP) under the 2014 Farm Bill. The intent of the program will allow for conservation easements and land management to improve conservation practices on land including restoration of wetlands and other water management techniques to the benefit of water quality to priority bays and estuaries. The health of the Gulf of Mexico depends upon the health of its estuaries, and the health of those estuaries is influenced by what happens upstream along tributary rivers including the Mississippi.

<u>Approach</u>: GCCRP will be locally driven and voluntary in nature. Applications will be ranked across the Gulf, basing decisions on local knowledge of ecosystem conservation needs. In addition to this local knowledge, we will utilize tools such as the Conservation Effects Assessment Project (CEAP) model to assist us in the targeting of our effort so as to optimize the results to the Gulf Coast Region (e.g., targeting landscapes with the greatest need for conservation to achieve greater reductions in leaching and/or runoff of nutrients into streams/estuaries), thus efficiently restoring the Gulf of Mexico ecosystem. We will maintain close communication across the USDA's network in the five Gulf states and with our Gulf state and federal council member partners to identify and build on synergies while avoiding conflicting or duplicative efforts. This approach will be re-evaluated on an annual basis to monitor program results and to improve the process as needed.

Eligibility and Incentives: All landowners (e.g., NGOs, corporate, industrial, timber investment management organizations, real estate investment trusts) with land and/or control of land in the targeted geographical area are eligible for the GCCRP. By maintaining flexibility and evaluating lands on a Gulf-wide scale, both degraded and pristine habitats, as well as forestry and working lands, could be enrolled in the program. Land will be targeted based on the greatest need and cost/benefit. Landowners seeking conservation assistance funds will be subject to eligibility requirements established for GCCRP. Project selections will be focused on restoration and/or enhancement to restore water quality or restore and/or create habitat. *Geography:* Eligible lands will closely follow the definition of geographic scope as articulated in the RESTORE Act regulation and interpreted in the Treasury regulations implementing the RESTORE Act. Priority watersheds could be decided on through a planning process based on water quality modeling outputs (CEAP, SPARROW, SWMM, etc.), and/or leveraging of past programs (i.e., GOMI). Timing: Actions need to be taken as expeditiously as possible to avoid reaching a "point of no return" for ecosystem health and care must be taken to ensure that the appropriate actions are taken in the correct location. To that end, USDA will establish an oversight group to manage its program. This group will meet during the first three months following the award of funding to identify target areas and restoration needs. In addition, criteria specific to the area and its restoration needs will be used to select enrollment criteria for incorporation into an enrollment announcement with an enrollment window of six weeks. After performing the necessary due diligence on enrollees, implementation of the steps specific to the enrollment will commence. At the end of each year, an evaluation will be performed to monitor program effect and make necessary adjustments to optimize program results. The process will be repeated on an annual basis until funds are expended. Conservation Plan: All lands will require a conservation plan where high incentive payments are provided to enhanced conservation and management of lands. For existing watershed or wildlife corridor plans, greater consideration may be given where previous conservation efforts exist so as to build on the restoration of habitats. Leveraging: The GCCRP will be allowed to leverage existing farm bill dollars (i.e., WRP, RCPP, ACEP, EQIP, USDA-NFWF GEBF partnership) to enhance ranking of priority areas.

The overall purposes of the GCCRP would be, in the long-term, to improve both the quality and the quantity of *surface and groundwater flowing into the estuaries of the Gulf of Mexico and to restore, enhance and protect fish and wildlife habitat in and around Gulf estuaries.* 

# Objective #2: Establish a Gulf-wide conservation enrollment assistance program that provides funds to assist with due diligence and monitoring support for voluntary donations of fee simple or conservation easements.

There are a significant number of Gulf coast residents that would be willing to donate their land, or place a conservation easement on their lands, to ensure its protection and conservation for the future. Land trusts and NGOs across the Gulf regularly engage in donations, but most need assistance to maximize their performance. One illustration of the importance of these services is that 90% of land trust accreditation registrants in 2011-2013 relied on direct preparation assistance from Land Trust Alliance-supported programs. Experience shows that land trusts that have received sustained, integrated capacity-building programs over time, including training, have protected on average 20 times as many acres as land trusts that received none of these services. By donating and enrolling private lands and placing them in a perpetual conservation easements/servitudes we can efficiently create important links between existing public lands, connecting habitats, and increasing the viability of threatened and endangered species by decreasing habitat fragmentation. Conservation easements are very attractive options to landowners wishing to conserve habitat and secure a long-term conservation legacy for the Gulf. However, there are two distinct and costly hurdles that limit enrollment of easements or donated fee simple interests in properties: 1) although tax advantages can be an attractive incentive for donating conservation easements, the associated due diligence fees are sometimes a significant deterrent to landowners; and 2) there is an inherent burden placed on the eventual conservation easement holder as it pertains to the support associated with monitoring and enforcing the permanent easement in perpetuity as ascribed by IRS tax law (IRS regulations specify annual monitoring for easements where a tax deduction is taken). This objective will have the following actions:

- 1. *Form a Conservation Enrollment Workgroup (CEW)* made up of executive members of the RESTORE council and outside partners with expertise in real property acquisition for conservation across the Gulf to evaluate land easement and fee simple applications.
- 2. *Evaluate applications*. Applications will be evaluated by the CEW on a semi-annual basis and evaluated against the established priority criteria in *Action#1*. In addition to the priority criteria, ancillary factors as well as uniqueness of parcels will be evaluated on a case by case basis. Those applications considered ineligible will be placed in a "do not fund" category.
- 3. *Identify leveraging opportunities.* The CEW will be tasked to leverage opportunities with enrollment (both donated, and those paid for by the respective organization) payments to maximize expenditure effectiveness. *This will further our commitment to leveraging resources and partnerships from the Initial Comprehensive Plan.* Participating landowners will agree to allow the CEW or collaborators to utilize the value of their easement for match and comply with any documentation requires, including the recording of Notice of Grant Agreements on their easement.
- 4. *Pay due diligence fees* (which includes appraisal, review appraisal, title review, survey, legal, baseline document report, minerals determination, project coordination) associated with land enrollment up to <u>\$75,000</u> per application.
- 5. *Pay for conservation easement support*, inspection, and stewardship on lands enrolled through the program up to \$25,000 per application. These funds may be transferred in lump sum to the

organization or entity holding the conservation easement and may be placed in an interest-bearing account dedicated to long-term easement monitoring, stewardship, and/or enforcement. Any interest derived shall be used for the same purposes as the principal. Endowment support will follow OMB circular A-110, but see REPI federal potential for endowment of funds (section (10 USC § 2684a (d)(3))).

6. *Education and Outreach* – see **Objective#5**.

### Objective #3: Create a strategic conservation assessment framework for future land acquisition prioritization through collaborative conservation planning and design.

This conservation planning and design objective will facilitate a strategic habitat conservation approach that maximizes ecosystem benefits from conservation investments across Gulf of Mexico restoration landscapes. Identifying and prioritizing conservation lands requires assessments of habitat status and trends, climate change and sea-level rise models, and a reliance on geospatial analysis for development of sustainable conservation landscape designs. Developing a strategic conservation framework that synthesizes and advances the existing and ongoing conservation planning and design efforts in the Gulf is *foundational* to establishing a functional conservation network of lands into the future.

The Strategic Conservation Assessment of Gulf Coast Landscapes project will be a collaborative technical assessment catalyzed by the Department of Interior working through a voluntary science and planning partnership that capitalizes on the capacity of the private, state, and federal partnerships in the Gulf region, and coordinated through a Core Working Group comprised of representatives from RESTORE Council member organizations and the other partnerships in which they are involved. This approach will facilitate the synthesis of conservation planning in the Gulf Coast region, providing a strong foundation for identifying conservation needs and priorities. Products from this work include: 1) a conservation prioritization tool to evaluate the benefits of individual land parcels, and 2) complete an initial Gulf-wide Strategic Conservation Assessment that will enable end-users to spatially prioritize the Gulf to guide landscape level conservation investments to improve resiliency of the Gulf. Engagement with stakeholders will leverage existing efforts, avoid duplication, and ensure the values of local communities and residents are incorporated in all aspects of this project. Long and short term risks are quantified by accounting for specific threats (e.g., urbanization, climate change) in the conservation strategy and by considering potential negative consequences of action (or no action) in the spatial analysis and temporal optimization of priorities. This objective distinctly commits to a science-based decision making process that will engage stakeholders, and leverage existing efforts, towards regional based approach to restoration of the Gulf.

The technical assessment will *fulfill the commitments of engagement, inclusion, and leveraging resources and partnerships* in two ways. This technical assessment will pull together and build upon the existing state, federal, academic and NGO conservation planning efforts ongoing across the Gulf Coast region including the southeastern conservation adaptation strategy (SECAS; Wathen et al., 2013), state action wildlife plans (e.g., Barber and Knight, 2005), USFWS Vision for a Healthy Gulf of Mexico Watershed (USFWS, 2013), NRCS' landscape conservation intiative – The Gulf of Mexico Initiative (GoMI), EPA's Healthy Watershed Initiative (EPA 2011), The Nature Conservation's *Conservation Vision for the Gulf Coast* (PGCLC, 2014). The technical assessment will also build on several cooperative regional partnerships as well as state, federal, academic, and NGO planning efforts including the four landscape conservations

cooperatives (Gulf Coast Prairie, Gulf Coastal Plains and Ozarks, Peninsular Florida, and South Atlantic), four Bird Habitat Joint Ventures (Gulf Coast, Lower Mississippi Valley, East Gulf Coastal Plain, and Atlantic Coast), the Southeast Aquatic Resources Partnership (SARP), the Partnership for Gulf Coast Land Conservation (PGCLC); and the Gulf of Mexico Alliance Habitat Conservation and Restoration. This is envisioned as a broad collaborative effort that will solicit additional participation and input from research institutions, conservation NGOs and corporate/private land owners. This working group will develop tools to help prioritize Gulf Coast conservation landscapes, facilitate data sharing, and engage stakeholders locally to receive input and validate conservation prioritize through three actions: 1) identify shared priorities and objectives; 2) develop a tool to prioritize existing land conservation projects, and 3) develop a spatial data layer to prioritize the entire Gulf from a land protection perspective. The landscape cooperatives will coordinate across their partnerships to provide the primary landscape conservation design modeling, geospatial analysis, and administrative support in conjunction with hired coordination support.

Long- and short-term risks associated with land conservation investments are accounted for by incorporating scenarios for specific threats (e.g., urbanization, climate change) into the conservation strategy and by considering potential negative consequences of action (or inaction) in the spatial analysis and temporal optimization of priorities.

In a nod to its commitment to this **foundational** work, DOI submitted a complementary proposal to the Council that describes the need, development, and ultimate application of the strategic conservation assessment in greater detail. The intent of this dual submission is not to compete with the work outlined here but rather underscore the importance of the strategic planning aspect of land conservation.

### Objective #4: Utilize monitoring to understand effects of land conservation on habitat characteristics.

Monitoring and adaptive management are critical components of restoration and land conservation. Monitoring allows the understanding of project performance, but also, with thoughtful input from stakeholders, allows the integration of data into existing programs to help inform adaptive management moving forward. Far too often, conservation actions are implemented without monitoring and adaptive management plans at the right spatial and temporal scale in place to appropriately evaluate whether conservation objectives are being realized in an efficient manner. For the proposed work, we will develop a conservation lands monitoring program to better understand the effects of land conservation upon ecosystem attributes that lead to the provision of important ecosystem goods and services. Partnerships and leveraging will be an important component of this monitoring program. To ensure efficient use of monitoring capacity, all monitoring will be coordinated through both existing partner networks (e.g., National Wildlife Refuge System and National Park Service inventory and monitoring programs, National Conservation Easement database and United States Geologicla Survey protected areas database) and those emerging and proposed for the Gulf (e.g., GOMA's Deepwater Horizon Project Tracker). Remote sensing and autonomous technology assets of state, federal, and private partners combined with state-led on-site biological surveys will be used to classify habitats, document landscape characteristics, and quantify indicators of biological condition. The monitoring portion of the proposed work will be undertaken via the following six tasks which will be developed via stakeholder input (and tied explicitly with Objective #3): (1) Status and trends evaluation; (2)

Assimilation of existing data; (3) Data acquisition; (4) Synthesis; (5) Adaptive management; and (6) Data management.

Action #1: Status and trends evaluation. This task will evaluate the status and trends of habitats on conservation lands using remote sensed data from existing programs [e.g., National Oceanic and Atmospheric Administration (NOAA) Coastal Change Assessment Program (C-CAP); National Wetlands Inventory (NWI); Bureau of Land Management (BLM) assessment; Conservation Effects Assessment Project (CEAP); and National Easement Assessment Project (NEAP)]. Habitat types will be classified according to one or more Federal Geographic Data Committee endorsed classification systems (Anderson et al. 1976; Cowardin et al. 1979). This classification system will serve as a baseline for all RESTORE Council projects focused on land conservation. It will also leverage existing data assimilation projects and efforts (i.e., MCERT Mississippi).

Action #2: Assimilation of existing data. This task will assimilate existing data and information associated with pertinent priority areas across the Gulf in which land acquisition and conservation takes place as a result of this proposal. Remote sensing, GIS mapping techniques, and field reconnaissance will be utilized to evaluate acquisition areas. Within this task, we will engage relevant stakeholders on critical ecosystem attributes to be assessed, options to optimize data collection efforts for land protection, and synthesis options for modeling, assessment, and verification. Indicators of biological condition will also be evaluated to develop a multi-criteria evaluation to assess the effects of the variation in habitat extent and connectivity, providing information that can be used to develop core metrics under *Action #3*. It is imperative in this action to utilize existing data to develop a "strawman" geographic base map upon which multiple data sets are added, and through which data management and configuration are coordinated. Baseline data, layers, and geospatial frameworks will allow decision support through time as new technologies and data are utilized and added to the broader strategy.

Action #3: Data acquisition. This task will acquire data associated with enrollment or purchase of real property interest in lands in the Gulf Coast region. Data acquisition will be focused on core metrics of extent and connectivity of various ecosystem types with additional biological condition metrics being added as a result of stakeholder engagement. Stakeholder engagement described in Action#2 will establish the terms of reference for the purchased conservation lands' baseline condition assessment. Examples of these terms of reference include, but are not limited to: (1) areal extent and connectivity of enrolled or purchased land parcels; (2) habitat type and composition characterized within stakeholder-identified classification convention (e.g.; Anderson Level III land cover classification, National Wetlands Inventory); and (3) marsh elevation (if applicable). Biological health and condition baseline parameters associated with sustainable ecological services will be added during stakeholder engagement. The identified terms of reference represent the minimum set of parameters to be monitored for change. Operational monitoring systems such as the USDA/NRCS National Easement Assessment Project (Gray et al. 2012) will be leveraged to monitor broad-scale changes in acquired conservation areas (areal extent, species composition changes, and proximity analysis of competing land use) and provide first-order reconnaissance of purchased parcels over time. Detailed analysis of conservation areas will result from data acquisition technologies at appropriate scales from operational remote sensing platforms to measure habitat change at necessary temporal and spatial resolutions. These platforms, ranging from government and commercial satellites to manned and unmanned airborne vehicles, encompass a comprehensive suite of high resolution data sources that will be considered in designing the monitoring program in the purchased conservation areas. These habitats will be

evaluated on a bi-annual basis as a fundamental requirement to: (1) determine changes in the reference condition; (2) enable trend analysis to inform adaptive management decisions; and (3) evaluate long-term performance of data acquisition and sampling frameworks to identify gaps in sampling design and ensure quantifiable measures of ecological changes.

*Action #4: Synthesis.* This task will focus on synthesis of data acquired in *Action #3* together with data collected under existing monitoring programs to assess conservation land connectivity, ecosystem functions and natural resource values. Synthesis will look to identify spatial and temporal trends in coastal ecosystem health, extent, and external land use competition, and identify gaps in knowledge for subsequent field measurements and adaptive management planning.

Action #5: Adaptive management. This task will establish 5 year management plans for all acquired lands to ensure ecological functioning and derived benefits will accrue in downstream priority bays and estuaries. Acquired Gulf-wide parcels will be evaluated for their quality, health, and management potential by resource specialists representing multiple state, federal, and NGO organizations. Stakeholders will be engaged throughout the project using various structured decision making approaches and strategies designed to evaluate alternative management portfolios. Successful implementation of this task will require facilitated workshops and meetings that identify stakeholders, elicit stakeholder objectives and values, and inform stakeholders of the technical progress over the course of plan development as alternatives are developed, evaluated and potentially implemented. Multiple two day workshops to conduct collaborative stakeholder engagement activities and bi-annual one day meetings to disseminate technical results of the alternative evaluation will occur over the course of management plan development. Products would include conceptual models, explicit statements of objectives, summary reports from individual meetings and interim versions of the analytical assessment of the alternatives as technical data are incorporated. Ultimately the quality of the decisions that are made will be improved through an inclusive, deliberative structured decision making process.

Action #6: Data management and configuration control. This task will gather, assemble, and synthesize monitoring and observational data and geospatial data products. All monitoring and observational data as well as created analysis and visualization products will follow clear and consistent data management policies as described under the **Data Sharing** plan section. These policies will allow the program to produce beneficial analysis, synthesis, and data products that can be seamlessly integrated into the data management infrastructure of any RESTORE Council partner. It will also conform to federal policies of data accessibility, discoverability, and usability. It also will minimize the loss of institutional knowledge because the data will be part of a long-term conservation lands data management plan. This monitoring strategy fulfills the commitment to delivering results and measuring impacts by highlighting the benefits of land conservation to the Gulf.

# Objective #5: Undertake education and outreach activities to describe the values of land protection for habitat, water quality improvement and for securing the future of the Gulf of <u>Mexico.</u>

Action #1: Extension, Outreach, and Education (EOE) for land protection and conservation education deliverables through the Sea Grants across the Gulf

Action#2: Advancing EOE tools to public land professionals about land protection, conservation easements and other tools through the PGCLC

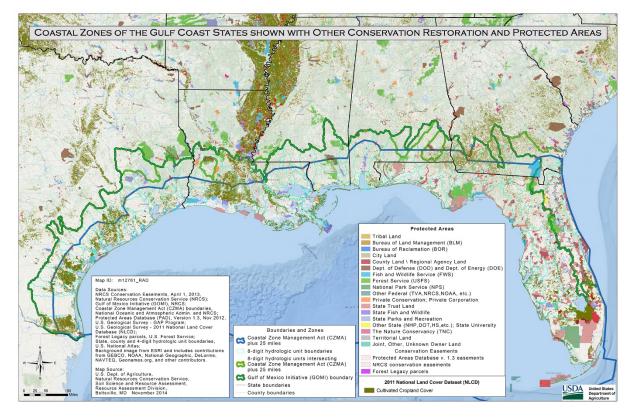
Action #1: An effective Extension, Outreach and Education (EOE) program will help to ensure that the objectives and purposes of the land conservation towards habitat stewardship and water quality improvement are being met. The Sea Grants in the respective states are well positioned to administer and foster this EOE program. The EOE program will be a one-time competitive small grants program run by each state specific Sea Grant organization that will fund a diverse set of EOE deliverables in each state as follows: Task #1: Engage a state specific EOE group that includes members from Extension (Land Grant and Sea Grant), Outreach (communicators from land acquisition programs), educators (K-12 and higher education), and state representatives from RESTORE to establish EOE priorities within each state. Task #2: Under advisement of the EOE group, the respective Sea Grants will coordinate the development and execution of the competitive process used to fund EOE programs. *Task #3*: The respective recipients of state EOE funding will coordinate and collaborate in year 3 of funding in a Gulf-wide EOE conference on land protection and conservation, in which grant recipients will convene and synthesize EOE deliverables and products, and be able to synergistically create EOE partnerships for future collaborations. This underlines our commitments to engagement and inclusion, leveraging of resources and partnerships, and meets a RESTORE objective of natural resource education and stewardship, and the comprehensive plan objective to promote natural resource stewardship and environmental education.

The EOE component across the Gulf will look to leverage existing education programs delivered by respective state, federal, and private organizations, as well as strongly encourage public/private partnerships to enhance effectiveness of EOE deliverables.

Action #2: Conservation easements can be complicated and require much forethought and planning, often with a team of professionals aiding the landowner in navigating the legal, financial and ecological aspects of placing an easement on their property. Even if land trusts are available in an area, many professionals who advise landowners are not aware of or have little understanding of how to help landowners enroll in conservation easement programs or donate easements. But these professionals (such as attorneys, real estate professionals, accountants, appraisers, biologists, foresters, land managers, consultants, estate and financial planners) often play critical roles in successful conservation easement transactions. The PGCLC will administer a small grants program towards advancing education and outreach about land protection, conservation easements and other tools for land conservation to willing landowners and professionals. These grants will be made available on an annual basis to land trusts and in cooperation with other key partners such as public agencies, universities and entities that provide continuing education credit, extension professionals and other NGOs. Furthermore, these small grants will also allow for capacity building services to Gulf Coast land trusts through the Land Trust Alliance's National Excellence Program, including technical assistance and subawards for mentoring, strategic planning, and other organizational development priorities. Intensive coaching and mentoring, including support for their conservation programs, is an integral part of capacity building. Technical workshops and webinars on effective land conservation organizational management and governance and annual in-person partnership meetings with workshops and discussion forums are also means to advance the capacity of all 30 land trust operating in the Gulf region through the Partnership for Gulf Coast Land Conservation. This action highlights our commitment to engagement (engaging PGCLC and education entities throughout the Gulf), and our commitment to leveraging resources (LTA's National Excellence Program) and partnerships to enhance conservation investments, and meets a RESTORE objective of natural resource education and stewardship, and the comprehensive plan objective to promote natural resource stewardship and environmental education.

#### **Location Information**

This project will be a gulf wide strategy to land conservation and protection (Figure 1).



**Figure 1**. Map courtesy of USDA-NRCS highlighting the coastal zone as defined by the RESTORE Act, as well as the diversity of protected and conserved areas across the Gulf.

Depending on the objective and the action item, strategic land protection and conservation can occur in multiple watersheds across the Gulf. The open public grants competition could look to protect, conserve, and enhance properties in urban to agricultural settings. The Gulf Coast Conservation Reserve Program could similarly incentive land restoration practices in both pristine and degraded systems, as well as agricultural to forestry.

#### **High Level Budget Narrative**

### **Objective #1: Protect, through fee simple and conservation easement programs** *priority* **lands throughout the Gulf of Mexico.**

# Action #1: State lead Gulf-wide priority land protection, conservation, and enhancement Action Budget: \$63,400,000

#### Assumptions:

- Land purchase is significantly variable across the Gulf with standard deviations ranging over 1000%. Each state is unique in its priority needs, its geography, and its requirements from an acquisition perspective.
- Each state's total cost for land acquisition priority needs far exceeds the amount of money available.
- Leveraging and match will also change the amount brought forward to leveraging land purchase.
- A foundational stipend is being provided to each state to acquire lands, based on their need, and vetted against a set of Gulf-wide criteria.
- Each state will be able to acquire a limited number of high priority needs, as the cost per acre of coastal lands can range from thousands of dollars per acre for vegetated uplands (median values \$2500/ac \$8,000/ac) to over a million dollars per acre for beach and dune habitat.
- All acquisitions will exhibit due diligence to maximize cost effectiveness of purchase, leverage existing opportunities, maximize restoration potential.
- In attempting to be cost-effective in land acquisition, we have to attempt to target investments as efficiently and effectively as possible. Cost effectiveness needs to consider both the cost of the land as well as the ecological value of the land. One of the underlying critical assumptions is that higher ecologically valuable land in high priority areas typically has higher cost due to location (i.e., beach). Actual costs of conservation are variable.
- Parcels will be identified within each state using the established priority criteria, ancillary factors, as well as uniqueness for purchase. Respective land trusts, community groups, and stakeholders will be engaged on a case by case basis to maximize land protection and conservation in each state.
- All parcels will be purchased from willing sellers.
- All areas acquired will be subject to the Uniform Appraisal Standards for Federal Land or Yellowbook standard. The Uniform Appraisal Standard for Federal Land Acquisitions, or the "yellow book" standard as it is often referred to, provides the general principles applicable to the appraisal of property for federal land acquisitions. The Standards encourage uniform approaches to appraisal and prescribe requirements for adequate supporting data and other information used to develop market value estimates. These standards have guided the appraisal process for federal land acquisitions since 1970s. Federal agencies are required to use the "Yellowbook" standards in appraising and purchasing land. Yellowbook information be found can here: http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf

# Action #2: Public grant program for enhancing land protection and conservation across the Gulf **Action Budget: \$3,100,000**

Assumptions:

- One time funding program.
- Program will be administered and managed by the EPA Gulf of Mexico Program Office.
- Costs of program administration for EPA = \$100,000.
- Mandatory match component to the grant of 1:1 using in-kind or leveraged resources.
- Leveraging and coordination will be strong selection criteria.
- Overarching Scope of Grants Program: provide funding opportunities for public and private organizations across the Gulf to enhance land protection, restoration, and enhancement that have tangible benefits to Gulf habitat and water quality improvements.

Action #3: Priority acquisitions enhancing habitat connectivity within DOI

#### Action Budget: \$8,000,000

#### **Assumptions:**

Department of Interior bureaus—NPS, FWS, BLM—will leverage the available conservation funding to provide the greatest landscape scale benefits to DOI lands, adjacent protected areas and to local communities. DOI bureaus will coordinate with the each of the Gulf states to acquire lands in fee simple and/or conservation easements on working lands (e.g., commercial timber and ranch lands) that provide for healthy populations of fish and wildlife, protection and interpretation of cultural resources, and public access and outdoor recreation. Priority will be given to parcels that can be matched with other conservation funding sources (e.g., NFWF GEBF, LWCF, NAWCA) or can be incorporated within an existing land management program or landowner agreement. The proposed \$8 million will allow DOI to address only a limited number of high priority needs, as the cost per acre of coastal lands can range from thousands of dollars per acre for vegetated uplands to over a million dollars per acre for beach and dune habitat. However, the funding will provide an opportunity for DOI to build a foundation of collaborative conservation in the Gulf Coast region that will serve as a basis for aligning conservation funding and implementation into the future. Attributes of priority lands include:

- Proximity to public/managed lands or private conservation areas
- o Ecosystem linkages and corridors
- o Biodiversity value, listed species and populations of concern
- Strategic water resources (e.g., major spring systems)
- o Water quality and freshwater inflows
- o Habitat threats and immediacy (e.g., threat of industrial or urban development)
- Potential for recreation, ecotourism and enhanced management value
- o Willing seller of fee simple or easement
- Locally-led input and support

# Action #4: Establishment of the Gulf Coast Conservation Reserve Program through USDA Action Budget: \$13,000,000

#### Assumptions:

- Targeted watershed approach by state.
- Opportunity to leverage existing farm bill programs (up to 75% leverage).

- Opportunity to leverage and coordinate with NFWF USDA-NRCS agreement for enhanced land conservation.
- Impact between 25,000 50,000 acres Gulf wide.

Deliverables from budget:

- Assess restoration and enhancement efforts on existing easements within the targeted areas and prioritize funding for shovel ready jobs. This will allow for expedited wildlife habitat implementation on land that has already been enrolled into an easement program but has yet to be restored. Moreover, funds can be used to target acres that were restored in the past but no longer provide optimum wildlife usage. Funds would be available to conduct management and enhancement practices, landowners' consideration for additional wildlife habitat improvements, and wildlife would benefit on the enhanced or improved acres.
- Neighboring landowners or easement participants with land that was not included in the easement enrollment (with properties contiguous to easement acres) can be targeted to maximize wildlife habitat properties across property lines without the need for an easement. For example, brush control practices could be implemented to remove undesirable vegetation (including invasive species) from acres that are contiguous with protected areas. Program participation will be extended to include federal and non-federal easements.
- Landowners that are enrolled in Farm Bill Programs will be targeted to implement practices to address water quality and wildlife habitat resource concerns that were not previously addressed because of program restrictions and/or limitations.
- Landowners participating in CRP will also be a targeted audience. The program could provide the following opportunities to CRP participants:
  - 1. Incentive payments for enrolling or re-enrolling and incentive payments for the life of the contract, and
  - 2. Incentive payments to cover the cost of wildlife plantings and mid-management practices. Historical cost-share rates may be below the actual implementation cost.
- Funds can be used for developing conservation and/or wildlife habitat management plans. This would include conducting needs assessment and identifying conservation to directly treat/impact resource concerns.

### Objective #2: Establish a Gulf-wide Conservation easement assistance program that provides due diligence and monitoring support for voluntary donated properties. Action Budget: \$4,500,000 Assumptions:

Information	Quantity
Average Easement Size - Coastal	~80 acres
Average Conservation Easement Value	~\$1 million
Average Monitoring Fee Last 5 Years	\$25 per acre (\$20,000 per easement)
Average Monitoring Fee (2000-2014)	\$17.50 (\$14,000 per easement)

Gulf-wide Due Diligence Cost Estimates (source Partnership for Gulf Coast Land Conservation, October 2013)

Due Diligence	Estimated	Estimated	Notes:
Category	Minimum	Maximum	
	Cost	Cost	
Appraisal	\$2000	\$50,000	Transactions involving federal funds require UASFLA ("Yellowbook") or sometimes USPAP appraisals which are more costly, so we will not be at the minimum levels often
Review Appraisal	\$500	\$15,000	Costs depend upon type of review, but are generally required under UASFLA
Title Review	\$2,500	\$75,000	Often included in legal fees or closing costs
Survey	\$500	\$100,000	Varies depending on size of tract, remoteness, type of survey. Coastal Boundary surveys can be more costly.
Legal	\$400	\$50,000	Varies. Complex transactions require more legal expertise and time.
Phase I ESA	\$1,700	\$50,000	Use when specific environmental concerns are present or if required by funder.
Baseline Document Report	\$3,000	\$25,000	Used for setting baseline condition in conservation easements
Minerals	\$1,000	\$15,000	If needed
determination or			
Geologist remoteness			
letter			
Project Coordination	\$1,700	\$50,000	Depends on complexity of transaction
Title Insurance	TBD	TBD	\$4/\$1000 of value
Totals	\$13,300	\$880,000	

Other Gulf-wide Due Diligence Costs that may be incurred

Due Diligence Category	Estimated Cost	Notes:
Document Stamps	TBD	Document stamps are state (and sometimes county) specific. Reported to be expensive in some parts of Florida where those taxes help drive funding for conservation acquisition
Conservation Easement Monitoring/Stewardship	1% of value	Depends on value of conservation easement
Timber Valuation	\$4.50 per acre (\$2.50-	Cost varies depending on type of cruise,
	\$12.00 per acre range)	terrain, etc.
Interest	Varies	If property is purchased by a third party and held

- Due Diligence ~ 75,000 / easement x ± 40 easements = 3,000,000
- Endowment Support ~  $$25,000 / easement x \pm 40 easements = $1,000,000$
- Restoration Planning and Review of Easements by CEW:
  - Travel for 5 years, prioritization, O&M of program,  $\frac{1}{2}$  time of program coordinator = 300,000

### **Objective #3: Create a strategic conservation assessment framework for future land acquisition prioritization through collaborative conservation planning and design.** Action Budget: \$1,772,998

#### Assumptions:

This general conservation assessment framework will cover three years and comprise of several objectives. These objectives include identifying shared priorities and objectives of diverse conservation community, develop a tool to prioritize existing land conservation projects and develop a Gulf-wide prioritization spatial data layer. In order to fulfill these objectives the following budget items are considered:

- Salaries and Fringe: hiring of collaborative institutions through Gulf Coast CESU \$1,224,445
- Partner logistical coordination partner travel, logistics, facilitation \$370,908
- Hired collaborative staff travel: \$69,545
- Equipment needs for meetings IT support, hardware, and software purchases \$25,000
- Outreach and Communications: \$25,000

# **Objective #4: Utilize monitoring to understand effects of land conservation on habitat characteristics.**

General budget assumptions for program:

- (1) Five year monitoring program
- (2) 90,000 acre total land enrollment
- (3) Project lead coordinating and facilitating tasks
- (4) Maintain per acre costs for both remote sensed and field based monitoring within the range of existing regional monitoring programs as described under USDA/NRCS/NEAP

#### Action #1: Status and trends evaluation.

#### Action Budget: \$430,000

#### **Assumptions:**

Utilize existing C-CAP (1985, 1992, 1996, 2001, 2006, and 2011); NLCD (1992, 2001, 2006, 2011); and NWI and state specific NWI projects (LA - 1956, 1978, 1988, 2008 incomplete; AL - 1955, 1979, 1988; MS – 1996; FL - 1996 (panhandle); TX - Galveston Bay - 1956, 1979, 1989); Utilize as available: 2015 C-CAP and NLCD planned, BLM, CEAP and NEAP. Conduct land change assessment utilizing all available moderate resolution Landsat imagery since 1983. Use experienced GS-11 level habitat mappers to ensure highly accurate baseline condition maps and statistical analysis of trends since it will be used as programmatic standard into the future.

Action #2: Assimilation of existing data.

#### Action Budget: \$340,000 Assumptions:

Assemble multi-tiered monitoring data (compliance, qualitative and quantitative); Use GS-09 level biologist/geographers to assemble data; \$75K for stakeholder engagement; \$75K for indicator development.

#### Action #3: Data acquisition. Action Budget: \$625,000 Assumptions:

Baseline core metrics of dimension will be captured with all protected areas, and unknown other core field metrics to be collected, we used \$3.07/acre from USDA/NRCS/NEAP for biological sampling in field by states (\$276,300); Project ecologist involved in statistical analysis and sampling design

#### Action #4: Synthesis.

#### Action Budget: \$535,000 Assumptions:

Three person analytical team led by project ecologist under Task #3 to synthesize data and assess ecosystem service values; engage other agency expertise in assessment and peer-review.

#### Action #5: Adaptive management.

### Action Budget: \$620,000

#### Assumptions:

Assumed average \$70K per management plan with 7 plans developed. First plans more intensive and costly but will serve as template for future plans; \$100K for stakeholder workshops; \$30K for meetings.

#### Action #6: Data management.

#### Action Budget: \$450,000

#### **Assumptions:**

Assumed <sup>1</sup>/<sub>2</sub> time data manager/visualization specialist per year leveraging existing program work (NWRC Advanced Applications Team working on CRMS, Everglades, etc) and \$50K year equipment, supplies, web resources

# **Objective #5: Undertake education and outreach activities to describe the values of land protection for securing the Gulf of Mexico**

Action #1: Public and K-12 education for land protection and conservation education deliverables through the Sea Grants across the Gulf

#### Action Budget: \$2,625,000

Assumptions:

- SeaGrant administers small education and outreach grants program in each State (Florida, Alabama, Mississippi, Louisiana, Texas).
  - \$500,000 per State onetime funding
  - Likely looking at \$50,000- \$100,000 grants
- Members of the RESTORE Council state partners will be engaged with the SeaGrant in each individual state to help evaluation, selection, and further leveraging and coordination
- Leveraging and coordination will be prioritized for funding.
- No cost-share match component required.
- All grants will be required to include travel costs to land protection education conference.
- A Gulf-wide Land Protection Education conference will held that pulls together all recipients of education grants to synthesize efforts, and catalyze future Gulf-wide education possibilities.

• \$125,000 – for conference administration, logistics, and event coordination

#### Action #2: Advancing education and outreach to public land professionals about land protection, conservation easements and other tools through the PGCLC Action Budget: \$500,000

#### **Assumptions:**

- The Partnership of the Gulf Coast Land Conservation will administer a onetime small grants program that will be targeted at land protection professionals.
- Grants will be again in the order of \$50,000 \$100,000.
  - o Grants will look to fund a diversity of education and outreach deliverables including: stakeholder engagement sessions; materials for state specific acquisitions; capacity building of land trusts; support for conservation programs.
- The Partnership, with engagement from interested RESTORE Council members, will evaluate each proposal against a set of criteria to be established by this committee.

#### **Overall Planning and Prioritization of Sites**

#### Budget: \$750,000

#### Assumption:

- Planning, prioritization, and support to acquiring lands and easements to support Objective 1.
- Funds will be used for technical assistance for land conservation.
- Each state (FL, AL, MS, TX) and USDA will each receive \$150,000.

#### **Program Management and Oversight**

#### Budget: \$3,013,439

#### Assumption:

- 3% of total program cost for program management, administration, and oversight
- Administration of reporting, convening committees, audits, and other administrative functions associated with land program performance.
- Oversight of tasks, compiling monitoring strategies, annual reports to the Council

#### TOTAL COST OF LAND CONSERVATION STRATEGY: \$103,461,437

Leveraging and Partnerships:

- This proposal has the opportunity to co-fund aspects of acquisition and/or management with National Fish and Wildlife Foundation Gulf Environmental Benefit Fund. This would create significant coordination among Deepwater Horizon restoration partners, as well as a significant win for stretching restoration dollars.
- Outside partners (e.g., the National Audubon Society, The Nature Conservancy, Wildlife Mississippi, land trust organizations in the Partnership for Gulf Coast Land Conservation, Trust for Public Lands) will not only provide expertise to the proposed program but significant leveraging opportunities through their own funding and grants to ensure that we maximize the benefit of RESTORE funding.

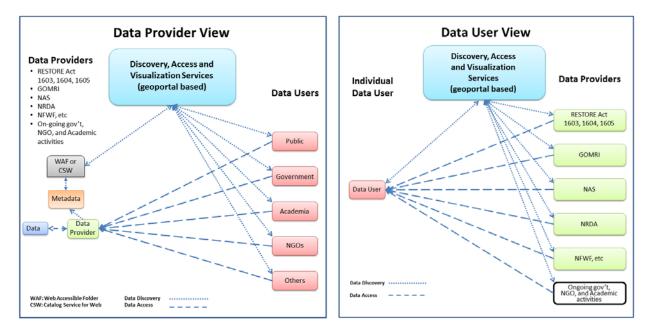
### **Environmental Compliance Checklist**

Environmental Compliance Type	Yes	No	Applied For	N/A
Federal				
National Marine Sanctuaries Act (NMSA)				х
Coastal Zone Management Act (CZMA)				х
Fish and Wildlife Coordination Act				х
Farmland Protection Policy Act (FPPA)				х
NEPA – Categorical Exclusion				х
NEPA – Environmental Assessment			х	
NEPA – Environmental Impact Statement				X
Clean Water Act – 404 – Individual Permit (USACOE)				X
Clean Water Act – 404 – General Permit(USACOE)				Х
Clean Water Act – 404 – Letters of Permission(USACOE)				X
Clean Water Act – 401 – WQ certification				X
Clean Water Act – 402 – NPDES				X
Rivers and Harbors Act – Section 10 (USACOE)				Х
Endangered Species Act – Section 7 – Informal and Formal Consultation				
(NMFS, USFWS)				
Endangered Species Act – Section 7 - Biological Assessment				
(BOEM,USACOE)				
Endangered Species Act – Section 7 – Biological Opinion (NMFS, USFWS)				
Endangered Species Act – Section 7 – Permit for Take (NMFS, USFWS)				
Magnuson-Stevens Fishery Conservation and Management Act Essential Fish				Х
Habitat (EFH) – Consultation (NMFS)				
Marine Mammal Protection Act – Incidental Take Permit (106) (NMFS,				х
USFWS)				
Migratory Bird Treaty Act (USFWS)				
Bald and Golden Eagle Protection Act – Consultation and Planning (USFWS)				х
Marine Protection, Research and Sanctuaries Act – Section 103 permit				х
(NMFS)				
BOEM Outer Continental Shelf Lands Act – Section 8 OCS Lands Sand				х
permit				
NHPA Section 106 – Consultation and Planning ACHP, SHPO(s), and/or				х
THPO(s)				
NHPA Section 106 – Memorandum of Agreement/Programmatic Agreement				х
Tribal Consultation (Government to Government)				х
Coastal Barriers Resource Act – CBRS (Consultation)				х
State				
As Applicable per State				

#### Data / Information Sharing Plan

This land conservation and protection strategy will accumulate and assimilate data from a wide diversity of resource management agencies. The data will be stored in multiple locations depending on the agency collecting the data. The monitoring component will attempt to consistently collect data across the multiple land protection forums but there will still be a need for data to meet the federal standard for accessibility, discoverability and usability. This follows the White House "Open Data Policy" (OMB M-13-13) of May 9, 2013 which supports the related Executive Order of May 9, 2013 (Making Open and Machine Readable the New Default for Government Information). This policy requires federal agencies to collect or create information in a way that supports downstream information processing and dissemination activities. This includes using machine readable and open formats, data standards, and common core and extensible metadata for all new information creation and collection efforts. Following this guidance the land protection and conservation strategy will engage with NOAA NCDDC to create a comprehensive mechanism to preserve, discover and access this data and information to maximize the investment made by the RESTORE Council and various agencies by allowing multiple uses of the data while minimizing duplication of effort.

Simply, the proposed infrastructure will provide a publicly available data/information discovery mechanism based upon the geoportal concept, typified by the open-source Esri Geoportal Server, which can efficiently search a variety of metadata standards contained in web catalogs of the various data collectors/providers. This system will provide end users with the ability to go directly to the data providers, often using automated on-line services, to obtain data/information discovered. A nominal infrastructure diagram from the data provider point of view demonstrates how this architecture provides discovery and access to a variety of end users:



The key components of this proposed infrastructure include:

- Data Producer, data, and information
  - The diversity of data producers within this land protection and conservation strategy, will result in multiple state, federal, and resource organization pieces of data and information.
- Data discovery, access, and visualization services (geoportal)
  - Metadata discovery is enabled by using data access and discovery services. NOAA is widely using a free, open-source product developed by Esri called Geoportal Server. The Esri Geoportal Server enables discovery and use of geospatial resources including datasets, rasters, and Web services as well as non-geospatial resources such as publications and lab data through the use of metadata. The product allows many various formats of metadata and import options (harvest or CSW to name a few) so that interoperability and a common search can be achieved across several platforms without all inputs adopting the same standards and formats. Esri Geoportal Server is not the only viable geoportal software, but it is widely used both inside and outside of NOAA.
- Supportive metadata for the data/information
  - A geoportal-based infrastructure is ideal since it supports a variety of metadata profiles and catalogue services. Most Gulf of Mexico activities already develop and provide some level of metadata.
- Organizational Web Accessible Folders (WAF) or Catalog Service for Web (CSW)
  - Each activity providing data/information will need to provide either a web accessible folder (WAF) or Catalog Service for Web (CSW) service. Many activities already have one of these services in place. A WAF is a simple directory of files on a web server that can be accessed by users with a web browser, indexed by Google or other search engine, and harvested by a metadata discovery portal or other freely available utility such as Geoportal Server. A WAF provides a straightforward approach to build and maintain a centralized repository of metadata XML files in any format. Each entity receiving funding under this land protection strategy will create a WAF for data accessibility.
- End users
  - This initiative provides a data discovery and access mechanism for the government, academia, NGOs, project managers, coastal zone managers, Councils, Consortia, Alliances, Centers, and the general public.

This approach is attractive for several reasons:

- Very low cost to establish a public Gulf of Mexico Geoportal server
- Most providers either already possess or can easily establish a WAF or CSW
- Most providers already develop and provide acceptable levels of metadata to facilitate discovery

Data/information will continue to be accessed from the Authoritative Source via existing infrastructure and data bases.

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# ELIGIBILITY REVIEW Bucket 2 – Council Selected Restoration Component

#### PROPOSAL TITLE

#### PROPOSAL NUMBER

Strategic Land Protection, Conservation, and Enhancement of Priority Gulf Coast Landscapes

MS-1

#### LOCATION

Gulf Coast Region

#### SPONSOR(S)

Mississippi

#### TYPE OF FUNDING REQUESTED (Planning, Technical Assistance, Implementation)

Planning/Implementation

**REVIEWED BY:** 

DATE:

Bethany Carl Kraft/ Ben Scaggs

11-18-14

1. Does the project aim to restore and/or protect natural resources, ecosystems, fisheries, marine and wildlife habitat, beaches, coastal wetlands and economy of the Gulf Coast Region?

● YES ○ NO

Notes:

This proposal seeks to conserve land across the Gulf Region.

2. Is the proposal a project?

NO

∩ NO

O YES

If yes, is the proposed activity a discrete project or group of projects where the full scope of the restoration or protection activity has been defined?

○ YES

Notes:

3. Is the proposal a program?

● YES ○ NO

If yes, does the proposed activity establish a program where the program manager will solicit, evaluate, select, and carry out discrete projects that best meet the program's restoration objectives and evaluation criteria?

● YES ○ NO

Notes:

4. Is the project within the Gulf Coast Region of the respective Gulf States?

● YES ○ NO

If no, do project benefits accrue in the Gulf Coast Region?

O YES O NO

Notes:

Location information does not include specific areas of conservation. Program designed to make those specific location determinations.

#### **Eligibility Determination**

ELIGIBLE

#### **Additional Information**

**Proposal Submission Requirements** 

1. Is the project submission overall layout complete? Check if included and formatted correctly.

A. Summary sheet	$\checkmark$	F. Environmental compliance checklist	$\checkmark$
B. Executive summary	$\checkmark$	G. Data/Information sharing plan	$\checkmark$
C. Proposal narrative	$\checkmark$	H. Reference list	$\checkmark$
D. Location information	$\checkmark$	I. Other	$\checkmark$
E. High level budget narrative	$\checkmark$		

If any items are NOT included - please list and provide details

#### 2. Are all proposal components presented within the specified page limits (if applicable)?

$( \bullet )$	YES	○ NO	
$\sim$			

Notes: