

ENABLING POLICIES TEAM REPORT

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By

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Introduction.

The mission of the Enabling Policies Team was to:

1. Inventory native pollinator protection and enhancement measures and policies currently under consideration at the national level.
2. Develop enabling policy and funding recommendations and suggest legislative vehicles to accomplish policy objectives.
3. Explore possible “safe harbor” provisions which would provide protection for land managers who establish or enhance pollinator habitat areas.
4. Develop a list of organizations that are advocating for programs and funding to protect and enhance populations of native pollinators.

The Enabling Policies Team met via conference by on June 5, 2008 and identified the following action items: Summarize existing enabling pollinator related policies and programs; summarize 2008 Farm Bill pollinator provisions; review Farm Bill specialty crops legislation; develop a wish list for pollinator policies and programs; develop a list of pollinator advocacy organizations; and research “safe harbor” topic including any existing legislative language. A follow up teleconference call was conducted on July 8th at which time the following findings and recommendations were discussed.

I. Existing Federal Legislation, Policies, and Programs.

Major pollinator related legislation, policies, and programs identified are as follows: The Endangered Species Act (ESA), The Federal, Insecticide, Fungicide, and Rodenticide Act (FIFRA), and The Land and Water Conservation Fund, the Endangered Species Protection Program, Fish and Wildlife Service Pollinator Pesticide Impact Recommendations, The Conservation Reserve Program, The Wildlife Habitat Incentives Program, and The National Conservation Buffer Initiative, and the Backyard Conservation Program. Details on all of these programs are found in Appendix A.

Team Recommendation:

- **No recommendations at this time.**

II. 2008 Farm Bill Farm Bill Pollinator Provisions

A summary of pollinator related provisions was prepared with accompanying specific legislative language. Pollinator provisions and references are found in the Conservation Title, the Research Title, and the Specialty Crops Research Initiative and Block Grant Program, Disaster Assistance, and Crop Insurance. Detailed information on Farm Bill provisions are found in Appendix B.

Team Recommendation:

- **Review authorization levels for key pollinator provisions in the 2008 Farm Bill and develop recommended funding levels (see Table 1 on next page).**

Table 1. 2008 Farm Bill Pollinator Related Program Funding Recommendations

<i>Program\Year</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
EQIP					
Mandatory Funding	\$1.2 B	\$1.337 B	\$1.45 B	\$1.588 B	\$1.75 B
Research Ext. Grants					
Authorized Funding	\$10 M	\$10 M	\$10 M	\$10 M	\$10 M
Recommended Funding		\$10 M	\$10 M	\$10 M	\$10 M
CCD Research/Studies					
Authorized Funding	\$7.25 M	\$7.25 M	\$7.25 M	\$7.25 M	\$7.25 M
Recommended Funding		\$7.25 M	\$7.25 M	\$7.25 M	\$7.25 M
CCD Survey/Report					
Authorized Funding	\$2.75 M	\$2.75 M	\$2.75 M	\$2.75 M	\$2.75 M
Recommended Funding		\$2.75 M	\$2.75 M	\$2.75 M	\$2.75 M
Spec. Crops Res. Init.					
Mandatory Funding	\$30 M	\$50 M	\$50 M	\$50 M	\$50 M
Authorized Funding	\$100 M	\$100 M	\$100 M	\$100 M	\$100 M
Recommended Funding		\$100 M	\$100 M	\$100 M	\$100 M
Spec. Crops Block Grants					
Mandatory Funding	\$4.66 M	\$4.66 M	\$4.66 M	\$4.66 M	\$4.66 M
\$466 M over 10 years					
NRCS Plant Mat. Centers					
Agency Funding	\$10.0 M				
Recommended Funding					

III. Specialty Crops Legislation

A report was prepared on the Specialty Crops Research Initiative and the Specialty Crops Block Grants Program. A draft set of guidelines was prepared to assist states in preparing and submitting pollinator related grant applications (Appendix C).

Team Recommendation:

- Disseminate Specialty Crops Block Grants application guidelines to state Farm Bureau, specialty crop and other agricultural organizations.

IV. Pollinator Policies and Programs “Wish List”

Based on feedback from Team members and NAPPC, six items were identified: Appropriations for 2008 Farm Bill Provisions; increased funding for NRCS Plant Materials Centers; increased pollinator policy emphasis by State Technical Committees; increased focus on pollinator habitat in the Transportation Bill; review of legislation/policies regulating movement of native and managed bees; and increased emphasis on “safe harbor” legislation.

NRCS Plant Materials Center Funding. Current funding for NRCS Plant Materials Centers for 2008 is \$10 M. NRCS also estimates that \$500K is directly expended on pollinator habitat improvement with another \$2 M in indirect funding.

Safe Harbor Legislation. Research was conducted on “safe harbor” legislation and programs. Hawaii and Kansas have “safe harbor” acts *based on their own state level endangered species acts*. Sixteen states have drafted or entered into “safe harbor” agreements with the U.S. Fish and Wildlife Service involving 32 species. States in addition to Hawaii and Kansas are AL, AZ, CA, FL, GA, ID, MS, NV, NM, NC, OR, TX, VA, and WA.

Team Recommendations:

- **Develop recommended funding levels for NRCS Plant Materials Centers.**
- **Develop and distribute pollinator practice recommendations for NRCS State Technical Advisory Committees.**
- **Review legislation/policies regulating movement of native and managed bees.**
- **Provide Hawaii and Kansas “safe harbor” legislative language to national and state ag organizations.**

V. Pollinator Advocacy Organizations.

Five lists of pollinator advocacy organizations were reviewed by the work group. These included the North American Pollinator Protection Campaign (NAPPC) affiliates; Pollinator Partnership sponsors; Native Pollinator Project Phase I interviews, Native Pollinator Project Tier I candidate organizations; and Native Pollinator Project Tier II candidate organizations.

Team Recommendation:

- **Develop a candidate list of partnering organizations for advocating policies programs and funding to protect and enhance populations of native pollinators. (Appendix D)**

Appendix A. Summary of Existing Pollinator Related Legislation, Policies, and Programs.

A. The Endangered Species Act

The Endangered Species Act is the main piece of US legislation enacted to protect plant and animal species, including insects, with populations near extinction. It was passed in 1973 and provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The US Fish and Wildlife Service (FWS) is charged with listing species as well as developing and implementing plans for their recovery. The law prohibits "any action, administrative or real, that results in a 'taking' of a listed species, or adversely affects their habitat." "Taking" is defined by the law as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Any trade of listed species is also prohibited.

B. The Federal, Insecticide, Fungicide and Rodenticide Act (FIFRA)

Passed by Congress in 1972, FIFRA provides federal control of pesticide sale, distribution and use. FIFRA is administered by the Environmental Protection Agency (EPA) which is primarily responsible for researching the consequences of pesticides on human health and the environment prior to their approval. The original law also gave the EPA jurisdiction to track all pesticide purchases. Later amendments have strengthened FIFRA to include mandatory exams to certify all pesticide applicators and a registration system to ensure proper labeling.

C. The Land and Water Conservation Fund

The Land and Water Conservation Fund (LWCF) was created by Congress in 1964 as a vehicle for using revenues from offshore oil and gas ventures to make land purchases that enhance environmental conservation and outdoor recreation opportunities. The LWCF consists of a federal program for land purchases and a state matching-grants program that provides funds for states to plan and develop land parcels for open space and natural resource protection. While this Fund is not explicitly intended to protect pollinators, it is an effective mechanism for habitat preservation, which is critical to ensure the stability of many pollinators. Since its inception, over six million acres of forested land and open space have been protected.

D. The Endangered Species Protection Program

Originated in 1988, the Endangered Species Protection Program (ESPP) seeks to ensure the best possible protection of endangered species from the use of pesticides while minimizing the impact on pesticide users. This largely volunteer program achieves its goals by creating a forum for greater cooperation and communication between the US Fish and Wildlife Service (FWS), EPA regional offices, state governments, and local pesticide users. When FWS scientists determine the risks of pesticide use near a listed species to be significant, the ESPP facilitates communication with the EPA and state agencies to develop recommended use limitations.

E. Fish and Wildlife Service Pesticide Impact Recommendations

Using data from the EPA and several state and university agricultural offices, the FWS has developed a factsheet entitled "Recommendations for Minimizing Pesticide Impacts to Pollinators". Over fifteen recommendations for reducing the impact of pesticides on non-target organisms are listed in the factsheet, including "avoid applying pesticides while crops or wildflowers adjacent to or near fields are in bloom" and "use liquid sprays or granules instead of dusts."

F. The Conservation Reserve Program

The Conservation Reserve Program (CRP) is a voluntary program administered by the US Department of Agriculture's (USDA) Farm Service Agency and is intended to encourage farm owners to plant long-term cover on portions of their property. Program participants agree to retire highly erodible or ecologically sensitive areas from cropland for a 10-15 year period. In exchange, they receive an annual rent for the converted acreage and a subsidy to help establish suitable land cover. Farmers benefit from improved soil and water resources, and the increased coverage also helps pollinators and other wildlife by providing valuable habitat. The CRP was created by the Food Security Act of 1985 and has been re-authorized by the 1996 Federal Agriculture Improvement and Reform Act. As of 1996, over 36 million acres of cropland has been converted to grass and tree cover.

G. The Wildlife Habitat Incentives Program

The Wildlife Habitat Incentives Program (WHIP) is a voluntary program administered by the USDA's Natural Resource Conservation Service (NRCS) and is designed to help develop and conserve wildlife habitat on private lands that do not meet the more strict eligibility requirements of other USDA conservation programs. Interested participants agree to develop and implement a habitat development and management plan according to WHIP practices and allow the NRCS to monitor the plan's effectiveness. In return, the NRCS provides technical and cost-share assistance. As much as seventy-five percent of the cost to implement management practices is covered by the USDA. WHIP is authorized by the 1996 Federal Agriculture Improvement and Reform Act and has a total budget of \$50 million through 2002. Through 1998, over 4,600 participants have enrolled in the program, creating and protecting over 670,000 acres of wildlife habitat.

H. The National Conservation Buffer Initiative

The National Conservation Buffer Initiative seeks to raise awareness among farmers and ranchers about the economic and environmental importance of buffer strips. Led by the NRCS, the initiative seeks to use a variety of programs, including the CRP and WHIP (see above), to reach its goal of installing two million miles of conservation buffers by 2002. To date, over 170,000 miles of buffers have been established. If the initiative reaches its goal, an important step will have been taken in providing stable habitat for wildlife, including pollinators.

I. The Backyard Conservation Campaign

A collaboration between the National Association of Conservation Districts, the Wildlife Habitat Council, and the USDA's Natural Resources Conservation Service, the Backyard Conservation Campaign is an effort to promote common agricultural conservation practices in yards of homes throughout the United States. Through a series of ten tip sheets, the campaign shows homeowners how to scale down effective conservation practices from the farm and adapt them to their country, suburban, or city backyards. The sheets most relevant to pollinators include "wildlife habitat", "pest management", and "tree planting". Implementing these practices can substantially improve habitat resources and attract bird and insect pollinators. Since its inception in 1998, over 58,000 Backyard Conservation packets have been sent to homeowners.

Appendix B. Summary of 2008 Farm Bill Pollinator Provisions

A. Title II. Conservation Title

1. Environmental Quality Incentives Program. Mandatory funding level for EQIP in the new Farm Bill is:

\$1,200,000,000 in fiscal year 2008; \$1,337,000,000 in fiscal year 2009; \$1,450,000,000 in fiscal year 2010; \$1,588,000,000 in fiscal year 2011; \$1,750,000,000 in fiscal year 2012.

a. The first mention of pollinator language in the 2008 Farm Bill is found in the “payments” section within EQIP where it provides a special rule involving payments for foregone income where the Secretary of Agriculture may accord great significance to a practice that promotes, among other things, pollinator habitat. Specific language is found in Appendix A.

b. The second mention of pollinator language is in “conservation practice standards” section within EQIP where it specifies “native and managed pollinators” when reviewing for completeness and relevance of conservation standards. Specific language is found in Appendix A.

c. The third mention of the term pollinators is found in the “Administrative Requirements” section of EQIP where it speaks specifically to the encouragement of development of habitat for native and managed pollinators and the use of conservation practices that benefit native and managed pollinators. Specific language is found in Appendix A.

d. Though pollinators are not mentioned specifically, the “Conservation Innovation Grants and Payments” section of EQIP has language that could benefit native and managed pollinators on farm, ranch, and forest lands. The language refers to grants that leverage Federal investments in environmental enhancement and protection and for promoting environmental enhancement in conjunction with agricultural production, and providing environmental and resource conservation benefits through increased participation by producers of specialty crops. Specific language is found in Appendix A.

B. TITLE VII—Research and Related Matters.

1. High Priority Research and Extension Areas.

a. Research and Extension Grants.

The research and extension section of this section of Title VII has specific language on pollinator protection and carries with it an authorization for appropriations of \$10 million for each of the fiscal years 2008 through 2012. Specific language is found in Appendix A. In summary research and extension grants may be made to:

i. survey and collect data on bee colony production and health;

ii. investigate pollinator biology, immunology, ecology, genomics, and bioinformatics;

iii. conduct research on various factors that may be contributing to or associated with colony collapse disorder, and other serious threats to the health of honey bees and other pollinators, including—

- parasites and pathogens of pollinators;
- sublethal effects of insecticides, herbicides, and fungicides on honey bees and native and managed pollinators;

- iv. develop mitigative and preventative measures to improve native and managed pollinator health; and
- v. promote the health of honey bees and native pollinators through habitat conservation and best management practices.

b. Capacity and Infrastructure.

The second mention of pollinators in Title VII is in the section that deals with USDA capacity and infrastructure. Specific language is provided for addressing colony collapse disorder and other long-term threats to pollinator health and other issues. This section authorizes an annual appropriation of \$7.25 million for fiscal years 2008 through 2012. Specific language is found in Appendix A.

c. Honey bee pest and pathogen surveillance.

The third mention of pollinators in Title VII is specific reference to honey bee pest and pathogen surveillance and an annual report by the Secretary on the honey bee colony collapse disorder. This section has an authorization for an annual appropriation of \$2.75 million. Specific language is found in Appendix A.

2. Specialty Crops Research Initiative. The Specialty Crops Research Initiative section of the Farm Bill provides grants which, among other purposes, can be used to identify and address threats to specialty crop pollinators. The Specialty Crops Research Initiative has a mandatory funding level of \$30 million for FY 2008 and \$50 million for each of the fiscal years 2009 through 2012 of which 10 percent can be allocated to the pollinator element. There is also an authorization for annual appropriations for \$100 million for each of fiscal years 2008 through 2012.

3. Specialty Crops Block Grant Program. The Specialty Crops Block Grant Program provides \$466 million over 10 years to support projects in research, marketing, education, pest and disease management, production, and food safety.

4. Disaster Assistance. The Farm Bill also includes new provisions to make beekeepers and honey producers eligible for new disaster assistance program. The Farm Bill also provides for a study on insurance to cover the loss of bees in the crop insurance program.

Appendix C. USDA Specialty Crop Research Initiative and Block Grant Program

The 2008 Farm Bill contains both a Specialty Crops Research Initiative and a Block Grants Program. Background and specific language for the Specialty Crops provisions are as follows:

1. Specialty Crops Definition. Specialty crops are defined as fruits, vegetables, tree nuts, dried fruits and nursery crops (including floriculture).

2. Specialty Crops Research Initiative. The Specialty Crops Research Initiative section of the Farm Bill provides research grants which, among other purposes, can be used to identify and address threats to specialty crop pollinators. The Specialty Crops Research Initiative has a mandatory funding level of \$30 million for FY 2008 and \$50 million for each of the fiscal years 2009 through 2012 of which 10 percent can be allocated to the pollinator element. There is also an authorization for annual appropriations for \$100 million for each of fiscal years 2008 through 2012.

The purpose of the Specialty Crops Research Initiative is to address the critical needs of their specialty crop industries by developing and disseminating science-based tools to address needs of specific crops and their regions, and includes, among other purposes, efforts to identify and address threats from pests and diseases, *including threats to specialty crop pollinators.*

3. Specialty Crops Block Grant Program. The Specialty Crops Block Grant Program provides \$466 million over 10 years to support projects in research, marketing, education, pest and disease management, production, and food safety. Entities eligible to receive block grant funds include: (1) Federal agencies; (2) national laboratories; (3) colleges and universities; (4) research institutions and organizations; (5) private organizations or corporations; (6) State agricultural experiment stations; (7) individuals; or (8) groups consisting of 2 or more of the above entities.

4. Native Pollinator Implications. Given the specific language around threats to specialty crop pollinators this initiative provides a unique opportunity for obtaining funds to address critical native and managed pollinator population levels and habitat issues, concerns and opportunities.

5. Specialty Crop Block Grant Applications. It is anticipated that a Request for Applications will be released in *July 2008 with a 30-day open period.* Applicants are required to provide funds or in-kind support from non-federal sources in an amount that is at least equal to the federal funds requested. Before applying, applicants must complete the Grants.gov registration process, which can take as long as 2 weeks. Please see the [Grants.Gov](#) Web site for more information.

At the request of Team Co-Chair Frankie Hall it was suggested that guidelines be developed for preparing and submitting pollinator related grant applications. These draft guidelines follow:

Suggested Guidelines for developing and preparing pollinator related grant applications.

First, determine who will be administering the specialty grant program in your state, the level of funding available, and who is involved in setting criteria for receiving grant funds. Second, prepare and submit a detailed proposal for use of the funds to protect/enhance native pollinator populations using, as a minimum, the following template:

1. Provide background on the pollinator related concern, issue, or opportunity.
2. Highlight the fact that by enhancing pollinators you help the ***environment***.
3. Discuss how the establishment of pollinator habitat around production areas will enhance the pollination of the specialty crop.
4. Discuss how enhancing pollinators will provide for ***food safety***.
5. List those collaborators that will be working with you on this project and their respective roles (e.g.)
 - Researchers will document the importance of pollinators and how to enhance their population.
 - Extension will develop educational materials and provide educational programs.
 - Specialty crop associations will provide forums for educational programs.
 - Farm Bureaus to provide venues to bring cooperating parties together
 - Federal or state natural resource agencies will identify key natural habitat.
 - Others partners that will be assisting with the project.

Appendix D. Native Pollinator Advocacy Partnering Organizations

Tier 1 Organizations

American Beekeeping Federation	National Assoc. of Conservation Districts
American Honey Producers Association	National Farmers Union
American Farm Bureau Federation	National Association of State Conservation Agencies
American Seed Trade Association	National Association of State Departments of Agriculture
Certified Crop Advisors Florida Fruit Growers	United Fresh Produce
Crop insurance organizations	Western Growers Association
Grape and Tree Fruit League	Xerces
Grazing lands Conservation Initiative	
NAPPC	

Organizations representing specialty crops:

- National Alfalfa Alliance
- Washington State Hay Growers Association The California Almond Board
- The Apple Institute
- The National Cranberry Growers Association
- Florida Blueberry Growers Association
- National Watermelon Growers Association
- National Sunflower Association

Tier 2 Organizations

American Farmland Trust	Minor Crop Farm Alliance
American Forest and Paper Association	National Cattlemen's Beef Association
American Nursery and Landscape Association	National Grange
American Society of Agronomy	National Wildlife Federation
American Vitaculture Federation	National Wild Turkey Federation
Association of Equipment Manufacturers	Nature Conservancy
Audubon Society	Natural Resources Defense Council
Crop Science Society of America	Pheasants Forever
Ducks Unlimited	PLANET – Land care
Environmental Defense Fund	Quail Unlimited
Farm Managers and Rural Appraisers	Sierra Club
National Assn. of State Land Grant Univ. and Colleges	Soil and Water Conservation Society