



MULE DEER AND THE FARM BILL

Fact Sheet #34

The Agricultural Improvement Act of 2018, commonly referred to as the 2018 Farm Bill, was renewed for another 5 years in December 2018. The Farm Bill is the largest single piece of federal legislation for conservation activities at over 60 billion dollars and can provide significant opportunities for mule deer conservation. The Farm Bill authorizes the Natural Resource Conservation Service (NRCS) and the Farm Service Agency (FSA) to provide technical and financial assistance to private landowners, and in some cases, on federal or state lands. Several Farm Bill programs can provide substantial funding for habitat projects to benefit mule deer and other wildlife. The 2018 law increased funding for conservation programs and specifically references the habitat guidelines produced by the Mule Deer Working Group. It also included the *Sage Grouse and Mule Deer Restoration Act* (Section 8611) which streamlines projects that improve and restore mule deer habitat on federal lands.



Photo: Chris Yarbrough (IDFG)

In order to provide consistency and effectiveness for actions, the NRCS and FSA use categorically approved *Conservation Practices* to administer funds through the various programs with a set of *Conservation Practice Standards*, which provide guidelines for each conservation activity. These act as instructions for planning, implementation, and monitoring of actions taken to ensure the likelihood of success and best benefit for wildlife. The NRCS website has factsheets available for each practice (<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/>). Practices that benefit mule deer include – prescribed burning, fencing, shrub/forest improvements, spring development, fire breaks, and shrub/grass plantings.

Environmental Quality Incentive Program (EQIP)

EQIP provides technical and financial assistance to implement various conservation practices and addresses natural resource concerns specific to the area. EQIP offers payments for individual conservation practices and received \$9.175 billion in funding for the 5-year period. The program provides financial and technical assistance for activities that benefit wildlife habitat as well as air quality, water quality, soil and water conservation. The law states that a minimum of 10% of EQIP funds are for wildlife projects. Beneficial projects for mule deer include prescribed grazing in winter/summer ranges that will increase available forage for deer, seedings to restore shrubland and grassland communities, wetland restoration and protection for important water sources, and forest/habitat improvements to prevent stem-exclusion of trees which prevent deer forage to grow. EQIP can also be used to install structural water sources (pipelines, springs, wells, water troughs, storage tanks, guzzlers) in drier habitats where water is limited, and fencing modification (erecting and removal). Reimbursement for participants is up to 90% of costs (matching costs can be cash or in-kind) and can be used on public lands that are part of a private agricultural operation. Incentive contracts lasting 5-10 years for priority conservation efforts and wildlife habitat preservation can increase payments to landowners and ensure longer term viability of projects benefiting mule deer.

Agricultural Conservation Easement Program (ACEP) and Agricultural Land Easements (ALE)

Permanent conservation easements through ACEP and ALE can protect and conserve key mule deer habitats and migration corridors particularly in identified bottlenecks or where there is imminent threat from development.

These programs also include the Healthy Forest Reserve program to protect and restore forest lands where habitat restoration and management is needed to provide cover and forage for deer. ACEP receives \$450 million annually.

Regional Conservation Partnership Program (RCPP)

RCPP provides enhanced funding opportunities for conservation partnerships made up of private landowners, conservation organizations, and state and local governments to work together to achieve conservation outcomes on a landscape or watershed scale. The program engages landowners and agricultural producers in conservation activities that improve water, soil, wildlife habitat, or other natural resources. RCPP receives \$300 million annually and RCPP grants are 5-year agreements. RCPP is most effective for watersheds or other specific areas. Examples are watershed protection districts, fire rehabilitation areas, and where deer habitat is limited or unique (winter/summer range, migration corridors).



Photo: Chris Yarbrough (IDFG)

Conservation Stewardship Program (CSP)

CSP is a program that allows agricultural producers to maintain or improve the conservation systems to enhance natural resources and improve their business practices, including their federal public land allotments. CSP is for working lands and the largest conservation program in the United States with over 70 million acres enrolled. Participants receive an annual existing activity payment for maintaining existing conservation systems and an additional activity payment for installing conservation systems. CSP can be used to improve food, cover, or water for mule deer and other wildlife species. The 2018 Farm Bill included a new CSP – Grassland Initiative that will allow acres to be enrolled in a 5-year contract to enhance grassland ecosystems for \$18/acre per year. This program can benefit deer by providing hiding or thermal cover, increasing forage availability, and sustainable water sources.

Conservation Reserve Program (CRP)

CRP is a program that provides annual payments to agricultural landowners for temporary changes in land use or management with the goal of conserving soil, water, and wildlife resources. It targets highly erodible lands and marginal croplands. CRP can have 10 – 15 year contracts and provide haying/grazing flexibility. CRP also includes State Acres for Wildlife Enhancement (SAFE) – a CRP initiative to address state and regional high-priority wildlife objectives as determined by each state. Mule deer are high priority species for state wildlife agencies and CRP can provide needed cover and forage in areas dominated by cropland.

Categorical Exclusions (CE)

The 2018 Farm Bill included the *Sage Grouse and Mule Deer Restoration Act* (Section 8611) which allows for Categorical Exclusions for projects that improve and restore habitat for these species on up to 4,500 acres per project on Bureau of Land Management and U. S. Forest Service lands. This action reduces regulatory burden for known practices and actions proven to be effective for habitat protection and enhancement including conifer removal, shrub planting, fire breaks, weed treatments, and prescribed grazing.

In Summary

The Farm Bill provides numerous federal cost-share programs available to assist private landowners and public land managers to conserve, enhance, and protect mule deer habitats across the west. To learn more contact your local or state NRCS biologist which can be found at: <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/>

More information on Mule Deer can be found at www.muledeerworkinggroup.com

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