



United States Department of Agriculture



## Washington State Natural Resources Conservation Service



# STAC meeting 11/4/2021

Keith Griswold, ASTC-P

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# Easements-Buy/Protect/Sell (BPS)

CPM 440.528.30E(1)(ii)

A buy-protect-sell transaction, wherein NRCS enters into an ALE-agreement to provide cost-share assistance for the purchase of an agricultural land easement on eligible private or Tribal agricultural land that is owned or is being purchased by an eligible entity on a transitional basis for the purposes of securing the long-term protection of natural resources and the agricultural nature of the land and ensuring timely transfer of the ownership of the land to a qualified farmer or rancher subject to the additional requirements specific to buy-protect-sell transactions.

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## There are two types of buy-protect-sell transactions:

- Preclosing Transfer.—Wherein the eligible entity will transfer fee title ownership of the land to a farmer or rancher at or prior to closing on the agricultural land easement and the eligible entity will hold the agricultural land easement prior to receiving the Federal share.
- Postclosing Transfer.—Wherein the eligible entity will transfer fee title ownership of the land to a farmer or rancher not later than 3 years after closing on the agricultural land easement, unless an extension of such time has been authorized by NRCS subject to specific requirements.



# CPM 440.528.33D(2) Land Eligibility

Buy-Protect-Sell Transaction Land Eligibility.—Private or Tribal land that otherwise meets the eligibility requirements of this part that is owned or in the process of being purchased by an eligible entity may be determined eligible for ACEP-ALE as part of a buy-protect-sell transaction if all of the following criteria are met:

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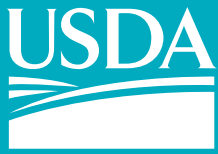
(i) The otherwise eligible land is also subject to conditions, as determined by NRCS, that necessitate ownership of the parcel by the eligible entity on a transitional basis prior to the creation of an agricultural land easement, such as—

- Imminent threat of development or fragmentation into parcels below the median size of farms or ranches in the county or parish as determined by the USDA's most recent National Agricultural Statistical Survey (NASS);
- Planned or approved conversion of grasslands to more intensive agricultural uses; or
- Part of a documented eligible entity program to transition ownership of agricultural lands to historically underserved farmers or ranchers.

(ii) At the time of application, the eligible entity must provide NRCS evidence that the eligible entity either—

- Owns the land; or
- Is in the process of actively purchasing the land. Such evidence may include a valid purchase agreement, a statement from the existing landowner that they are unwilling or unable to sell a conservation easement themselves, or sufficient funds to complete the purchase of the land.

(iii) The eligible entity is able to meet all applicable ACEP-ALE general requirements and all specific provisions related to buy-protect-sell transactions identified in this part and supplement guidance specific to buy-protect-sell transactions.



# CPM440.528.34B- Ineligible Lands

(2) Lands Owned by a State or Local Government.—Lands owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government are ineligible for ACEP-ALE, this includes that such lands are ineligible for a buy-protect-sell transaction.

(Only Non-Governmental Organizations (NGOs) are eligible for BPS option)



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# What does the STAC think about BPS?

## Questions?



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# Conservation Incentive Contracts (CIC)

## • Statutory Requirements

- Identify watersheds (or other appropriate regions)- HPA
- Determine relevant land uses within HPA
- Identify up to 3 priority resource concerns by land use
  - Consistent with the 8 CSP State identified priority resource concerns
- Fund annual payments and installation payments
- Contracts at least 5 years, and no more than 10 years
- Prioritize applications addressing priority RC's
- Evaluate applications against similar ag and forestry



# CIC

- Proposal Principles
  - Payment rates for installation like EQIP
  - Annual payments like CSP
  - Does not require entire operation
  - EQIP-CIC Priority Resource Concerns a subset of State CSP Priority Resource Concerns
  - Promote conservation systems

# CIC

- Proposal Principles

- Utilize Climate Change Mitigation management practices plus 3 drought practices
- No structural or vegetative practices in FY22
- Drought practices:
  - Drainage Water Management (554)
  - Forage Harvest Management (511)
  - Irrigation Water Management (449)

Climate Change Mitigation Practice Categories	Conservation Practice Standard
<b>Soil Health</b>	327 Conservation Cover (ac)
	328 Conservation Crop Rotation (ac)
	329 Residue and Tillage Management, No Till (ac)
	329A Strip Till (ac)
	329B Mulch Till (ac)
	330 Contour Farming (ac)
	332 Contour Buffer Strips (ac)
	340 Cover Crop (ac)
	345 Residue and Tillage Management, Reduced Till (ac)
	386 Field Border (ac)
	393 Filter Strips (ac)
	412 Grassed Waterways (ac)
	585 Stripcropping (ac)
	601 Vegetative Barriers (ft)
	603 Herbaceous Wind Barriers (ft)
<b>Nitrogen Management</b>	590 Nutrient Management (ac)
<b>Livestock Partnership</b>	366 Anaerobic Digester (no.)
<b>Grazing and Pasture</b>	512 Forage and Biomass Planting (ac)
	528 Prescribed Grazing (ac)
	528A Prescribed Grazing (ac)
	550 Range Planting (ac)
<b>Agroforestry, Forestry and Upland Wildlife Habitat</b>	380 Windbreaks and Shelterbelts (ft)
	381 Silvopasture Establishment (ac)
	390 Riparian Herbaceous Buffer (ac)
	391 Riparian Forest Buffer (ac)
	612 Tree and Shrub Establishment (ac)
	645 Upland Wildlife Habitat (ac)
	650 Windbreak Renovation (ft)
<b>Rice</b>	436 Irrigation Reservoir (ac-ft)
	447 Irrigation Tailwater Recovery (no.)

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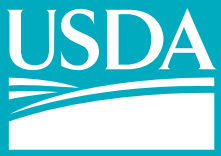
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# CIC Framework for FY22

## Allocation for FY22

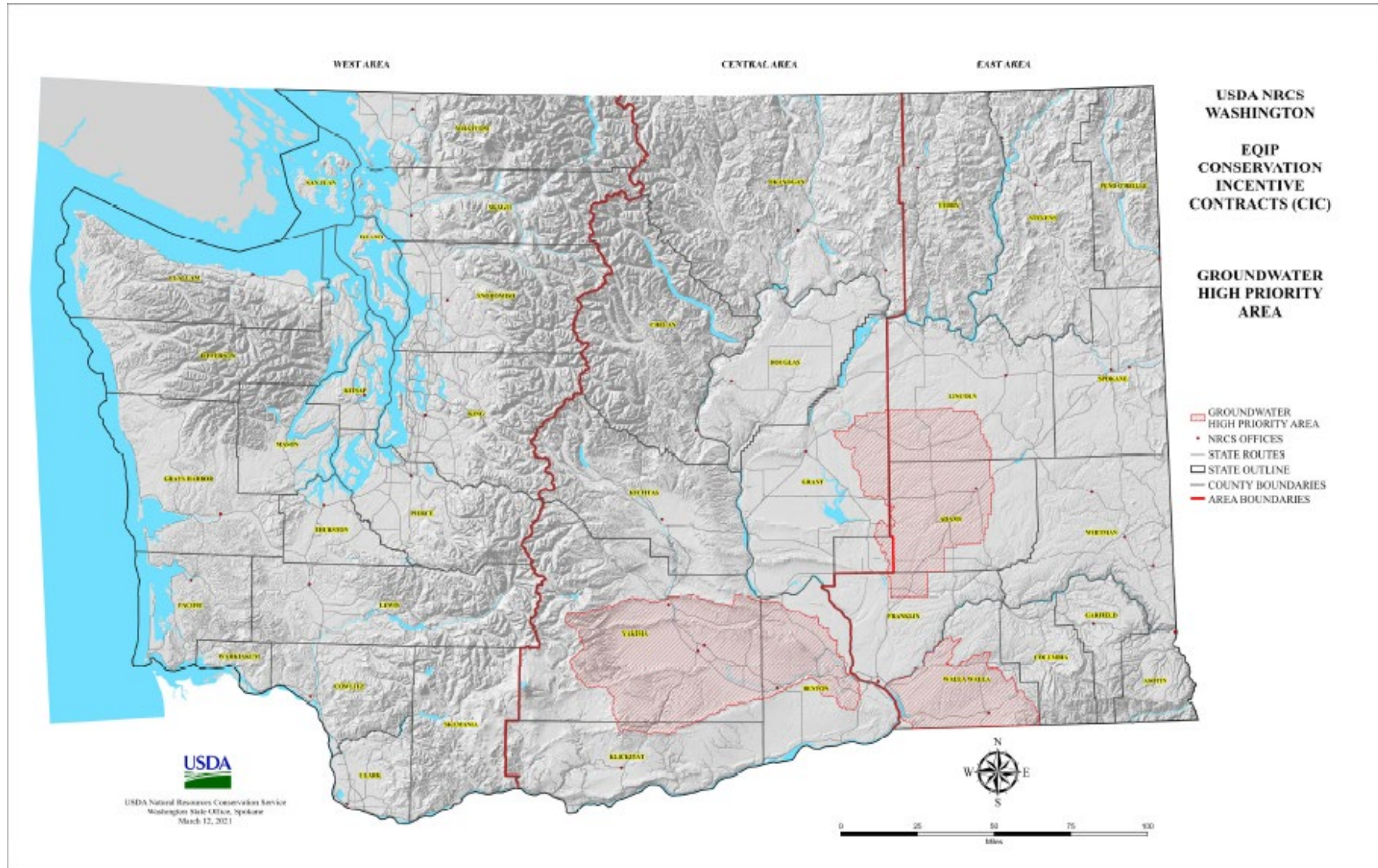
- States must allocate at least \$200,000 or 5%, whichever is greater; but no more than 20% of their EQIP-General allocation
- For WA that is \$675,000 (5%)
- Additional guidance and training will be forthcoming from NHQ

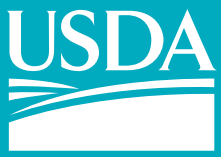




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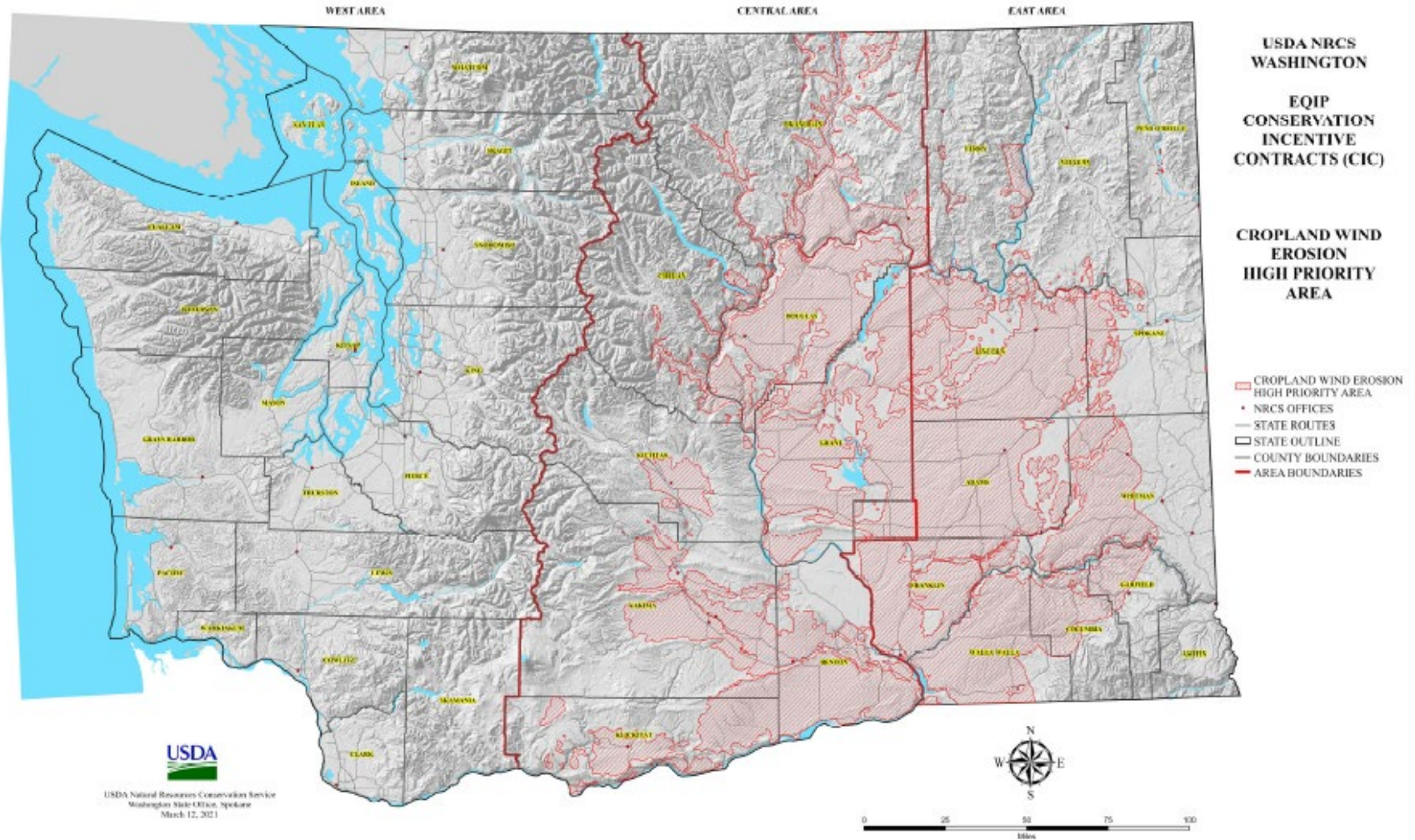
# CIC High Priority Area—Ground Water Areas

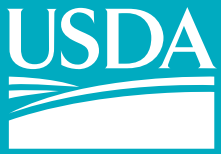




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# CIC High Priority Area-Cropland Wind Erosion





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# CIC High Priority Area— Statewide Forestry



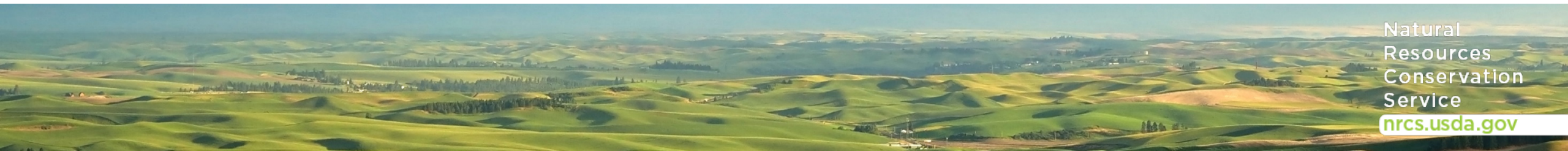
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# QUESTIONS



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