

# **Agricultural Conservation Easement Program (ACEP)**

## **Agricultural Land Easements (ALE)**

### **FY 2023 IDAHO NRCS Entity Parcel Application Packet for:**

**ACEP-ALE GSS, ACEP-ALE GSS-SGI,**

**and ACEP-ALE GSS Buy-Protect-Sell**

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Develop parcel applications for ACEP-ALE in accordance with the following format and guidance. A complete parcel application includes all requested information detailed in this packet. Submit completed applications to:

USPS, UPS, or FedEx:

Idaho USDA NRCS  
Easement Programs  
Attention: Diane French  
9173 W. Barnes Dr., Ste C  
Boise ID, 83709-1574

EMAIL:

\*\*\*PREFERRED\*\*\*

To: [Diane.French@usda.gov](mailto:Diane.French@usda.gov)

Cc: [Tracie.Oneill@usda.gov](mailto:Tracie.Oneill@usda.gov) (East)

[Chris.Chapa@usda.gov](mailto:Chris.Chapa@usda.gov) (West)

Subject: Entity Name\_Landowner Name\_FY23 GSS  
Parcel Application\_1 of X

**Parcel Applications must be received by 4:00 PM MST on the application batching date of January 13, 2023, to be considered for funding in FY 2023.**

### **ACEP-ALE Application Packet**

The following application packet collects required information on proposed parcels from eligible entities interested in applying for easement funding under **ACEP-ALE Grasslands of Special Environmental Significance (GSS)**, **ACEP-ALE GSS Sage Grouse Initiative (SGI)**, and **ACEP-ALE GSS Buy-Protect-Sell**. If you are interested in applying for ACEP-ALE General, please complete the ACEP-ALE General Parcel Application. If you are applying for a 2018 Farm Bill RCPP easement, please contact a State Easement Coordinator for application materials.

Applicants should answer all questions contained within this document and provide all supporting documentation requested to ensure the application packet is complete, unless otherwise noted. The narratives and supporting documentation may be inserted under the applicable question or provided as an exhibit or attachment to the application packet. NRCS strongly suggests that the order and format of this packet be followed to ensure consistency and equality among all applicants. The appendices to this application packet should not be included in the application submission.

Eligible and complete applications received by the advertised application batching date are considered for funding through a competitive process. It is the responsibility of the applying entity to ensure the application is complete and accurate. Identification of eligibility within the questionnaire is only to be used as a guide; NRCS determines eligibility at its discretion upon review of a complete and accurate application. If a question is answered that indicates parcel ineligibility, contact NRCS before continuing with the application. If the issue cannot be remedied, the application may not be considered for funding.

Entities interested in applying for ACEP-ALE GSS Buy-Protect-Sell (ACEP-ALE GSS BPS) may be asked to submit additional information at the time of application. Please contact an Idaho State Easement Coordinator if you are interested in applying for ACEP-ALE GSS BPS and for further guidance on completing a comprehensive BPS transaction parcel application.

Instructions for application packet submission are found on page 25. Please adhere to all instructions. Failure to comply may result in an ineligible application.

### **Grasslands of Special Environmental Significance (GSS)**

Parcels that qualify for GSS are eligible to receive up to 75% Federal share from NRCS. Parcels offered for enrollment under GSS must select the GSS designation on the NRCS CPA-41A form and meet all GSS criteria. The GSS component of the program emphasizes support of grazing operations, maintaining, and improving plant and animal biodiversity, and protecting grasslands and shrublands under threat of conversion to cropping, urban development, and other non-grazing uses. GSS easements require specific deed restrictions in the NRCS Minimum Deed Terms to ensure that the GSS attributes are protected.

**Please review these deed restrictions with the landowner before application.**

Easements under ACEP-ALE GSS can support the Sage Grouse Initiative by keeping working lands working as intact range. Parcels that lie within one of the Sage Grouse habitat management areas of Core, Important, or General may as a grassland of special environmental significance, qualify for a 75% percent cost-share contribution from NRCS.

## Eligible Entity

Entities submitting parcel applications must be eligible themselves. Entities must submit an Entity Application to establish eligibility with NRCS. Entity eligibility requirements are detailed in the NRCS Conservation Program Manual 440, Part 528, Subpart D, .528.32, which may be accessed through the NRCS e-Directives website at <https://directives.sc.egov.usda.gov/Default.aspx>. Please review the Idaho State ACEP- ALE Entity Application for more information on entity eligibility requirements.

## Landowner Eligibility

To be eligible for USDA-NRCS program funds, all landowners listed on the application must match the vesting property deed and have records established with USDA's Farm Service Agency (FSA), including Adjusted Gross Income (AGI) compliance and CCC-902 Farm Operating Plans in 'Determined' status, to meet ACEP program eligibility requirements. This includes the applicant's organization, landowners, and landowner entity members. Establishing USDA records with FSA may take a significant amount of time (>120 days), therefore applicants are encouraged to begin this process as soon as possible. USDA records may be established at any time, and AGI compliance documents may be updated as early as October 1st for the following fiscal year (i.e., AGI compliance documents for 2023 may be executed as early as October 1, 2022). All individuals or entities on the deed must be AGI compliant, per the Internal Revenue Service (IRS), when obligating federal funds for easement acquisition and at least 90 days prior to closing of the easement. USDA records may be established at the local USDA-FSA Service Center. ID NRCS provides a ***Landowner Checklist for FSA Eligibility*** for entities to share with prospective landowners. This checklist is available on the Idaho NRCS ACEP-ALE webpage for entity and landowner use. **NRCS is not responsible for USDA-FSA forms and recording of forms for eligibility requirements.**

## New FY23 Idaho NRCS ACEP-ALE Screening Worksheet

An incomplete or ineligible application will be marked accordingly by NRCS per the Idaho NRCS Screening Worksheet tool, ***ID Statewide ACEP-ALE Screening Worksheet***, and the NRCS Conservation Application Ranking Tool (CART). If the parcel application is eligible, the original screening worksheet will be filed with the parcel application case file, uploaded to the NRCS Document Management System (DMS), and a screening priority of 'High' or 'Medium' recorded in the NRCS Protracts system. If the parcel application is determined to be ineligible, the parcel will be marked ineligible in Protracts with a screening worksheet uploaded to DMS. A copy of any completed screening worksheet will be provided to the Eligible Entity or landowner(s) upon request. Easement CART ranking will occur first on 'High' screened applications. As funds are available, 'Medium' screened applications will be ranked in CART for easement funding. The screening worksheet is available on the Idaho NRCS ACEP-ALE webpage for reference. This worksheet is for **NRCS use only** during the CART ranking process, and entities are encouraged to review the screening worksheet to determine entity and parcel eligibility.

For more information or assistance on completing the GSS Parcel Application, please contact the ID NRCS State Easement Coordinators – Tracie O'Neill (East), [Tracie.Oneill@usda.gov](mailto:Tracie.Oneill@usda.gov) or Chris Chapa (West), [Chris.Chapa@usda.gov](mailto:Chris.Chapa@usda.gov).

Thank you for your interest in applying for NRCS conservation easement programs!

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## PART I – PARCEL APPLICATION CHECKLIST

Use this checklist and the following steps to guide you through the application process:

- ☐ Step 1: Download and complete all required forms. Forms may be downloaded from the [IDAHO NRCS ACEP-ALE webpage](#).
- ☐ Step 2: Provide supplemental information for all items as applicable.
- ☐ Step 3: Submit completed forms and supplemental information with application packet.

<p><b><u>Application Requirements</u></b></p> <p>Items listed are required for all parcel applications. Omission of these items may result in an ineligible application. Insert or append supporting documentation, as necessary.</p>	<p><b><u>Supplemental Information - Required</u></b></p> <p>Items listed are required, if applicable to the parcel. Omission of these items, if applicable to the parcel, may result in an ineligible application. Insert or append supporting documentation, as necessary.</p>
<p><input type="checkbox"/> ID FY23 ACEP-ALE GSS Parcel Application Packet. A complete application packet includes the following:</p> <p><b><u>FORMS:</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> NRCS CPA-41A dated 2/2020 or later</li> <li><input type="checkbox"/> Parcel Questionnaire – pages 7-24 of this packet</li> <li><input type="checkbox"/> ID FY23 ACEP-ALE Parcel Application Workbook</li> </ul> <p><b><u>INFORMATION:</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Recorded vesting deed(s) covering the entire offered parcel area</li> <li><input type="checkbox"/> Evidence of active SAMs registration for each entity applicant and/or co-holder. Update expiring SAM registrations prior to 9/30/2023.</li> <li><input type="checkbox"/> Title Commitment in Entity name &amp; exception documents</li> <li><input type="checkbox"/> Draft deed of conservation easement</li> <li><input type="checkbox"/> Written pending offer for the ALE or equivalent</li> <li><input type="checkbox"/> County tax maps and assessor's information covering entire offered area</li> <li><input type="checkbox"/> GIS shapefiles or CAD files of proposed boundary. Ensure that shapefile data is defined in ESRI GIS software.</li> </ul>	<p><b><u>FORMS:</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b><i>COPY</i></b> - FSA-211 Power of Attorney</li> <li><input type="checkbox"/> NRCS CPA-41A BPS Supplement dated 4/2021</li> </ul> <p><b><u>INFORMATION:</u></b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Legal access easements over private or Federal land to the offered easement area</li> <li><input type="checkbox"/> Waiver request letter(s)</li> <li><input type="checkbox"/> <b><i>COPY</i></b> – Existing easement or deed restriction that prevents conversion to non-agricultural and/or non-grassland/grazing uses</li> <li><input type="checkbox"/> Evidence of matching funds OR evidence of entity ability to steward and monitor parcel if entity match is &lt;10% of FMV (attach to CPA-41A)</li> <li><input type="checkbox"/> Water rights</li> <li><input type="checkbox"/> <b><i>COPY</i></b> – Mineral lease(s)</li> <li><input type="checkbox"/> Excerpts from state/local policies highlighting supporting passages (e.g., state/local policy land eligibility category). DO NOT submit entire document.</li> <li><input type="checkbox"/> Evidence of capital investments for agricultural viability</li> </ul>

<p><u>INFORMATION CONT:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maps (aerial/topographic) with an accurate and appropriate scale, North arrow, and heading. Maps must show the proposed easement boundary and <b>offered acres</b>. Supporting GIS shapefiles are appreciated for each map submitted.</li> <li><input type="checkbox"/> Location showing Township, Range, and Section Legal/physical access points and route to all parts of the easement (ingress, egress), public road location(s) and name(s), and notation where third-party lands are crossed</li> <li><input type="checkbox"/> Farmland classification with legend and % acres table (Web Soil Survey)</li> <li><input type="checkbox"/> Total acreage of the parcel, including the acreage of each noncontiguous parcel and each subdivision, if applicable</li> <li><input type="checkbox"/> Land use/cover type location with % acres of each land use and identified grazing areas</li> <li><input type="checkbox"/> Viable agricultural operations including access to markets and infrastructure</li> <li><input type="checkbox"/> Nearby agricultural and/or protected lands</li> <li><input type="checkbox"/> Development pressure (approx. 1:24,000)</li> <li><input type="checkbox"/> Location/type/acres of grasslands of special significance</li> </ul>	<p><u>INFORMATION CONT:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maps (aerial/topographic) with an accurate and appropriate scale, North arrow, and heading. Maps must show the proposed easement boundary and acreage. Supporting GIS shapefiles are appreciated for each map submitted.</li> <li><input type="checkbox"/> Proposed building envelopes showing existing or proposed access to each</li> <li><input type="checkbox"/> Allowable subdivision</li> <li><input type="checkbox"/> Irrigated land footprint with location of source</li> <li><input type="checkbox"/> Location, number, and acres of historical/archaeological sites</li> </ul> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="text-align: center;"><b><u>Supplemental Information - Optional</u></b></p> <p>Items listed are optional, if available, and recommended. Submission of these items will streamline the acquisition process if application is funded.</p> </div> <ul style="list-style-type: none"> <li><input type="checkbox"/> Legal Boundary Survey</li> <li><input type="checkbox"/> Phase I Environmental Assessment</li> <li><input type="checkbox"/> Minerals Assessment Report</li> <li><input type="checkbox"/> Appraisal Report</li> <li><input type="checkbox"/> BPS Transactions – Evidence of Conditions Necessitating Transitional Ownership</li> </ul>
<p style="text-align: center;"><b><i>Refer to Appendix 3 on page 37 of this document for the description and purpose of application forms.</i></b></p>	

## PART II – PARCEL QUESTIONNAIRE

All questions in this section must be answered with adequate detail and supporting documentation as required. If any questions are left unanswered, the application may be considered ineligible.

### Eligible Entity Information

1. Please indicate the transaction type for the offered parcel:

- ☐ ALE GSS
- ☐ ALE GSS-Greater Sage Grouse
- ☐ ALE GSS- BPS

2. Name of Eligible Entity applying for parcel funding:

3. Eligible Entity Point of Contact [Name, Phone Number, Email]:

Name:

Phone:

Email:

4. Does the Eligible Entity meet one of the following?

- ☐ Entity has an active, executed Program Agreement covering ACEP-ALE.  
The ALE-Agreement type (Cooperative, Grant, Program) must match the Associated ALE-Agreement Type selected on CPA-41A, Question 2., Parcel Sheet for Entity Application ALE Agreement.
- ☐ For ACEP-ALE BPS Transactions, entity has an active, executed Program Agreement, version 04/2021 or later. Entities with an earlier version of an active Program Agreement must submit a new CPA-41 Entity Application to enter into a new Program Agreement containing BPS terms.
- ☐ Entity previously submitted an Entity Application, NRCS-CPA-41, with ID NRCS within current Fiscal Year (10/1 – 9/30).
- ☐ Entity will submit an Entity Application, NRCS-CPA-41, with this Parcel Application Packet.
- ☐ Does not meet any of the above. [**INELIGIBLE**]

5. Do all eligible entity applicants and all prospective co-holders have an active SAM registration?

- ☐ YES
- ☐ NO. Please specify and describe in 1-2 sentences

*NOTE: any entity without an active SAM registration is **ineligible** for this program.*

### Landowner Applicant Information

#### Basic Information

1. Provide the following information for each landowner of record (i.e., individual, or legal entity subject to the deed and title). All landowners must match landowners included on the CPA-41A form.

Full Legal Name	Farm/Ranch or Property Common Name	Farm Number	Tract Number(s)	County of Property Location	Is a limited-resource, beginning, socially-disadvantaged, or veteran farmer/rancher?
					Choose Item:
					Choose Item:
					Choose Item:
					Choose Item:

#### Farm Service Agency (FSA) Payment Eligibility

1. Does the landowner(s) appearing on the vesting deeds and title commitment have Farm & Tract Eligibility (FTE) established for the offered parcel?

*NOTE: FTE means that an established farm and tract generally covers the easement area and that all landowners of record are associated with the established farm and tract. Consult with FSA to ensure that records exist and are current.*

☐ YES ☐ NO [**INELIGIBLE**]

2. Have all landowners of record filed Form CCC-941 "Adjusted Gross Income" with FSA?

*NOTE: Landowners must complete CCC-941 with the exact name, address, and tax ID on file with the IRS. If an AGI limitation waiver or AGI applicability waiver have been approved, you may skip this question.*

☐ YES ☐ NO [**INELIGIBLE**] ☐ Other: \_\_\_\_\_

3. Have all landowners of record filed or updated Form AD-1026 "Highly Erodible Land Conservation and Wetland Conservation Certification" with FSA?

☐ YES ☐ NO [**INELIGIBLE**] ☐ Other: \_\_\_\_\_

4. Do the landowners and eligible entity understand that FSA and NRCS together will determine a) the status of highly erodible land (HEL) on the Farm and Tract(s) associated with the offered easement area, and b) the necessity of an HEL Conservation Plan as a condition of funding?

☐ YES ☐ NO

5. Have all individuals, entities or trust landowners of record filed Form CCC-902-E or CCC-902-I (and Form CCC-901 as required) with FSA?

☐ YES ☐ NO [**INELIGIBLE**]





If any answers under the “Farm Service Agency (FSA) Eligibility section are marked “NO [ineligible]” OR if NRCS finds upon review of the application that the answers should be marked “NO [ineligible]” OR if any other required FSA payment eligibility criteria for any landowner of record has not been met, the application will be considered ineligible for program funding. Do not apply for funding until all FSA eligibility criteria are met. All entities on the deed must be compliant per IRS when obligating federal funds to the easement acquisition and at least 90 days before closing of the easement. Consult with an Idaho State Easement Coordinator prior to application to ensure landowner FSA eligibility requirements are met.

## Parcel Information

### Ownership & Parcel Accuracy

1. Do the landowners of record **and** the offered easement acres match across application documentation (i.e., landowners of record and acreage match CPA-41A, FSA records, information on the vesting deeds, county tax records, title commitment, written pending offer, and all supporting documentation)?

☐ YES ☐ NO

If No, please specify and describe in 1-2 sentences:

2. Did an authorized signatory for at least one landowner of record sign CPA-41A and the written pending offer?

*NOTE: obtaining all landowner signatures is preferred.*

☐ YES ☐ NO [INELIGIBLE]

3. Is the legal description of the parcel and the physical description on CPA-41A, Section C, Questions 1 and 2 accurate as reflected in the title commitment and other supporting documentation?

☐ YES ☐ NO [INELIGIBLE]

### Agricultural Operation

1. In 1-2 paragraphs, describe the current agricultural operation. Please include information on the types of products produced/grown/raised, accessibility to markets, labor/staffing needs, on-site infrastructure, water use, proximity to other agricultural land, proximity to protected land, and other important or pertinent information to the operation.

2. In 4-5 sentences, describe the parcel’s long-term viability for agricultural use. Describe if there has been recent significant capital investment(s) that enhance the long-term agricultural viability of the parcel and if the conservation easement will further the investment.

*NOTE: Submit documentation of investments with application.*

3. Does the landowner currently work with, or have they previously worked with, NRCS for the parcel being offered?

☐ YES ☐ NO

If yes, describe in 1-2 sentences, if known:

4. Is the parcel, or any portion of the parcel, currently enrolled in the Conservation Reserve Program (CRP) or Conservation Reserve Enhancement Program (CREP)?

☐ YES – CRP ☐ YES – CREP ☐ NO

5. If the parcel, or any portion of the parcel, is currently enrolled in CRP or CREP, will the contract expire within one year of the application due date?

☐ YES ☐ NO ☐ N/A. Does not apply.

6. If the CRP or CREP contract will expire within one year, describe in 2-3 sentences how the easement will assist in the protection of the land coming out of CRP or CREP enrollment. If not applicable, write “N/A” in the space provided.

7. Indicate the type and number of grazing animals, if present on the parcel. If not applicable, write “N/A” in the space provided.

8. In 5-6 sentences, describe the development pressure from non-agricultural use and/or the conversion threats affecting the parcel and region.

9. Select the percentage range that describes the decrease in the percentage of acreage of farm and ranch land in the county in which the parcel is located between the last two USDA Censuses of Agriculture.

NOTE: Use USDA NASS Data in Appendix 9 to answer question or access data online at:

[https://www.nass.usda.gov/Publications/AqCensus/2017/Online\\_Resources/County\\_Profiles/Idaho/index.php](https://www.nass.usda.gov/Publications/AqCensus/2017/Online_Resources/County_Profiles/Idaho/index.php)

☐ Decrease of 0% or less ☐ Decrease of 0-5% ☐ Decrease of 6-10%  
☐ Decrease of 11-15% ☐ Decrease of 16% or more

10. Select the percentage range that describes the decrease in the percentage of acreage of permanent grassland, pasture, and rangeland, other than cropland and woodland pasture, in the county in which the parcel is located between the last two USDA Censuses of Agriculture.

NOTE: Use USDA NASS Data in Appendix 9 to answer question or access data online at:

[https://www.nass.usda.gov/Publications/AqCensus/2017/Full\\_Report/Volume\\_1, Chapter\\_2\\_County\\_Level/Idaho/st16\\_2\\_0008\\_0008.pdf](https://www.nass.usda.gov/Publications/AqCensus/2017/Full_Report/Volume_1,_Chapter_2_County_Level/Idaho/st16_2_0008_0008.pdf)

- ☐ Decrease of 0% or less      ☐ Decrease of 0-5%      ☐ Decrease of 6-10%
- ☐ Decrease of 11-15%      ☐ Decrease of 16% or more

11. Select the ratio that best describes the ratio of total parcel acres to be protected to the average farm size in the county according to the most recent USDA Census of Agriculture.

NOTE: Use USDA NASS Data in Appendix 9 to answer question or access data online at:

[https://www.nass.usda.gov/Publications/AqCensus/2017/Online\\_Resources/County\\_Profiles/Idaho/index.php](https://www.nass.usda.gov/Publications/AqCensus/2017/Online_Resources/County_Profiles/Idaho/index.php)

- ☐ Ratio of 1.0 or less      ☐ Ratio of 1.1-2.0      ☐ Ratio of 2.1 or more

12. Select the population growth rate that best describes the percent of population growth in the county for which the parcel is located according to the 2020 U.S. Census Bureau Census for Idaho.

NOTE: Use U.S. 2020 Census Data to answer question:

<https://www.census.gov/library/stories/state-by-state/idaho-population-change-between-census-decade.html>

- ☐ Less than 1x the state growth rate      ☐ Between 1 and 2x the state growth rate
- ☐ Between 2 and 3x the state growth rate      ☐ More than 3x the state growth rate

13. Select the population density that best describes the population density (population per square mile) in the county according to the 2020 U.S. Census Bureau Census for Idaho.

NOTE: Use U.S. 2020 Census Data to answer question:

<https://www.census.gov/library/stories/state-by-state/idaho-population-change-between-census-decade.html>

- ☐ Less than 1x the state pop density      ☐ Between 1 and 2x the state pop density
- ☐ Between 2 and 3x the state pop density      ☐ More than 3x the state pop density

14. Does the farm or ranch have an established succession plan, or similar plan, that addresses farm viability for the parcel of interest?

- ☐ YES      ☐ NO

15. If there is an established succession plan, please indicate whether the plan is formal or informal.

NOTE: A succession plan often consists of legal documents, written agreements, and/or financial statements that meet [planning standards outlined by the American Farmland Trust](#) (AFT). A formal plan is written by an industry professional (e.g., Cooperative Extension) that compiles such documentation. An informal plan compiles such documentation but is not written by an industry professional.

- ☐ Formal      ☐ Informal      ☐ N/A. Does not apply.

16. If there is an established succession plan, select and briefly describe how the plan meets the following AFT standards:

- ☐ Clear set of responsibilities for next generation operator:
- ☐ Financial transparency and information sharing:
- ☐ Operational accountability:
- ☐ Transfer of operating assets:
- ☐ Plan to transfer assets:
- ☐ Valuation of assets:
- ☐ Analysis of farm's capacity to support multiple generations:
- ☐ Assets to cover senior generation's retirement:
- ☐ Plan to address non-farm heirs or siblings:
- ☐ N/A. Does not apply.

17. If there is not an established succession plan, or similar plan, will a plan be developed prior to closing the conservation easement?

- ☐ YES                      ☐ NO                      ☐ N/A. Does not apply.

18. Will the landowner and eligible entity elect to complete any of the following plans for the parcel if funded? Select all that apply.

- ☐ Basic Comprehensive Agricultural Land Easement Plan (ALEP)
- ☐ Grassland Management Plan
- ☐ Forest Management Plan
- ☐ Other: \_\_\_\_\_
- ☐ None

## Land Eligibility

### Definition of GSS

Grasslands of Special Environmental Significance are defined as grasslands that contain little or no noxious or invasive species, as designated or defined by State or Federal law, and are subject to the threat of conversion to non-grassland uses or fragmentation. These lands meet the following criteria:

A. Are considered improved or naturalized rangeland, pastureland, shrubland, or wet meadow on which vegetation is dominated by native grasses, grass-like plants, shrubs, or forbs.

B. Provide, or could provide, at least one of the following:

- Habitat for at-risk, threatened, or endangered species. This includes grassland bird populations in significant decline.
- Protects sensitive or declining native prairie, grassland types, or grasslands buffering wetlands.
- Provides protection of rare wetlands, headwaters, source water protection areas, riparian areas, and/or migration corridors.

C. Meets the "Protects Grazing Uses and Related Conservation Values" land eligibility category.

*NOTE: This category must be selected on CPA-41A for enrollment in GSS.*

### GSS Criteria

1. Select the GSS location of the parcel. Refer to Appendix 6 for WLFW-SGI map.

- ☐ Parcel is located within the boundaries of a Sage Grouse Initiative (SGI) Area.
- ☐ Protects other grassland bird species listed as State Species of Greatest Conservation Need (SGCN)
- ☐ Protects sensitive or declining native prairie, grassland types, or grasslands buffering wetlands.
- ☐ Provides protection of rare wetlands, headwaters, source water protection areas, riparian areas, and/or migration corridors.

2. What type of qualifying land use(s) does the parcel contain? Select all that apply.

- ☐ Pastureland
- ☐ Rangeland
- ☐ Shrubland
- ☐ Wet meadow

3. Does the qualifying land use(s) selected for question #2 above cover 51% of the parcel?

- ☐ YES
- ☐ NO. **STOP! This parcel is ineligible for ACEP-ALE GSS. Please complete the ACEP-ALE General Parcel Application**

4. Is the land use(s) selected in question #2 considered the “highest and best use” as defined by the landowner?

*NOTE: “Highest and best use” is defined as the land use the landowner considers to be the most critical to the success of the agricultural operation.*

- ☐ YES
- ☐ NO

If no, describe in 1-2 sentences:

5. Select all items that the parcel provides, or could provide:

- ☐ Habitat for at-risk, threatened, or endangered species
- ☐ Protects sensitive or declining native prairie, grassland types, or grasslands buffering wetlands.
- ☐ Provides protection of rare wetlands, headwaters, source water protection areas, riparian areas, and/or migration corridors.
- ☐ Protects At-risk habitats that have experienced disproportionately higher rate of loss in Idaho (please attach map, BA, or relative information when submitting packet)

6. Based on [SGI Interactive Map \(sagegrouseinitiative.com\)](http://sagegrouseinitiative.com), the majority of the offered acres fall within which Resilience and Resistance class:

- ☐ HIGH
- ☐ MODERATE
- ☐ LOW

7. Does the eligible entity and landowner(s) agree to incorporate, perform, allow management and enforcement of all GSS deed restrictions and limitations as described in the February 2020 Minimum Deed Terms?

☐ YES

☐ NO [INELIGIBLE]

8. In 4-5 sentences, describe how the easement deed will address the protection of the grazing uses and associated conservation values. If applicable, describe the grassland bird whose populations are in significant decline. Highlight any specific requirements described in the February 2020 Minimum Deed Terms that will directly address such values or support population recovery.

9. In 4-5 sentences, describe how the current and planned activities of the agricultural operation further the protection of the grazing uses and related conservation values, including the grassland bird of interest.

10. Select the most appropriate item that describes the parcel's ability to enhance the protection of contiguous or proximal agricultural lands.

☐ Parcel increases acreage of protected agricultural land.

☐ Parcel is a contiguous or proximal expansion of protected agricultural land.

☐ Parcel links two non-contiguous corridors of protected agricultural land.

#### Land Use

1. Select the eligible land use(s) that pertain to the offered parcel.

*NOTE: Selected land use(s) must match the land use(s) selected on NRCS CPA-41A.*

☐ Rangeland

☐ Pastureland

☐ Grassland or land that contains forbs

☐ Shrubland for which grazing is the predominant use

☐ Land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value

2. For Non-Rangeland, does the offered easement area contain Mesic Habitat features such as riparian areas, wetlands, and/or mesic wildlife habitat such as streamside, wet meadows, springs and seeps, or irrigated pastures?

- ☐ YES
- ☐ NO or Rangeland

3. For Rangeland, is there a source of perennial or intermittent streams, lakes, or ponds within the offered easement area?

- ☐ Mesic habitat that includes wet, semi-wet meadows, or irrigated pasture/ hay meadows
- ☐ Moist habitat associated with perennial rivers and streams, permanent lakes
- ☐ Moist habitat associated with intermittent or ephemeral rivers and streams, seasonal lakes.
- ☐ Area contains no Mesic features or non-Rangeland

4. If “land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value” was selected as a land use type, describe in 3-4 sentences how the land is compatible with grazing uses and related conservation values. If this land type was not selected, write “N/A” in the space provided.

5. If “land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value” was selected as a land use type, describe in 3-4 sentences whether the vegetative communities historically found on the site have been restored OR if the applicant has a plan for restoration that occurs prior to the easement closing.

6. If “land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value” was selected as a land use type, please indicate if any of the following apply:

- ☐ The land could or does provide habitat for animal or plant populations of significant ecological value if the land is retained in grazing uses and related conservation values.
- ☐ The land enrolled would address State, regional, or national conservation priorities.
- ☐ Neither apply.

Describe your answer in 1-2 sentences:

7. Select the percent of prime, unique, or other important soils present on the parcel. Use the Farmland Classification report on the USDA Web Soil Survey to determine percentage.  
*NOTE: Refer to Appendix 4 for instructions on how to use the Web Soil Survey.*

- ☐ Less than 50%                      ☐ 50-60%                      ☐ 61-70%                      ☐ 71-80%
- ☐ More than 81%

8. Will any part of the parcel be tilled?

- ☐ YES – tilled for crop cultivation, hay/grain rotation **[ineligible]**  
☐ YES – tilled on a limited basis to improve condition of the present land-use(s)  
☐ NO

9. Select the applicable land type classification(s) that pertain to the parcel:

- ☐ Natural grasslands                      ☐ Wet meadows  
☐ Moist deserts                              ☐ Pastures of cool season grasses  
☐ Alpine plant community                      ☐ Pastures of warm season grasses  
☐ Unknown                                      ☐ Other:

10. The following composition of native vegetation is offered in the parcel area (please provide evidence):

- ☐ Greater than 75%  
☐ Greater than 50%  
☐ Greater than or equal to 25%  
☐ Less than 24.9%

11. Is the parcel zoned for agricultural use or is the land consistent with agriculture for counties without zoning?

- ☐ YES                      ☐ NO

Describe your answer in 1-2 sentences (if applicable, include zoning classification and evidence to support zoning classification):

12. Is the parcel already subject to an easement or other deed restriction that prevents land conversion to non-agricultural uses?

- ☐ YES                      ☐ NO

If yes, describe in 1-2 sentences and submit a copy of the restriction document with the application:



13. Is the parcel located in a region where enrollment achieves landscape, regional, or other agricultural or conservation goals and objectives identified in a state plan?

☐ YES

☐ NO

If yes, reference/cite the plan and describe the goals and objectives being met:

#### Access

1. Is there legal and physical access to all parts of the parcel? Select all that apply.

☐ YES. Direct access from public roadway.

☐ YES. Over and across private lands.

☐ NO. However, the land is accessible by Forest Service Road(s) or Bureau of Land Management Road(s). *NOTE: If selected, please include supporting documentation describing how such roads may be used in perpetuity. If roads are not accessible in perpetuity, the parcel is **ineligible**.*

☐ NO. There is no current legal or physical access to the land but both legal and physical access will be obtained prior to closing the easement.

☐ NO. There is no legal or physical access to the land, nor will such access be obtained prior to closing the easement. [**INELIGIBLE**]

2. In 1-2 sentences, describe the physical and legal access to the parcel, or the lack thereof:

#### Water Availability

1. Does the landowner hold water rights associated with the parcel?

☐ YES - total cfs: \_\_\_\_\_

☐ NO

2. Will water rights be conveyed with the conservation easement?

☐ YES - cfs conveyed: \_\_\_\_\_

☐ NO

If water rights will be conveyed, are they sufficient to support the related conservation values?

☐ YES

☐ NO

☐ N/A. Does not apply.

3. In 2-3 sentences, describe how the conveyance or lack of conveyance of water rights with the conservation easement will affect the conservation values of the parcel.

4. Is the parcel irrigated?

☐ YES

☐ NO

5. Is there an adequate water distribution system on the parcel to support effective and sustainable grazing uses?

☐ YES

☐ NO

☐ N/A. Does not apply.

6. If the land is grazed or will be grazed, in 2-3 sentences describe the water distribution system supporting grazing. If not applicable, write "N/A" in the space provided.

### At-Risk Species

To be considered for GSS/GSS-SGI, the operations of an agricultural operation may not have a negative effect on at-risk species/habitat as determined by NRCS. If the conservation easement and planned activities will not directly benefit the species/habitat or if current or planned activities negatively affect the species/habitat, the parcel will not qualify for GSS/GSS-SGI. NRCS may complete related Wildlife Habitat Evaluation Guides (WHEGs), Threat Checklists, or other documentation during an on-site visit to determine the parcels qualifications for GSS/GSS-SGI. Such documentation is available through the NRCS [electronic Field Office Technical Guide](#) (eFOTG) or by requesting copies from NRCS directly.

At-risk species include Federal listed Threatened species, Federal listed Endangered species, Federal candidate species, or IDFG Species of Greatest Conservation Need (SGCN). At-risk habitat includes any USFWS designated critical habitat. Such species/habitat must be located on, or within ¼ mile of parcel.

1. Provide the following information for each identified at-risk species or habitat located on, or within ¼ of, the parcel. Include a reference to supporting documentation for the species/habitat of interest in the reference citation column.

Name of species/habitat	Onsite or withing ¼ mile of site?	Listing status	Reference citation
	Choose Item:	Choose Item:	
	Choose Item:	Choose Item:	
	Choose Item:	Choose Item:	
	Choose Item:	Choose Item:	

2. If the parcel contains a Federal listed or state SGCN species/habitat, describe in 3-4 sentences how the conservation easement and the activities of the agricultural operation will directly support the species/habitat. If not applicable, write "N/A" in the space provided.

### Sage Grouse Initiative (SGI)

To be considered for the Sage Grouse Initiative (SGI), the operations of an agricultural operation may not have a negative effect on the applicable species as determined by NRCS. If the conservation easement and planned activities will not directly benefit the applicable species or if current or planned activities negatively affect the species, the parcel will not qualify for SGI. Shapefiles of the SGI focus area boundaries are provided upon request. NRCS may complete related Wildlife Habitat. Evaluation Guides (WHEGs), Threat Checklists, or other documentation during an on-site visit to determine the parcels qualifications for SGI. Such documentation is available through the NRCS [electronic Field Office Technical Guide](#) (eFOTG) or by requesting copies from NRCS directly.

1. Is at least 50% of the area located within an Idaho SGI focus area identified by NRCS?

☐ YES - Greater Sage Grouse Priority Area

☐ NO [**INELIGIBLE for SGI**]

2. If the parcel is located within an Idaho SGI focus area, indicate the percentage of area located within the boundary. Attach a map showing the species presence on the parcel and percentage of parcel located within boundary. If not applicable, write "0" for the percent in the sentence below.

\_\_\_\_\_ % of easement area is located within SGI boundary.

3. If the parcel is located within an Idaho SGI focus area, describe how the conservation easement and the activities of the agricultural operation will directly support the species. If not applicable, write "N/A" in the space provided.

4. In 1-2 paragraphs, describe the habitat acreage and condition existing on the parcel to be protected. Include details on how much of this suitable habitat is located within the core, historic, and/or linkage area of the species range.

5. If the parcel is actively hayed, or if there are plans to hay the parcel, describe how harvesting will be managed to have the least impact on the species selected for question #1 above. Indicate if a plan (e.g., Forage Harvest Management Plan) will be implemented as part of the management strategy. If not applicable, write "N/A" in the space provided.

6. Are there any current or planned activities on the parcel that may harm the species selected for question #1 above (e.g., non-wildlife friendly fencing)?

☐ YES      ☐ NO

If yes, briefly describe the activities:

7. In 1-2 paragraphs, describe how the eligible entity and landowner will ensure protection, improvement, restoration, and maintenance of the habitat for the selected species/ habitat for question #1.

#### Sub-surface/Mineral Rights

1. Does the landowner own the entire sub-surface/mineral estate?

☐ YES      ☐ NO

2. Will the landowner's discretion with respect to third-party mineral rights be limited as described in the February 2020 NRCS Minimum Deed Terms?

☐ YES      ☐ NO      ☐ N/A. Does not apply.

3. In 1-2 sentences, describe any sub-surface/mineral rights subject to recorded or unrecorded leases. If not applicable, write "N/A" in the space provided.

4. Will a mineral remoteness assessment or equivalent be developed for the parcel?

☐ YES      ☐ NO      ☐ N/A. Does not apply.

5. Describe the circumstances of the mineral estate. Include any past or current activity and whether there is risk to the parcel from exploration and development activities under the subsurface estate.

### Title and On- or Off-site Conditions

1. Describe any identified exceptions to title coverage. If not applicable, write "N/A" in the space provided.

2. Describe any unrecorded exceptions to title coverage, leases, or other unrecorded use of the parcel. This includes written and verbal leases. If not applicable, write "N/A" in the space provided.

3. Describe any hazardous material present on or nearby the parcel. If not applicable, write "N/A" in the space provided.

4. Describe existing or permitted rights-of-way for utilities or other infrastructure on the parcel. If not applicable, write "N/A" in the space provided.

5. Will the applicant complete a limited or full phase-I environmental assessment of the parcel before closing the easement?

☐ YES

☐ NO

### Impervious Surface

How much impervious surface is present on the parcel? [*NOTE: An estimate of the percent impervious surface may be obtained through measuring the surface area on an aerial photo or other mapping means*].

☐ 2% or less of the total acres.

☐ Greater than 2% of the total acres. Parcels with more than 2% impervious surface are **ineligible unless a waiver is granted**. Submit a waiver request with the application packet.

### Building Envelopes

1. Will the landowner reserve any building rights on the parcel?

☐ YES

☐ NO

If yes, describe why the building rights and associated building envelope are necessary to support the conservation values:

2. If building rights are reserved, is there existing access directly to the proposed or existing building envelope via a paved, gravel, or two-track road?

☐ YES ☐ NO ☐ N/A. Does not apply.

3. If there is existing access to the building envelope, is the access sufficient in providing access for future development and use within the building envelope?

☐ YES ☐ NO ☐ N/A. Does not apply.

4. Are there plans to construct new roads on the parcel?

☐ YES ☐ NO

5. Does the landowner understand that any changes to the building envelope after obligation of funds are subject to NRCS approval?

☐ YES ☐ NO ☐ N/A. Does not apply.

### Subdivision

Applicants are advised to submit individual parcel applications for each proposed subdivision if the landowner would like to retain subdivision rights. Applying in this manner is advisable if the entity and landowner wish to guarantee subdivision approval during the application process rather than wait for the outcome of subdivision approval pre-closing for funded parcels. Approved parcels will be treated as separate easements. If the applicant elects to submit one parcel application that includes subdivision rights, **approval of subdivisions or changes to subdivisions after obligation is not guaranteed.**

1. Will the landowner reserve the right to subdivide the parcel?

*NOTE: If yes, a farmland classification map, land use/land type map, proposed subdivision map with acreage of each division, soils map, and an impervious surface map with percentage must be submitted for each division.*

☐ YES - Additional maps that are required are included with the application as stated above

☐ NO

2. If the right to subdivide is retained, describe how each division will meet the selected land eligibility category. If not applicable, write "N/A" in the space provided.

### Minimum Deed Terms (MDT)

1. Does the eligible entity accept the NRCS Minimum Deed Terms?

*NOTE: ACEP-ALE GSS applicants refer to MDT v. Feb 2020 on ID ACEP-ALE webpage.*

☐ YES ☐ NO [INELIGIBLE]

2. Does the landowner accept the NRCS Minimum Deed Terms?

*NOTE: ACEP-ALE GSS applicants refer to MDT v. Feb 2020 on ID ACEP-ALE webpage.*

☐ YES ☐ NO [INELIGIBLE]

3. Indicate how the applicant entity plans to address NRCS MDTs for the parcel in the easement deed.

*NOTE: An applicant will score higher by opting to append the MDT. If the MDT is incorporated, the document is subject to additional review at the national level.*

- ☐ The applicable MDT version will be appended to the easement deed. **[preferred]**
- ☐ The applicable MDT version will be incorporated verbatim into the easement deed.
- ☐ The eligible entity will use its own NRCS-approved deed template that incorporates the appropriate MDT version.
- ☐ The eligible entity will use another entity's NRCS-approved deed template that incorporates the appropriate MDT version.
- ☐ Other: \_\_\_\_\_

### Resource Concerns and Conservation Values

1. Select and briefly describe the ACEP-ALE resource concern(s) that will be addressed through the protection of the parcel? Select all that apply.

*NOTE: Use Appendix 5 to help answer this question. Attach supporting photographs, maps, and supplemental documentation as appropriate.*

- ☐ Soil – erosion, reduction, deposition:
- ☐ Soil – condition improvement:
- ☐ Soil – protection of rare, unique, or endangered soils:
- ☐ Water – quantity improvement:
- ☐ Water – quality improvement:
- ☐ Air – quality improvement:
- ☐ Plant – species composition:
- ☐ Plant – suitability enhancement:
- ☐ Plant – condition improvement:
- ☐ Plant – productivity:
- ☐ Animal – species composition, habitat improvement, and habitat diversity:
- ☐ Animal – livestock production limitation:
- ☐ Energy – inefficient energy use:
- ☐ Other: \_\_\_\_\_

2. Will the selected resource concern(s) be addressed in the baseline report, ALE deed, and/or the ALE plan?

*NOTE: if the application receives points for a resource concern, the resource concern must be addressed in at least one of the mentioned documents.*

- ☐ YES                      ☐ NO                      ☐ N/A. Does not apply.

## Entity Performance

1. In 5-6 sentences, describe the entity applicant's performance during the previous five fiscal years (October 1 – September 30) as it relates to demonstrated efficiency in completing NRCS easement transactions. If not applicable, write "N/A" in the space provided.

In 4-5 sentences, describe the entity applicant's performance during the previous three fiscal years (October 1 – September 30) as it relates to demonstrated ability in monitoring NRCS easements.

*NOTE: describe whether the entity monitored easements annually and provided sufficient, timely reports to NRCS.*

## Certification Statement

By signing below, I certify that the information provided in this Parcel Application for the parcel offered for enrollment is true, correct, and complete. I understand that NRCS must follow all statute, regulations, and policies governing ACEP in the decision and determination of both landowner and land eligibility for the offered parcel. I also understand that NRCS will perform a site visit and landowner interview to determine land eligibility before funding determination.

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**Eligible Entity Signature (*E-signature not accepted*)**

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**Date**

---

**Primary Applicant Signatory Name and Title (Printed)**

---

**Eligible Entity Name**



## PART III – APPLICATION SUBMISSION INSTRUCTIONS

### ACEP-ALE and ACEP-ALE BPS Transaction Application Package Submission

ACEP-ALE applicants must submit a complete application packet to an Idaho State Easement Coordinator and Idaho State Easement Support Specialist, on or before the application batching due date. Applications received after the application batching date are ineligible for FY23 program funding and will be deferred to FY24. Mailed application packets post-marked by the application batching date are still eligible for program funding. To be considered for program funding, applications must be submitted in the following manner:

#### Mail:

1. Print the completed Parcel Application and all applicable forms. Ensure documents are signed, dated, and in order. Do not print or include application appendices in application submission.
2. Print any supplemental documents and include with application packet. Be sure to reference the applicability of each additional document in the Parcel Application.
3. If you are submitting along with an Entity Application, please separate or distinguish the Entity Application and supporting documentation from the Parcel Application and supporting documentation.
4. Do not fold or crease applications. NRCS recommends that applications be mailed using a manila envelope, or similar, to prevent creased or damaged applications.
5. Applications must be mailed to:

USDA NRCS  
Attn: Easement Programs  
9713 W. Barnes Dr, Suite C  
Boise ID, 83709-1574

Applications must be received or post-marked by the application batching date to be considered for FY23 program funding.

6. NRCS will notify via email the Primary Entity Point of Contact listed for question 3 on page 7 upon receipt of the mailed application.

#### Email:

1. Download and complete the Parcel Application and all applicable forms. Ensure documents are signed, dated, and in order. Do not include application appendices in application submission.
2. Download any supplemental documents. Be sure to reference the applicability of each additional document in the Parcel Application.
3. Separate the completed application packet by document type (i.e., do not combine Parcel Application with forms or supplemental documents). Each document must be attached to email as an independent file. Drop box links to application materials are not accepted per NRCS policy.
4. NRCS suggests the following naming scheme for each document:  
Document Name\_Entity Name\_Landowner Name\_FY23 GSS Parcel  
(Example) NRCS-CPA-41A\_Idaho LT\_Smith Ranch\_FY23 GSS Application

5. Compose email.
  - a. Subject Title: NRCS suggests the following subject title for each composed email:  
Entity Name\_Landowner Name\_FY23 GSS Parcel Application\_1 of X  
(Example) Idaho LT\_Smith Ranch\_FY23 GSS Parcel Application\_1 of 2
  - b. Email Body: In email body, include entity name and your request that the attached application be considered for FY23 ACEP-ALE program funding. Also include a list of the attached documents so that the recipient may cross-reference the list with the received attachments to ensure all documentation is accounted for.
6. Applications must be emailed to:  
Diane French [Diane.French@usda.gov](mailto:Diane.French@usda.gov)  
CC: Tracie O'Neill (East) [Tracie.oneill@usda.gov](mailto:Tracie.oneill@usda.gov)  
CC: Chris Chapa (West) [Chris.Chapa@usda.gov](mailto:Chris.Chapa@usda.gov)
7. Applications must be received on or before the application batching date to be considered for FY23 program funding.
8. NRCS will reply to each email to confirm receipt of the application materials.

*NOTE: NRCS recognizes that the application includes large file types and that an entity may need to send multiple emails when submitting a digital application. It is important for these entities to denote the total number of emails and the order of the current email in the subject line.*

## PART IV – APPENDICES

**\*\*\* DO NOT INCLUDE APPENDIX SECTIONS IN THE APPLICATION PACKET FOR SUBMISSION. APPENDIX SECTIONS ARE INCLUDED FOR APPLICANT INFORMATION ONLY. \*\*\***

### Appendix 1: Definitions

*Access:* Legal and physical ingress and egress to the entire easement area over adjacent or contiguous lands for the exercise of any of the rights or interests under the easement for the duration of its term for the purposes of the program. Access for easement enrollments must be described in the easement deed.

*AD-1026, Highly Erodible Land and Wetland Conservation Certification:* A form administered by the USDA Farm Service Agency (FSA) that NRCS uses to in part determine eligibility for ACEP-ALE and other programs. All landowners, including any members of landowner entities, must be in compliance with the highly erodible land and wetland conservation provisions—on all land persons have an interest in, anywhere in the United States—in order to be eligible to receive USDA payments (including ACEP-ALE). If the form has been submitted before and there has been no change in ownership or land use, the form does not need to be resubmitted. If a person is determined to be out of compliance—on any land in any state—all USDA payments are in jeopardy for that crop year and all subsequent crop years the person remains out of compliance. Submit a copy of this form with your application package.

*Agricultural land:* Real property is considered to be agricultural land or land in agricultural use, including land on a farm or ranch, if it is consistent with the State's program to purchase agricultural conservation easements. If there is no State program, the definitions of a farm, ranch, or agricultural use in the State's agricultural use tax assessment program will be used to define agricultural land. The definition must not be so broad as to lead to the degradation of the soils.

*Agricultural land easement (ACEP-ALE):* An easement or other interest in eligible land that is conveyed under ACEP-ALE for the purposes of protecting natural resources and the agricultural nature of the land, and of promoting agricultural viability for future generations, and permits the landowner the right to continue agricultural production and related uses subject as applicable, to an agricultural land easement plan.

*Agricultural land easement plan (ALE plan):* A document developed by the eligible entity that describes the activities which promote the long-term viability of the land to meet the purposes for which the easement was acquired. An agricultural land easement plan includes a description of the farm or ranch management system and the natural resource concerns on the land, describes the conservation measures and practices that may be implemented to address applicable resource concerns for which the easement was enrolled, and incorporates by reference any component plans such as a grasslands management plan, forest management plan, or HEL conservation plan as defined in this part.

*Agricultural uses:* Those activities defined by a State's farm or ranch land protection program, or, where no program exists, by the State agricultural use tax assessment program.

*Associated agriculture lands:* An official NRCS land use from the National Planning Procedures Handbook. It is land associated with farms and ranches that are not purposefully managed for food, forage, or fiber and are typically associated with nearby production or conservation lands. This could include incidental

areas, such as idle center pivot corners, odd areas, ditches and watercourses, riparian areas, field edges, seasonal and permanent wetlands, and other similar areas.

*At-risk species:* Any plant or animal species listed as threatened or endangered; proposed or candidate for listing under the Endangered Species Act; a species listed as threatened or endangered under State law or Tribal law on Tribal land; State or Tribal land species of conservation concern; or other plant or animal species or community, as determined by the State conservationist, with advice from the State technical committee or Tribal conservation advisory council, that has undergone, or is likely to undergo, population decline and may become imperiled without direct intervention.

*Beginner farmer or rancher:* A person, Indian Tribe, Tribal corporation, or legal entity who—

(i) Has not operated a farm or ranch or nonindustrial private forest land (NIPF), or who has operated a farm or ranch or NIPF for not more than 10-consecutive years. This requirement applies to all members of an entity who will materially and substantially participate in the operation of the farm or ranch or NIPF.

(ii) In the case of an individual, individually or with the immediate family, material and substantial participation requires that the individual provide substantial day-to-day labor and management of the farm or ranch consistent with the practices in the county or State where the farm is located.

(iii) In the case of a legal entity or joint operation, all members must materially and substantially participate in the operation of the farm or ranch. Material and substantial participation requires that each of the members provide some amount of the management or labor and management necessary for day-to-day activities, such that if each of the members did not provide these inputs, operation of the farm or ranch would be seriously impaired.

*Building envelope:* An area within which the structures on the farm or ranch are located and within which building may occur on an ACEP-ALE easement.

*Buy-Protect-Sell transaction:* A legal arrangement between an eligible entity and NRCS relating to land owned or being purchased by an eligible entity on a transitional basis during which an agricultural land easement will be secured on eligible private or Tribal land, and ownership of the land transferred to a qualified farmer or rancher following conditions specified by NRCS.

*CCC-902, Farm Operating Plan form (902-I for individuals or 902-E for entities):* A form administered by the USDA Farm Service Agency (FSA) that collects information about persons (individuals) or entities to determine eligibility for payments. The 902-E form is used for general partnerships, joint ventures, tribes, corporations, limited partnerships, LLCs, trusts, estates, etc. (i.e., entity owning farm). The 902-I form is used for individual persons. A CCC-902 form is required for participation in NRCS programs.

*CCC-941, Average Adjusted Gross Income form:* A form administered by the USDA Farm Service Agency (FSA) that NRCS uses to in part determine eligibility for ACEP-ALE and other programs. Landowner(s) must certify to having an average annual adjusted gross income (AGI) equal to or less than \$900,000.00 for the previous three tax years for both on-farm and off-farm income. Landowners should address this immediately to avoid delays in processing this application. If the landowner is an entity, additional forms may be needed by FSA to verify AGI status at the individual level—e.g., “CCC-901” or “CCC-902E.” Check with FSA. Submit a copy of these form(s) with your application package.

*Co-holder:* A legal entity that will be identified in the agricultural land easement deed as a grantee but is not the applicant and does not have to meet the requirements of being an eligible entity. However, a co-holder is required to maintain an active DUNS and SAM registration and must agree to and comply with the terms of the ALE agreement. A co-holder may not receive direct payment of the Federal share provided by NRCS but is considered a beneficiary of the Federal funds. All prospective co-holders must be listed on the CPA-41.

*Conservation Reserve Program (CRP):* The program administered by the Commodity Credit Corporation by and through the Farm Service Agency (FSA) as required by 16 U.S.C. Sections 3831–3836.

*Cropland:* An official NRCS land use from the National Planning Procedures Handbook. It is land used primarily for the production and harvest of annual or perennial field, forage, food, fiber, horticultural, orchard, vineyard, or energy crops.

*Developed land:* An official NRCS land use from the National Planning Procedures Handbook. It is land occupied by buildings and related facilities used for residences, commercial sites, public highways, airports, and open space associated with towns and cities.

*Entity applicant (also, Eligible entity):* An Indian Tribe, State Government, local government, or a nongovernmental organization that has a farmland or grassland protection program that purchases agricultural land easements for the purpose of protecting: (i) The agriculture use and future viability, and related conservation values, of eligible land by limiting non-agricultural uses of that land that negatively affect the agricultural uses and conservation values; or (ii) grazing uses and related conservation values by restoring or conserving eligible land. Any entity applicants must meet all the requirements of an eligible entity, must be listed as such on the CPA-41, and must accept all the terms and responsibilities of the ALE agreement.

*Farm or Ranch Land of State and Local Importance:* As identified on [Web Soil Survey](#) or in the Field Office Technical Guide. Land in addition to prime or unique farmland, that is of statewide or local importance for the production of food, feed, fiber, forage, biofuels, or oilseed crops. The appropriate State or local government agency determines statewide or locally important farmland with concurrence from the State conservationist. Generally, these farmlands are nearly prime farmland that economically produce high yields of crops when treated and managed in accordance with acceptable farming methods. Some may produce as high a yield as prime farmland. In some States and localities, farmlands of statewide and local importance may include tracts of land that have been designated for agriculture by State law or local ordinance in accordance with 7 CFR Part 657.

*Farm or ranch succession plan:* A general plan to address the continuation of some type of agricultural business on the enrolled land. The farm or ranch succession plan may include specific intrafamily succession agreements or business asset transfer strategies to create opportunities for new or beginning farmers or ranchers, veteran farmers or ranchers, or other historically underserved landowners.

*Farmstead:* An official NRCS land use from the National Planning Procedures Handbook. It is land used for facilities and supporting infrastructure where farming, forestry, animal husbandry, and ranching activities are often initiated. This may include dwellings, equipment storage, plus farm input and output storage and handling facilities. Also includes land dedicated to the facilitation and production of high-intensity animal agriculture in a containment facility where daily nutritional requirements are obtained from other lands or feed sources.

*Forest land, or non-industrial private forest land:* Land on which the historic and/or introduced vegetation is predominantly tree cover managed for the production of wood products or non-timber forest products. Specifically, non-industrial private forest land is rural land, as determined by the NRCS, that has existing tree cover or is suitable for growing trees; and is owned by any nonindustrial private individual, group, association, corporation, Indian Tribe, or other private legal entity that has definitive decision-making authority over the land. Even more specifically for the purposes of ACEP-ALE, non-industrial private forest land is land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development and does not consist of more than two-thirds of contiguous portions of the offered area (unless a waiver is granted). If using this land cover or use category, the land is considered at least 10-percent stocked by single-stemmed woody species of any size that will be at least 13-feet tall at maturity and/or there is land-bearing evidence of natural regeneration of tree cover (cutover forest or abandoned farmland) that is not currently developed for non-forest use. 10-percent stocked, when viewed from a vertical direction, equates to an aerial canopy cover of leaves and branches of 25 percent or greater. The minimum area for classification as forest land is 1 acre, and the area must be at least 100 feet wide. It should be noted that ACEP-ALE considers land covered by trees as cropland when the trees are not native species (orange groves, fruit and nut tree orchards) or native species that are cultivated (planted in rows, fertilized, and cultivated).

*Forest management plan:* Site-specific plan that describes management practices that conserve, protect, and enhance the viability of the forest land. Forest management plans may include a forest stewardship plan, as specified in section 5 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. Section 2103a) or other plan approved by the State forester.

*“Furthers a State or local policy” land eligibility category:* The protection of the land offered for enrollment must be consistent with a State or local policy that is consistent with the purposes of ACEP-ALE and the protection of such land must further the State or local policy.

*Future viability:* The legal, physical, and financial conditions under which the land itself will remain capable and available for continued sustained productive agricultural or grassland uses while protecting related conservation values such as management of the agricultural land easement area consistent with an agricultural land easement plan.

*Grassland:* Land on which the vegetation is dominated by grasses, grass-like plants, shrubs, or forbs, including shrubland, land that contains forbs, pastureland, and rangeland, and improved pastureland and rangeland.

*Grasslands of special environmental significance (GSS):* Grasslands that contain little or no noxious or invasive species, as designated or defined by State or Federal law; are subject to the threat of conversion to non-grassland uses or fragmentation; and the land meet both of the following —

- Is rangeland, pastureland, shrubland, or wet meadows on which the vegetation is dominated by native grasses, grass-like plants, shrubs, or forbs, or is improved, naturalized pastureland, rangeland, or wet meadows.
- Provides, or could provide, habitat for threatened or endangered species or at-risk species, protects sensitive or declining native prairie or grassland types or grasslands buffering wetlands, or provides protection of highly sensitive natural resources as identified by the State conservationist, in consultation with the State technical committee.

*Grasslands management plan:* The site-specific plan that describes the grassland resources, the management system and practices that conserve, protect, or enhance the viability of the grassland, and as applicable, the habitat, species, or sensitive natural resources.

*Historical and archaeological resources:* Resources that meet any of the following criteria:

- (i) Listed in the National Register of Historic Places (established under the National Historic Preservation Act (NHPA), 54 U.S.C. Section 300101 et seq.).
- (ii) Formally determined eligible for listing in the National Register of Historic Places (by the State historic preservation officer (SHPO) or Tribal historic preservation officer (THPO) and the Keeper of the National Register in accordance with section 106 of the NHPA.
- (iii) Formally listed in the State or Tribal register of historic places of the SHPO (designated under section 101(b)(1)(B) of the NHPA) or the THPO (designated under section 101(d)(1)(C) of the NHPA).
- (iv) Included in the SHPO or THPO inventory with written justification as to why it meets National Register of Historic Places criteria.

*HEL Conservation Plan:* The document that applies to highly erodible cropland as designated by the Farm Service Agency (FSA) and describes the conservation system applicable to the highly erodible cropland and describes the decisions of the person with respect to location, land use, tillage systems, and conservation treatment measures and schedules and, where appropriate, may include conversion of highly erodible cropland to less-intensive uses. The plan can only be developed by the NRCS.

*Historically underserved landowner:* A beginning, limited resource, or socially disadvantaged farmer or rancher, or veteran farmer or rancher.

*Invasive species:* An alien species whose introduction does or is likely to cause economic or environmental harm or harm to human health.

*Land Eligibility Determination:* A determination made by NRCS after review of the application package, an onsite review, and interview with the landowner(s), concluding whether the offered easement area and its attributes meet the established land eligibility criteria applicable to the application. Determinations are made after application submission but before funding selection. Review includes an Environmental Database Records Search paid for by NRCS, which may also occur post-obligation for funded parcels.

*Landowner:* A person, legal entity, or Indian Tribe having legal ownership of eligible land and those who may be buying eligible land under a purchase agreement. The term landowner may include all forms of collective ownership including joint tenants and tenants-in-common, and includes heirs, successors, assigns, and anyone claiming under them. The term landowner also includes both the owners of a life estate interest in land and the owners of a remainder interest in land that is subject to a life estate, and includes both the purchasers and sellers under an active contract for deed, contract for sale, land contract or other similar "lease to own" land purchase financing arrangement. State governments and local governments are not eligible as landowners. For ACEP-ALE, nongovernmental organizations and Indian tribes that qualify as eligible entities are not eligible as landowners unless otherwise determined by NRCS following an approved buy-protect-sell transaction.

*Legal entity:* Means an entity created under Federal or State law that meets either of the following criteria:

- (i) Owns land or an agricultural commodity, product, or livestock
- (ii) Produces an agricultural commodity, product, or livestock

*Limited-resource farmer or rancher:* Means either of the following –

- (i) A person who meets both of the following criteria:
  - With direct or indirect gross farm sales not more than the current indexed value in each of the previous 2 fiscal years (adjusted for inflation using Prices Paid by Farmer Index as compiled by National Agricultural Statistical Service)
  - Has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income in each of the previous 2 years (to be determined annually using the U.S. Department of Commerce Data)
- (ii) A legal entity or joint operation if all individual members independently qualify under paragraph (i) above.

*Noxious weed:* Any plant or plant product that can directly or indirectly injure or cause damage to crops (including nursery stock or plant products), livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural resources of the United States, the public health, or the environment. Noxious weeds will generally possess one or more of the characteristics of being aggressive and difficult to manage, parasitic, a carrier or host of deleterious insects or disease, and being non-native, new to, or not common to the United States or parts thereof.

*Other productive soils:* Includes prime farmland soils, unique farmland, or farm and ranch land of State and local importance as defined in this section.

*Parcel:* The defined area of land and may be a portion or all of the area of land that is owned by the landowner.

*Pastureland:* Land composed of introduced or domesticated native forage species that is used primarily for the production of livestock. Pastures receive periodic renovation and cultural treatments, such as tillage, fertilization, mowing, weed control, and may be irrigated. Pastures are not in rotation with crops.

*Pending offer:* A pending offer is a written bid, contract, or option to convey a conservation easement for any of the four land eligibility categories allowable under ACEP-ALE. A written pending offer may take the form of a signed option-to-purchase agreement or other type of purchasing agreement, a letter of intent to sell the easement, an offer letter from the landowner to the eligible entity, or other similar documentation. A pending offer may document a landowner's intent to sell the easement without a commitment to a purchase price as many offers are made before the appraisals are completed. The offer must be for the acquisition of an agricultural conservation easement in perpetuity, or for the maximum duration allowed under State law. The written pending offer may be extended by the eligible entity to the landowner to acquire the conservation easement or may be from the landowner to the eligible entity to sell the conservation easement.

*Prime farmland:* As identified on [Web Soil Survey](#) or in the Field Office Technical Guide. Land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, without intolerable soil erosion, as determined by NRCS. Soils that are prime if irrigated or prime if drained may



be considered to meet this eligibility criterion if they are currently in the condition required to be prime and the management and maintenance of the necessary irrigation or drainage rights and capabilities are addressed in the conservation easement deed, baseline documentation report, and as applicable, the agricultural land easement plan.

*Program:* Only for the purposes of determining the necessity of a new Program Agreement entity application package, *program* means ACEP-ALE or different Regional Conservation Partnership Program (RCPP) overarching projects. Grasslands of special significance or other initiative do not count as a separate program for the purposes of a Program Agreement.

*“Protects grazing uses” land eligibility category:* Land that is one of the following –

(i) Grassland, rangeland, pastureland, land that contains forbs, or shrubland for which grazing is the predominant use.

(ii) Located in an area historically dominated by grassland, forbs, or shrubland, and the State conservationist, with advice from the State technical committee, determines to be compatible with grazing uses and related conservation values, and the grassland, forb, or shrubland vegetative communities historically found on the site have been restored or the eligible entity has a valid, funded plan for the restoration of such vegetative communities in place prior to closing, and either of the following apply to the enrollment of such land:

- Could or does provide habitat for animal or plant populations of significant ecological value if the land is retained in grazing uses and related conservation values
- Would address State, regional, or national conservation priorities

*Purchase price:* The appraised fair market value of the agricultural land easement minus the landowner donation.

*Rangeland:* An official NRCS land use from the National Planning Procedures Handbook. It is land on which the historic and/or introduced vegetation is predominantly grasses, grass-like plants, forbs or shrubs managed as natural ecosystem. Range land may include natural grasslands, savannas, shrublands, tundra, alpine communities, marshes and meadows.

*Third-party right holder:* A legal entity that will be identified in the agricultural land easement deed as having specific rights or responsibilities but is not listed as grantee. A third-party right holder is not the applicant, does not have to be party to the ALE-agreement, may not receive direct payment of the Federal share provided by NRCS, is not considered a beneficiary of Federal funds, and is not required to be registered in DUNS or SAM. All prospective third-party right holders must be listed on the CPA-41.

*Unique Farmland:* As identified on [Web Soil Survey](#) or in the Field Office Technical Guide. Land other than prime farmland that is used for the production of specific high-value food and fiber crops, as determined by NRCS. It has a special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or high yields of specific crops when treated and managed in accordance with acceptable farming methods. Examples of such crops include citrus, tree nuts, olives, cranberries, fruits, and vegetables. Additional information on the definition of prime, unique, or other productive soil can be found in 7 CFR Parts 657 and 658.

*Shrubland:* Land predominantly composed of shrubs and for which grazing is the predominant use.

*Socially disadvantaged farmer or rancher:* A producer who is a member of a group whose members have been subjected to racial or ethnic prejudices without regard to its members' individual qualities. For a legal entity, at least 50-percent ownership in the legal entity must be held by socially disadvantaged individuals.

*Veteran farmer or rancher:* A producer who meets the definition in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (7 U.S.C. Section 2279(a)).

*Water:* An official NRCS land use from the National Planning Procedures Handbook. It is a geographic area whose dominant characteristic is open water or permanent ice or snow. May include intermingled land, including tidal-influenced coastal marsh lands.

## Appendix 2: Cost Share Match Requirements for 2018 Farm Bill Enrollments

### General Information

There are two types of enrollments available under the ACEP-ALE: General and Grasslands of Special Significance (GSS). Each enrollment type has specific requirements for cost-share and matching funds. These requirements are based on the fair market value (FMV) of the easement as determined by an appraisal or other means of easement valuation and as accepted by the NRCS. The determination of FMV cannot not include any amounts for other costs for acquisition or management. The eligible entity must provide information on the estimated FMV and all contribution sources at the time of application. If funded and before closing, the eligible entity will provide a final listing of sources on the applicable "Statement to Confirm Matching Funds" form and will provide supporting invoices or receipts as applicable.

### Federal v. Non-Federal Share

Table 1. Federal and Non-Federal Share Requirements.

	Federal Share (max. % of FMV)	Non-Federal Share (min. % of FMV)
General ALE Enrollment	50%	50%
ALE-GSS Enrollment	75%	25%†

*†Estimation. The Non-Federal Share for GSS must be at least equivalent to the Federal share or satisfy the remainder of the easement FMV, whichever is less.*

To be eligible for up to 75% Federal Share, the parcel must meet the established qualifications of GSS and the GSS option must be selected on the CPA-41A form. The GSS definition and other criteria can be found in the applicable section of the GSS Parcel Application Parcel Questionnaire. There are no longer cash contribution waivers available for GSS or any other enrollment.

### Non-Federal Share Requirements

The Non-Federal Share may be comprised of various sources. The allowable sources are listed below and should be considered in the order they appear (#1-4). No other sources will be considered.

1. The eligible entity's own cash resources for payment of easement compensation to the landowner. The resources may be in-hand or committed. If these resources are less than 10% of the easement FMV, the eligible entity must attach to the CPA-41A specific evidence of funding or capacity available to manage, monitor, and enforce the easement.
2. A landowner donation toward the easement value in the form of a charitable donation or qualified conservation contribution (section 170(h) of IRC of 1986). No other form of donation is acceptable. *ACEP-ALE does not require the landowner to donate any part of the easement FMV.*
3. The procured costs paid by the eligible entity from sources other than the landowner (directly or indirectly) to a third-party for *ONLY* the items listed below. If not listed here, the procured cost is

not acceptable for the Non-Federal Share. If the cost of any one of the items listed below is counted toward the Non-Federal Share, the report or service *must* meet the standards or requirement as identified in the ALE agreement or other NRCS-provided documentation.

- a. Appraisal
  - b. Legal boundary survey of the easement area
  - c. Full phase-I environmental site assessment that meets the requirement of 40 CFR Part 312
  - d. Title commitment or report
  - e. Title insurance
  - f. Closing costs
4. Up to 2% of the easement FMV toward stewardship and monitoring costs contributed by the eligible entity from sources other than the landowner (directly or indirectly). Any amount over 2% will not be counted.

#### Examples

Example 1: Determination of the Amount of the Federal Share for General-ALE Enrollments:

<b>FMV of ALE</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$500,000</b>
Eligible Entity Cash (item (2)(i))	100,000	20,000	70,000	200,000
Landowner Donation (item (2)(ii))	150,000	200,000	100,000	200,000
Procured Costs Paid by Entity (item (2)(iii))	Not included	30,000	20,000	Not Included
Stewardship/Monitoring Costs (item (2)(iv))	Not included	Not Included	10,000	Not Included
<b>Total Non-Federal Share</b>	<b>250,000</b>	<b>250,000</b>	<b>200,000</b>	<b>400,000</b>
<b>Total Federal Share for General ALE</b>	<b>250,000</b>	<b>250,000</b>	<b>200,000</b>	<b>100,000</b>
Eligible Entity Cash Contribution as Percentage of FMV	20%	4%*	14%	40%

Example 2: Determination of the Amount of the Federal Share for ALE-GSS Enrollments:

<b>FMV of ALE</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$500,000</b>
Eligible Entity Cash (item (2)(i))	62,500	25,000	120,000	150,000
Landowner Donation (item (2)(ii))	62,500	70,000	100,000	150,000
Procured Costs Paid by Entity (item (2)(iii))	Not included	30,000	20,000	Not Included
Stewardship/Monitoring Costs (item (2)(iv))	Not included	Not Included	10,000	Not Included
<b>Total Non-Federal Share</b>	<b>125,000</b>	<b>125,000</b>	<b>250,000</b>	<b>300,000</b>
<b>Total Federal Share for ALE-GSS</b>	<b>375,000</b>	<b>375,000</b>	<b>250,000</b>	<b>200,000</b>
Eligible Entity Cash Contribution as Percentage of FMV	13%	5%*	24%	40%

\*See requirements in #1 of the "Non-Federal Share Requirements" section for cash contributions less than 10%

## Appendix 3: Description of Application Forms

The following forms are required to establish entity, parcel, and landowner eligibility for ACEP-ALE General, GSS, GSS-SGI or Buy-Protect-Sell (BPS) Transactions. All Forms are accessible on the Idaho State NRCS ACEP-ALE webpage: [Idaho Easements - ACEP-ALE](#)

### **NRCS CPA-41 “Entity Application for an Agricultural Land Easement (ALE) Agreement”**

NRCS CPA-41 is used to determine the eligibility of the entity to participate in the ACEP-ALE program under a “Program Agreement”. Once determined to be eligible to receive assistance under a Program Agreement, an entity participating in ACEP-ALE is identified by NRCS as an “eligible entity.” If an eligible entity is certified by NRCS under Part 528, Subpart H, the eligible entity may also be referred to as a “certified entity.” The term eligible entity refers to both a certified eligible entity or a noncertified eligible entity.

ACEP-ALE program agreements establish the framework under which NRCS and an eligible entity will operate and identifies the potential co-holder and third-party right holders that may be party to the acquisition of any ACEP-ALE easement associated with the ACEP-ALE program agreement. ACEP-ALE funds are not obligated to an ACEP-ALE program agreement. Instead, the obligation and payment of cost-share assistance occurs on an individual parcel basis through execution of individual ACEP-ALE cost-share contracts that are associated with the ACEP-ALE program agreement and are entered into by NRCS, the eligible entity, and any co-holders specific to the individual parcel.

### **NRCS CPA-41A “Parcel Sheet for Entity Application for an Agricultural Land Easement (ALE) Agreement”**

NRCS CPA-41A is used to determine the eligibility status of the parcel and parcel landowner(s) for the ACEP- ALE program. Information disclosed on this form is also used to assess how the parcel ranks using national and state criteria. The term “parcel” refers to the portion of the property that is proposed for an ALE. This form can be submitted simultaneously with an Entity Application (NRCS-CPA-41). Alternatively, one or more CPA-41A forms can be submitted any time after the applicant entity has an executed Program Agreement with NRCS. However, this form must be submitted by the advertised application batching date to be considered for funding in the upcoming FY funding cycle.

### **NRCS CPA-41A BPS Supplement “Buy-Protect-Sell Transaction Supplement to the Parcel Sheet for Entity Application for an Agricultural Land Easement (ALE) Agreement”**

NRCS CPA-41A BPS Supplement is used to determine the eligibility status of the applying entity and parcel of interest for a buy-protect-sell transaction under ACEP-ALE. This form must be submitted in conjunction with an associated CPA-41A form.

## Appendix 4: Web Soil Survey Instructions

This document provides instructions for accessing Web Soil Survey (WSS) to obtain proper documentation for ACEP-ALE applications. Included are instructions for general access to the website, creation of a custom soil resource report for basic soils information, and creation of a farmland classification (prime soils) map and table.

### General Access Instructions

1. Visit <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>. If this link does not work, visit the NRCS home page (<http://www.nrcs.usda.gov/>), select “Soils” on the right under “Popular Topics,” and select “Web Soil Survey” in the middle of the page under “Helping People Understand Soils and Plants.”
2. Select the big green button, “START WSS.”



3. On the left under “Quick Navigation,” select the appropriate search method. Using “Address” or “State and County” will yield the best results. You can also select “Import AOI” under “Area of Interest;” in this selection, you can upload a singular or multi-part (“zipped”) shapefile for the parcel.

Search	⊕
Area of Interest	⊕
Import AOI	⊕
Create AOI from Shapefile	⊕
Create AOI from Zipped Shapefile	⊕
Quick Navigation	⊕
Address	⊕
State and County	⊕
Soil Survey Area	⊕
Latitude and Longitude or Current Location	⊕

4. Enter the address for the parcel (Option A), select “Idaho” and the county where the parcel is located (Option B), or import your singular or multi-part shapefiles (Option C). See next step for specific instructions.





#### Option A

OR

#### Option B

OR

#### Option C

5. **Option A and B:** After entering the parcel address or selecting the parcel's county/state and selecting "View," use the icons on the "Area of Interest Interactive Map" to zoom  or pan  to the parcel. Use the AOI ("Area of Interest") buttons   to draw the boundaries of the parcel using single clicks. Double click when finished drawing; the final polygon will appear with blue cross-hatching. Repeat this process for any additional polygons needed.

**Option C:** Open either "Create AOI from Shapefile" or "Create AOI from Zipped Shapefile" depending on your goal and shapefile data makeup. Select "Browse," navigate to the location of your shapefiles, select the shapefiles as appropriate, and select "Open." The file location should appear in the box next to "Browse." Select the "Set AOI" button. Your parcel boundaries will appear in the "Area of Interest Interactive Map" in blue cross-hatching.


**Note:** Using any option, the boundaries must match all other maps provided in the application package. Any polygons created must be for the entire parcel offered area. If there are planned subdivisions or non-contiguous parcels, this process must be repeated for each area.

### **Custom Soils Resource Report Instructions (for basic soils information)**

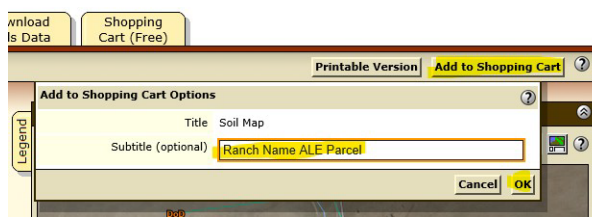
1. Follow "General Access Instructions."
2. Select the "Soil Map" tab near the top of the page to view the soils map and soils table.



3. You may see "Warning: Soil Map may not be valid at this scale" under the map. This is just for your information. Proceed with the next step.

 **Warning: Soil Map may not be valid at this scale.**  
You have zoomed in beyond the scale at which the soil map

4. Select "Add to Shopping Cart" near the top right of the page. A new window will pop up. Enter a subtitle that will properly identify the parcel. Select "OK."



5. Navigate to the "Shopping Cart (Free)" by selecting the last tab near the top of the page.



6. Under "Report Properties," select or enter a subtitle selection that will properly identify the parcel and review the other information.

- Under “Table of Contents,” ensure all the “Soil Map” and all sub-groups are checked at a minimum. Note: Some fields automatically populate and cannot be removed.

- Select “Check Out” near the top right of the page. A window will appear; select “Get Now” and then “OK.”

- A message box may appear at the bottom of the window indicating the report is downloading. A PDF of a Custom Soil Resource Report will pop up. (Note: If this does not occur, you may have to check your downloads or other location on your computer.) Save and/or print this report for the record.

### **Farmland Classification Instructions (a.k.a., “prime soils”)**

- Follow “General Access Instructions.”
- Select the “Soil Data Explorer” tab near the top of the page. Then, select the “Suitabilities and Limitations for Use” sub-tab.

- On the left of the page, find “Land Classifications” in the list and select the two down arrows to expand. Once expanded, select the two down arrows next to “Farmland Classification” to expand.



Suitabilities and Limitations Ratings	
	Open All Close All ?
Building Site Development	? ?
Construction Materials	? ?
Disaster Recovery Planning	? ?
<b>Land Classifications</b>	? ?
Conservation Tree and Shrub Group	?
Ecological Site ID	?
Ecological Site Name	?
<b>Farmland Classification</b>	?
Hydric Rating by Map Unit	?
Irrigated Capability Class	?
Irrigated Capability Subclass	?
National Commodity Crop Productivity Index	?
NH Forest Soil Group	?
Nonirrigated Capability Class	?
Nonirrigated Capability Subclass	?
Order of Soil Survey	?
Soil Taxonomy Classification	?
Land Management	? ?

10. Select either “View Rating” button in the expanded window. An interpretive soils map and table appears to the right. You may see “Warning: Soil Map may not be valid at this scale” under the map. This is just for your information. Proceed with the next step.

**Warning: Soil Map may not be valid at this scale.**

You have zoomed in beyond the scale at which the soil map

4. Click on the “Printable Version” button located near the top right of the screen. A new window appears. Select or enter a subtitle selection that will properly identify the parcel and review the other information. Select the “View” button.

Printable Version Options	
Report Options	
Title	Farmland Classification; Chaffee-Lake Area, Colorado, Parts of Chaffee and Lake Counties
Subtitle (optional)	<input checked="" type="radio"/> Area of Interest Name: "All Parcel Boundary" <input type="radio"/> Custom Subtype <input type="radio"/> Ranch Name Farmland Classification Map <input type="radio"/> None
Map Options	
Map Scale	Fit to page
Printed Sheet Size	A portrait (8.5" x 11") — 1 sheet
Show UTM Coordinate Ticks	<input checked="" type="checkbox"/>
<input type="button" value="Cancel"/> <input type="button" value="View"/>	

5. A message box may appear at the bottom of the window indicating the report is downloading. A PDF of a Custom Soil Resource Report will pop up. (Note: If this does not occur, you may have to check your downloads or other location on your computer.) Save and/or print this report for the record.

## Appendix 5: Guide to ACEP-ALE and NRCS Standard Resource Concerns

The following table contains information on the standard NRCS resource concerns. The ACEP-ALE program focuses on thirteen of these resource concerns, which are referred to as “ACEP-ALE Resource Concerns.” Applicants are encouraged to use the table below when answering question 1 under the *Resource Concerns, Multifunctional Benefits, and Conservation Values* application section (p 23). Match the resource concerns listed under question 1 with the appropriate category under column 1 of the table. Once identified, scroll to columns 4 and 5. These columns contain the specific concern and associated component(s) that the entity should address when describing how protection of the parcel will address the overarching resource concern(s) selected.

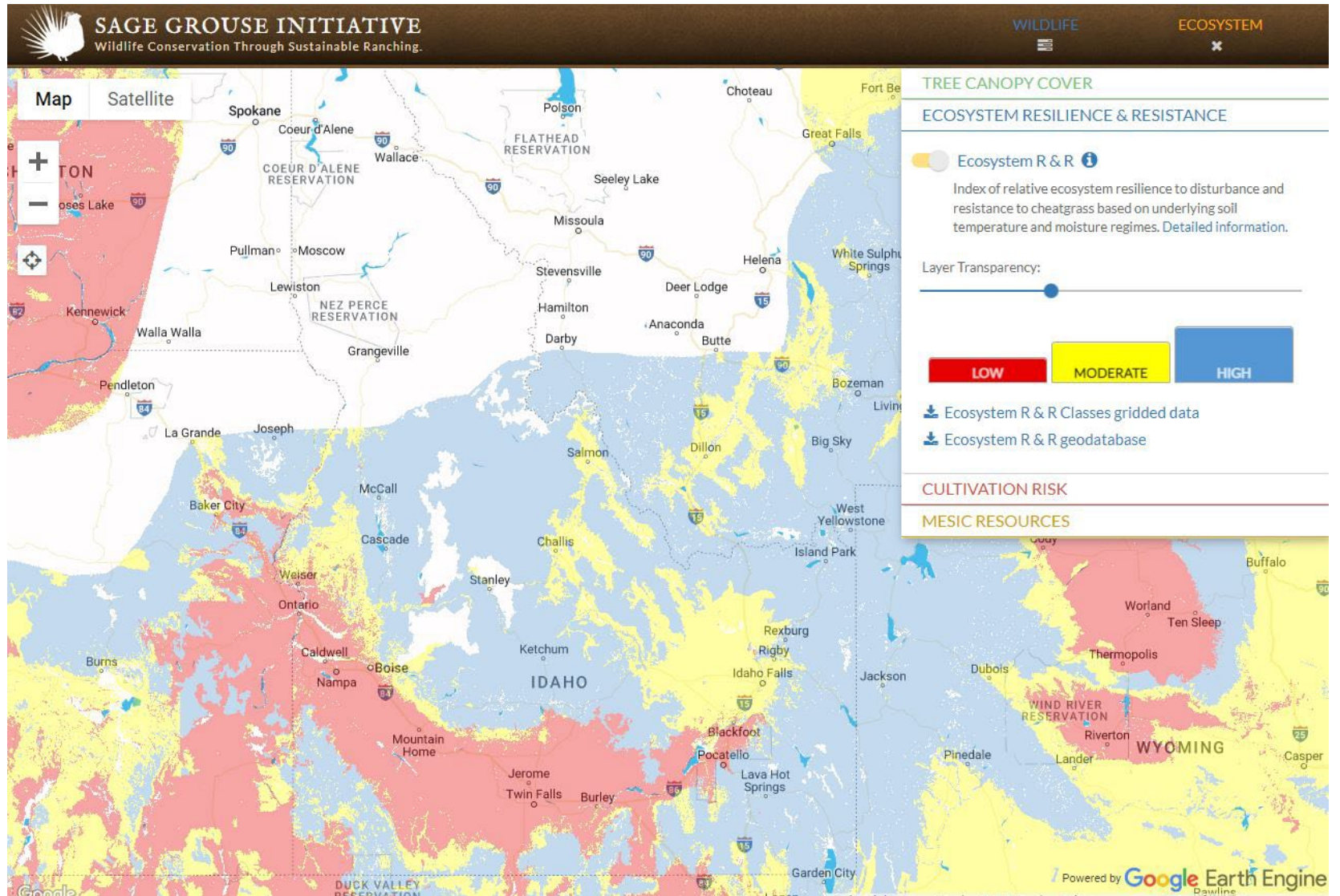
Easement Resource Concern Categories	SWAPA+H Categories	Resource Concern Categories	Resource Concerns	Resource Concern Components
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of airborne reactive nitrogen	Reactive nitrogen - open burning
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of airborne reactive nitrogen	Reactive nitrogen - confined animal activities
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of airborne reactive nitrogen	Reactive nitrogen - nitrogen fertilizer
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of greenhouse gases - GHGs	GHGs - confined animal activities
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of greenhouse gases - GHGs	GHGs - nitrogen fertilizer
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of greenhouse gases - GHGs	GHGs - carbon stock
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of greenhouse gases - GHGs	GHGs - hydric & organic soils
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of greenhouse gases - GHGs	GHGs - grazing operations
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of ozone precursors	Ozone - diesel engines
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of ozone precursors	Ozone - non-engine combustion equipment
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of ozone precursors	Ozone - confined animal activities
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of ozone precursors	Ozone - open burning
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of ozone precursors	Ozone - pesticides
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - diesel engines
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - non-engine combustion equipment
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - open burning
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - pesticide drift
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - nitrogen fertilizer
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - dust from field operations
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - dust from unpaved roads
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - windblown dust
Air - Air Quality Improvement	Air	Air quality emissions	Emissions of particulate matter (PM) and PM precursors	PM - confined animal activities
Air - Air Quality Improvement	Air	Air quality emissions	Objectionable odor	Odor - confined animal activities
Air - Air Quality Improvement	Air	Air quality emissions	Objectionable odor	Odor - nitrogen fertilizer
Animal - Species Composition, Habitat Improvement, Habitat Diversity	Animal	Aquatic habitat	Aquatic habitat for fish and other organisms	Aquatic habitat for fish and other organisms
Animal - Species Composition, Habitat Improvement, Habitat Diversity	Animal	Aquatic habitat	Elevated water temperature	Water temperature effects on aquatic habitat
Animal - Species Composition, Habitat Improvement, Habitat Diversity	Animal	Terrestrial habitat	Terrestrial habitat for wildlife and invertebrates	Terrestrial habitat for wildlife and invertebrates
Other	Animal	Livestock production limitation	Feed and forage balance	Feed and forage balance
Other	Animal	Livestock production limitation	Inadequate livestock shelter	Inadequate livestock shelter
Other	Animal	Livestock production limitation	Inadequate livestock water quantity, quality and distribution	Inadequate livestock water quantity, quality and distribution
Other	Energy	Inefficient energy use	Energy efficiency of equipment and facilities	Energy efficiency of equipment and facilities
Other	Energy	Inefficient energy use	Energy efficiency of farming/ranching practices and field operations	Energy efficiency of farming/ranching practices and field operations
Plant - Condition Improvement	Plant	Degraded plant condition	Plant structure and composition	Plant structure and composition
Plant - Productivity	Plant	Degraded plant condition	Plant productivity and health	Plant productivity and health
Plant - Species Composition	Plant	Pest pressure	Plant pest pressure	Plant pest pressure

Easement Resource Concern Categories	SWAPA+H Categories	Resource Concern Categories	Resource Concerns	Resource Concern Components
Plant - Species Composition	Plant	Pest pressure	Plant pest pressure	Chemical resistance
Plant - Species Composition	Plant	Pest pressure	Plant pest pressure	Invasive species
Plant - Suitability Enhancement	Plant	Fire management	Wildfire hazard from biomass accumulation	Wildfire hazard from biomass accumulation
Soil - Condition Improvement	Soil	Soil quality limitations	Aggregate instability	Aggregate instability
Soil - Condition Improvement	Soil	Soil quality limitations	Compaction	Compaction
Soil - Condition Improvement	Soil	Soil quality limitations	Concentration of salts or other chemicals	Concentration of salts or other chemicals
Soil - Condition Improvement	Soil	Soil quality limitations	Organic matter depletion	Organic matter depletion
Soil - Condition Improvement	Soil	Soil quality limitations	Soil organism habitat loss or degradation	Soil organism habitat loss or degradation
Soil - Condition Improvement	Soil	Soil quality limitations	Subsidence	Subsidence
Soil - Erosion Reduction, Deposition	Soil	Concentrated erosion	Bank erosion from streams, shorelines or water conveyance channels	Bank erosion from streams, shorelines or water conveyance channels
Soil - Erosion Reduction, Deposition	Soil	Concentrated erosion	Classic gully erosion	Classic gully erosion
Soil - Erosion Reduction, Deposition	Soil	Concentrated erosion	Ephemeral gully erosion	Ephemeral gully erosion
Soil - Erosion Reduction, Deposition	Soil	Wind and water erosion	Sheet and rill erosion	Sheet and rill erosion
Soil - Erosion Reduction, Deposition	Soil	Wind and water erosion	Wind erosion	Wind erosion
Soil - Protection of Rare, Unique, or Endangered Soils	Soil	N/A	NO RESOURCE CONCERN CATEGORY AVAILABLE - IF THIS CATEGORY IS SELECTED, PROVIDE DOCUMENTATION FROM WEB SOIL SURVEY OR OTHER ACCEPTABLE RESOURCE.	N/A
Water - Quality Improvement	Water	Field pesticide loss	Pesticides transported to groundwater	Nonpoint pesticide leaching loss
Water - Quality Improvement	Water	Field pesticide loss	Pesticides transported to surface water	Nonpoint pesticide surface loss
Water - Quality Improvement	Water	Field pesticide loss	Pesticides transported to surface water	Nonpoint pesticide drift to surface water
Water - Quality Improvement	Water	Field sediment, nutrient and pathogen loss	Nutrients transported to groundwater	Nonpoint nitrogen leaching loss
Water - Quality Improvement	Water	Field sediment, nutrient and pathogen loss	Nutrients transported to groundwater	Nonpoint phosphorus leaching loss
Water - Quality Improvement	Water	Field sediment, nutrient and pathogen loss	Nutrients transported to surface water	Nonpoint nitrogen surface loss
Water - Quality Improvement	Water	Field sediment, nutrient and pathogen loss	Nutrients transported to surface water	Nonpoint phosphorus surface loss
Water - Quality Improvement	Water	Field sediment, nutrient and pathogen loss	Pathogens and chemicals from manure, biosolids or compost applications transported to groundwater	Nonpoint pathogen loss to groundwater
Water - Quality Improvement	Water	Field sediment, nutrient and pathogen loss	Pathogens and chemicals from manure, biosolids or compost applications transported to surface water	Nonpoint pathogen surface loss
Water - Quality Improvement	Water	Field sediment, nutrient and pathogen loss	Sediment transported to surface water	Sediment from erosion sources
Water - Quality Improvement	Water	Salt losses to water	Salts transported to groundwater	Salt loss to groundwater
Water - Quality Improvement	Water	Salt losses to water	Salts transported to surface water	Salt loss to surface water
Water - Quality Improvement	Water	Storage and handling of pollutants	Nutrients transported to groundwater	Concentrated nutrient and pathogen leaching loss from domestic animal confinement, including milkhouse waste and silage leachate

Easement Resource Concern Categories	SWAPA+H Categories	Resource Concern Categories	Resource Concerns	Resource Concern Components
Water - Quality Improvement	Water	Storage and handling of pollutants	Nutrients transported to groundwater	Concentrated nutrient and pathogen leaching loss from storage and handling of manure, compost, biosolids or non-ag food waste
Water - Quality Improvement	Water	Storage and handling of pollutants	Nutrients transported to surface water	Concentrated nutrient and pathogen effluent from domestic animal confinement, including milkhouse waste and silage leachate
Water - Quality Improvement	Water	Storage and handling of pollutants	Nutrients transported to surface water	Concentrated nutrient and pathogen surface loss from domestic animals standing in surface water
Water - Quality Improvement	Water	Storage and handling of pollutants	Nutrients transported to surface water	Concentrated nutrient and pathogen surface loss from storage and handling of manure, compost, biosolids, or non-ag food waste
Water - Quality Improvement	Water	Storage and handling of pollutants	Petroleum, heavy metals and other pollutants transported to groundwater	Concentrated agricultural leaching loss from storage and handling of fertilizer and pesticides
Water - Quality Improvement	Water	Storage and handling of pollutants	Petroleum, heavy metals and other pollutants transported to groundwater	Petroleum and other pollutant containment to groundwater
Water - Quality Improvement	Water	Storage and handling of pollutants	Petroleum, heavy metals and other pollutants transported to groundwater	Mine waste remediation and containment - groundwater
Water - Quality Improvement	Water	Storage and handling of pollutants	Petroleum, heavy metals and other pollutants transported to surface water	Concentrated agricultural runoff loss from storage and handling of fertilizer and pesticides
Water - Quality Improvement	Water	Storage and handling of pollutants	Petroleum, heavy metals and other pollutants transported to surface water	Petroleum and other pollutant containment to surface water
Water - Quality Improvement	Water	Storage and handling of pollutants	Petroleum, heavy metals and other pollutants transported to surface water	Mine waste remediation and containment - surface water
Water - Quantity Improvement	Water	Source water depletion	Groundwater depletion	Groundwater depletion
Water - Quantity Improvement	Water	Source water depletion	Inefficient irrigation water use	Inefficient irrigation water use
Water - Quantity Improvement	Water	Source water depletion	Surface water depletion	Surface water depletion
Water - Quantity Improvement	Water	Weather resilience	Drifted snow	Drifted snow
Water - Quantity Improvement	Water	Weather resilience	Naturally available moisture use	Moisture management
Water - Quantity Improvement	Water	Weather resilience	Naturally available moisture use	Drought susceptibility
Water - Quantity Improvement	Water	Weather resilience	Ponding and flooding	Ponding and flooding
Water - Quantity Improvement	Water	Weather resilience	Seasonal high water table	Seasonal high water table
Water - Quantity Improvement	Water	Weather resilience	Seeps	Seeps

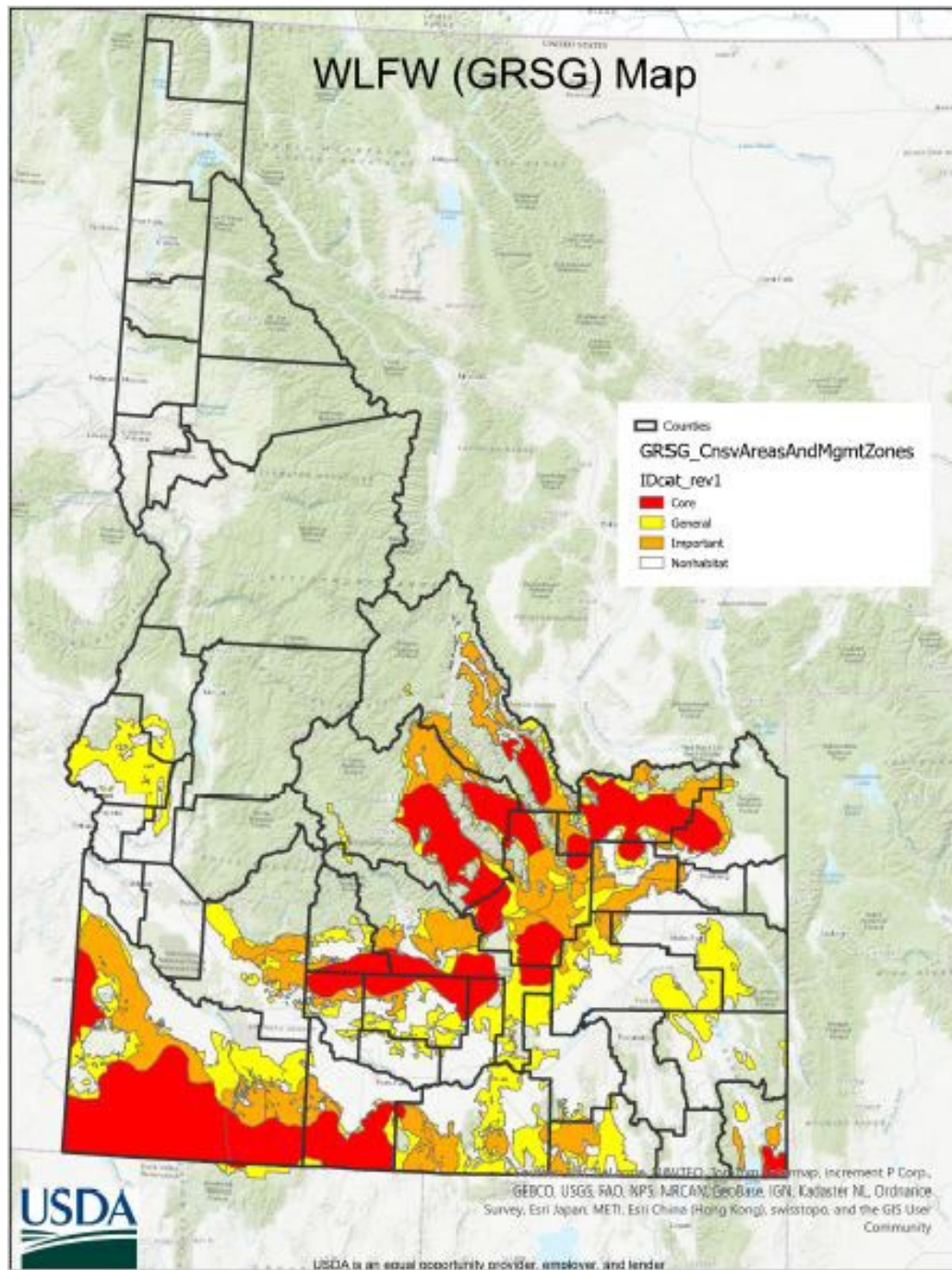


## Appendix 6: Ecosystems Resilience and Resistance Map



## Appendix 7: Working Lands for Wildlife (WLFW) - Sage Grouse Initiative (SGI)

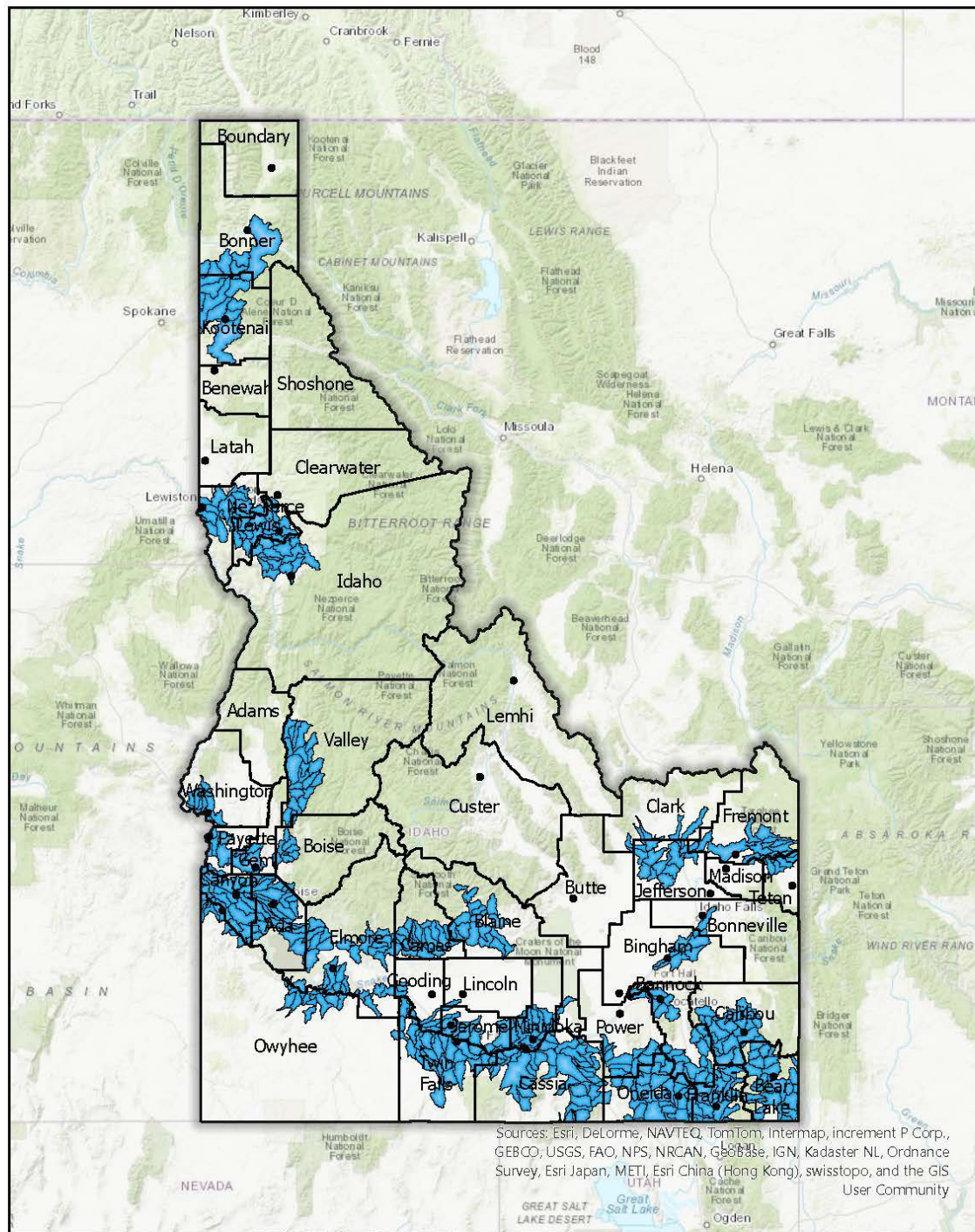
*This map shows the focus areas for NRCS species initiatives applicable to all NRCS programs. If ACEP-ALE parcels fall within one of these focus areas and meet certain criteria, they may receive additional ranking points or qualify for a separate funding pool if available. Funded parcels that meet the criteria for furthering this initiative will help NRCS reach its species protection goals. Shapefiles of the focus area boundaries can be provided upon request.*





## Appendix 8: Idaho Source Water Protection Priority Map

## Idaho Source Water Protection Priority Areas FY23



9/30/2022

## Appendix 9: Census of Agriculture Data – USDA National Agricultural Statistics Service

Use the following table to answer questions 9, 10, and 11 under the Agricultural Operation sub-section of the Parcel Questionnaire. For question 9, simply look up the % change indicated in the “Q9” column on the table below for the county of interest. For question 10, simply look up the % change indicated in the “Q10” column on the table below for the county of interest. For question 11, divide the total parcel acres for your proposed project by the average farm size indicated in the “Q11” column on the table.

Idaho

2017 Census of Agriculture - USDA, National Agricultural Statistics Service



County	2012 Land in Farms	2017 Land in Farms	Q9 % Change	2012 Permanent Pasture	2017 Permanent Pasture	Q10 % Change	Q11 Avg Farm
ADA	144,049	112,370	-22.0	81,356	40,857	-49.8	86
ADAMS	136,227	163,054	19.7	103,386	132,760	28.4	703
BANNOCK	295,095	315,038	6.8	105,282	105,373	0.1	416
BEAR LAKE	257,863	296,959	15.2	133,600	180,931	35.4	752
BENEWAH	146,615	139,944	-4.6	8,496	3,407	-59.9	486
BINGHAM	869,512	932,944	7.3	471,770	511,930	8.5	793
BLAINE	179,130	211,228	17.9	111,844	150,397	34.5	1,112
BOISE	(D)	53,198	-	38,854	46,973	20.9	591
BONNER	80,623	89,331	10.8	12,568	11,640	-7.4	74
BONNEVILLE	409,279	418,881	2.3	105,184	133,332	26.8	378
BOUNDARY	75,186	68,884	-8.4	7,567	7,550	-0.2	198
BUTTE	125,193	130,366	4.1	48,153	43,042	-10.6	690
CAMAS	167,639	192,672	14.9	75,795	81,322	7.3	1,276
CANYON	303,836	274,952	-9.5	59,726	39,547	-33.8	120
CARIBOU	394,581	366,499	-7.1	156,971	128,409	-18.2	892
CASSIA	611,055	643,346	5.3	259,501	233,474	-10.0	1,100
CLARK	151,296	149,411	-1.2	93,445	(D)	-	2,197
CLEARWATER	72,615	56,556	-22.1	13,557	10,058	-25.8	181
CUSTER	142,776	147,837	3.5	85,464	84,890	-0.7	554
ELMORE	344,820	358,454	4.0	211,444	198,182	-6.3	1,054
FRANKLIN	262,609	228,382	-13.0	93,311	74,648	-20.0	290
FREMONT	316,332	279,578	-11.6	88,090	96,654	9.7	545
GEM	178,984	183,177	2.3	136,790	141,856	3.7	213
GOODING	239,640	188,353	-21.4	65,293	45,623	-30.1	350
IDAHO	639,222	537,428	-15.9	304,372	265,089	-12.9	759
JEFFERSON	322,776	333,522	3.3	112,945	85,955	-23.9	445
JEROME	188,075	171,643	-8.7	24,905	18,811	-24.5	353
KOOTENAI	124,240	139,705	12.4	14,625	13,032	-10.9	130
LATAH	416,490	349,532	-16.1	37,043	24,183	-34.7	336
LEMHI	187,374	173,956	-7.2	126,786	118,323	-6.7	496
LEWIS	221,280	200,435	-9.4	32,056	28,087	-12.4	1,017
LINCOLN	129,724	134,911	4.0	49,482	43,051	-13.0	489
MADISON	201,372	196,046	-2.6	22,015	29,718	35.0	432
MINIDOKA	244,094	267,567	9.6	17,856	20,717	16.0	432
NEZ PERCE	322,199	381,587	18.4	102,132	103,682	1.5	856
ONEIDA	328,652	319,789	-2.7	134,525	154,839	15.1	758
OWYHEE	748,771	727,338	-2.9	574,034	549,531	-4.3	1,287
PAYETTE	157,090	162,622	3.5	97,631	98,991	1.4	254
POWER	467,104	486,377	4.1	82,979	86,576	4.3	1,649
SHOSHONE	(D)	2,435	-	249	(D)	-	51
TETON	133,199	117,404	-11.9	28,802	20,163	-30.0	424
TWIN FALLS	484,004	468,809	-3.1	178,646	196,727	10.1	387
VALLEY	61,251	50,959	-16.8	40,114	38,336	-4.4	271
WASHINGTON	426,494	468,433	9.8	327,892	365,593	11.5	876

[https://www.nass.usda.gov/Publications/AgCensus/2017/Full\\_Report/Volume\\_1,\\_Chapter\\_2\\_County\\_Level/Idaho/st16\\_2\\_0008\\_0008.pdf](https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_County_Level/Idaho/st16_2_0008_0008.pdf)

(D) - not published

NASS Census data may be accessed online at:

- County Profiles for 2012:  
[https://agcensus.library.cornell.edu/census\\_parts/2012-state-and-county-profiles-idaho/](https://agcensus.library.cornell.edu/census_parts/2012-state-and-county-profiles-idaho/)
- County Profiles for 2017:  
[https://www.nass.usda.gov/Publications/AgCensus/2017/Online\\_Resources/County\\_Profiles/Idaho/index.php](https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Idaho/index.php)
- Table 8:  
[https://www.nass.usda.gov/Publications/AgCensus/2017/Full\\_Report/Volume\\_1,\\_Chapter\\_2\\_County\\_Level/Idaho/st16\\_2\\_0008\\_0008.pdf](https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_County_Level/Idaho/st16_2_0008_0008.pdf)

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