



United States Department of Agriculture

Conservation Programs

2018 Farm Bill - Key provisions and changes

FY2020 Implementation: CSP, EQIP, ACEP, RCPP, CIG



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Farm Bill Implementation

- Input on Conservation Stewardship Program (CSP) Rule (**comments were accepted through January 13, 2020**)
- Input on Environmental Quality Incentives Program (EQIP) Rule (**comments were accepted through February 17, 2020**)
- Input on Agricultural Conservation Easement Program (ACEP) Rule (**comments accepted through March 6, 2020**)
- Input on Regional Conservation Partnership Program (RCPP) Rule (**comments accepted through April 13, 2020**)
- Comments will be reviewed to determine if further adjustments to the rule are needed.
- [www.nrcs.usda.gov /Releases/News Releases](http://www.nrcs.usda.gov/Releases/News%20Releases)



United States Department of Agriculture

Conservation Stewardship Program



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Conservation Stewardship Program (CSP)

Funding:

\$700 million in FY19

\$723 million in FY20

\$750 million in FY21

\$800 million in FY22

\$1 billion in FY23



CSP Applicant Eligibility

- Be the operator, owner, or other tenant of an agricultural operation in the FSA farm records management system (§1470.6(a)(1))
- Share in the risk of producing a crop; share in the crop available for marketing from the farm; and participate in the daily management, administration, and performance of the operation (§1470.6(a)(2))
- No more operator of record waiver



CSP Stewardship Threshold Eligibility

- For CSP general applications, an applicant must **meet or exceed the stewardship threshold on all land uses included in the operation for both of the following:**
 - At least two resource concerns at the time of contract offer
 - At least one additional resource concern by the end of the contract



CSP Application Processing

- Contract Renewal
 - During the first half of the fifth year of the initial contract period, NRCS may allow participants to apply and compete to renew their initial contract



CSP Applicant Eligibility - Renewals

- Eligible participants who choose not to renew their initial CSP contract cannot compete for a new CSP contract for two years following expiration of their initial contract (§1470.26(c))



CSP Land Eligibility

- Public land associated with other eligible lands which is under the effective control of the applicant, and which is a working component of the producer's agricultural or NIPF operation is eligible for enrollment in CSP (§1470.3 *Eligible land* definition)



CSP Supplemental Payments

- New opportunity for supplemental payment for Advanced Grazing Management (AGM) (§1470.24(b))
 - The required grazing management enhancement (E528) is paid at the normal enhancement payment rate
- Advanced Grazing Management Enhancements will have two payment scenarios:
 - The basic enhancement scenario (100%)
 - An “SU” payment scenario (150%)



Advanced Grazing Management (AGM)

- **Definition:** The use of a combination of grazing conservation activities which may include management-intensive rotational grazing, that provide for:
 - improved soil health and carbon sequestration,
 - drought resilience,
 - wildlife habitat,
 - wildfire mitigation,
 - control of invasive plants
 - water quality improvement.



CSP Supplemental Payments

- Authorizes payment for **cover crop activities** be paid at not less than 125% of the annual payment amount.
- Authorizes supplemental payments for **resource conserving crop rotations** that will not be less than 150% of the annual payment amount.



CSP Planning – Conservation Activities

- **Comprehensive Conservation Plan**
 - Provides for a 1-time payment to develop a **comprehensive conservation plan**.
 - **Definition:** A plan that meets or exceeds the stewardship threshold for each priority resource concern across all land uses included in the operation.



CSP Payment Limitations

- A person or legal entity may not receive, directly or indirectly, payments that in the aggregate exceed \$200,000 for all CSP contracts originally obligated during fiscal years 2019 through 2023 (§1470.24(g))
- Removed the \$40,000 annual payment limitation



CSP Contract Limits

- CSP contracts with joint operations (FSA business types 2 or 3) may have a contract limit of up to \$400,000 over the term of the initial contract period (§1470.24(h))
 - **Note:** This change is not retroactive to contracts enrolled in FY2019, which only allowed the higher contract limit for joint operations using an Employer ID number





United States Department of Agriculture

CSP Grassland Conservation Initiative



CSP-Grassland Conservation Initiative

- **Purpose:** Assisting producers in protecting grazing uses, conservation and improving soil, water, and wildlife resources and achieving related conservation values by **conserving eligible land through grassland conservation contracts.**



CSP-Grassland Conservation Initiative

- Must meet or exceed stewardship threshold for not less than 1 priority resource concern
- Eligible for 1, 5-yr term
- Annual payments of \$18/ac



Conservation Stewardship Program - Nebraska

- **Results of 2019 General Signup**
 - Applications = 614
 - New Contracts = 226
 - Acres in contracts = 467,707
 - Contract obligations = \$22 Million
- **Results of 2019 GCI signup**
 - New contracts = 246
 - 73 different counties
 - Contract obligations = \$1.5 Million

Conservation Stewardship Program - Nebraska

- FY2020 Initial Allocations
 - CSP Classic = \$10 Million
 - CSP Renewal = \$8.6 Million
 - CSP-Grassland Conservation Initiative = \$3.4 Million
- Results of 2020-1 GCI signup (November cutoff)
 - Applications = 210
 - New contracts = 183
 - Contract obligations = \$1.3 Million
- GCI signup 2020-2 (March 6th cutoff)
- CSP Renewal signup (March 20th cutoff)
- CSP Classic signup (May 29th cutoff)



United States Department of Agriculture

Environmental Quality Incentives Program



Environmental Quality Incentives Program (EQIP)

- Funding: \$9.1 Billion (increase of \$1.17 billion)
 - \$1.75 Billion for FY19
 - \$1.75 Billion for FY20
 - \$1.8 Billion for FY21
 - \$1.85 Billion for FY22
 - \$2.025 Billion for FY23



Environmental Quality Incentives Program (EQIP)

- Proportion of EQIP funding:
 - **Livestock: 50% (reduced from 60%)** of the funds under the program shall be targeted at practices relating to livestock production and grazing management practices
 - **Wildlife Habitat: At least 10% (increased from 5%)** of the funds under the program shall be targeted at practices benefitting wildlife habitat.
 - Clarifies that contracts entered into solely for wildlife practices can be up to 10 years in length



Environmental Quality Incentives Program (EQIP)

- Wildlife Habitat
 - New provision in FB allows terms up to 10 years for establishment of one or more annual management practices:
 1. For postharvest flooding, or
 2. That maintain hydrology of temporary and seasonal wetlands for waterfowl and migratory birds



EQIP Payments and Payment Limitations

- **Payment limitations:**
 - Aggregate payments cannot exceed \$450K
 - Payment limitation is not cumulative with prior Farm Bills
 - Organic payment limitation (NOI) increased from \$80K to \$140K with no annual payment limitation for contracts entered into between fiscal 2019 through 2023
- **Contract limitations:**
 - \$450K contract limit with a person or legal entity
 - Joint operations and group projects may be eligible for \$900K contract limit



Environmental Quality Incentives Program (EQIP)

- **Expanded eligibility** regarding with whom NRCS can enter into an EQIP contract.
- NRCS may enter into EQIP contracts with a State, irrigation district, groundwater management district, acequia, land grant–merced, or similar entity. NRCS has defined these entities as “**water management entities.**”
- Only applicable when supporting a water conservation or irrigation efficiency project



Environmental Quality Incentives Program (EQIP)

- **Payment Limitation Waivers:**
 - **Water management entities** may be eligible for AGI or PL waiver of up to 900K between FY 2019 through FY 2023 for water conservation projects based on:
 - Number of producers who will benefit
 - Conservation value
 - Non-federal assets
 - Extent of progressive practice implementation
 - Other criteria determined by the Chief
 - AGI waiver will be approved concurrently with PL waiver





Hemp

HEMP

Regulation:

- ✓ USDA's AMS published an interim rule for the Establishment of a Domestic Hemp Production Program on October 31, 2019
 - ✓ Provides specific details for both a process for the submission of State and Indian tribal plans to USDA and a process for producers in a jurisdiction without an approved plan to apply for authorization directly from AMS.
- ✓ AMS will notify FPAC agencies, including NRCS, when it approves a State or Tribal plan, and such approval will be posted to the AMS hemp website at <https://www.ams.usda.gov/rules-regulations/hemp/state-and-tribal-plan-review>.



HEMP

Production:

- ✓ Producers may be authorized to produce hemp by a State or Indian Tribe which has a USDA-approved plan for the domestic production of hemp.
- ✓ Producers may seek authorization to produce hemp directly from AMS if they are in a State or territory of an Indian Tribe that authorizes hemp production but such State or Indian Tribe does not have a USDA-approved plan.
- ✓ All producers will be required to be licensed through the State, a Tribe, or AMS.





United States Department of Agriculture

EQIP Incentive Contracts



EQIP Incentive Contracts

Incentive contracts, and payments for incentive practices, was created to better support locally led conservation needs.



EQIP Incentive Contracts

- Conservation Incentive Contracts (**incorporation of CSP-like program policy**)
 - Producers must address at least **1 priority resource concern**
 - Provides **annual payments** for certain incentive practices to attain increased levels of conservation
 - Provides **practice payments** to implement an incentive practice
 - **Contract length:** Not less than 5, no more than 10



EQIP Incentive Contracts - High Priority Areas

- Section sets out the process and requirements for **establishing high priority areas within each State** that form the backdrop for the new incentive contracts.
- Requires that NRCS, in consultation with the State Technical Committee, shall **identify up to 3 priority resource concerns for each land use** within a given high priority area.
- NRCS shall **identify which practices qualify as incentive practices** for each land use within each high priority area based on the priority resource concern(s) identified for that land use.



EQIP Incentive Contracts

Payments are made of two components:

1. **Incentive practice payments** for adopting and installing practices
2. **Annual payments** for managing, maintaining, and improving incentive practices during the contract period

Aggregate payment limitation:

- **May not exceed \$200k** total payments to person or legal entity
- Payment Limitation may not be waived



EQIP Incentive Contracts

Currently on hold to announce EQIP Incentive Contracts

- Policy and business tools under development
- Rollout timeline and implementation instruction to be released Spring 2020
 - High Priority Areas
 - Priority Resource Concerns
- Applications can be accepted but can not be ranked at this time





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Source Water Protection

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Source Water Protection Language in the 2018 Farm Bill

The Secretary shall encourage the protection of drinking water sources through the following methods:

- **Identify local priority areas for drinking water protection** in each state
 - In collaboration with State Technical Committees and **community water systems**
 - May address water quality or quantity concerns
- Provide increased incentives for practices that relate to water quality and quantity and **protect drinking water sources while also benefitting producers**
- **Dedicate at least 10% of the total funds available** for conservation programs (with the exception of CRP), each year beginning in FY 2019 through FY 2023, to be used for source water protection



Source Water Protection Program

- Addresses **excessive nutrients**, and other impairments of drinking water sources (**ground water or surface water**).
- Addresses the conservation of water to advance **drought mitigation**
- Practice incentive payments for this initiative will go to **EQIP eligible owners/operators** of agricultural land who install conservation practices relating to **water quality and quantity**.



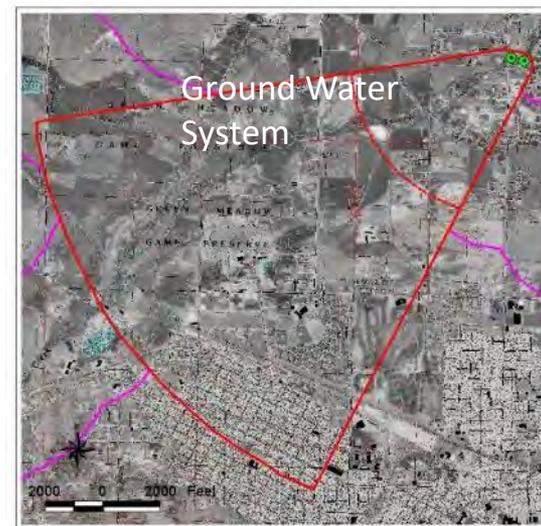
Source Water Protection Program

- Is geographically located to address a national resource concern in a specific watershed.
- Focus of initiative is the protection of community water systems that is defined by 25 people or more, 15 or more service connections, year-round.
- In Nebraska, 99% of municipalities use ground water as their source of drinking water.
- Groundwater Management Areas – may be eligible if they encompass several community water systems.

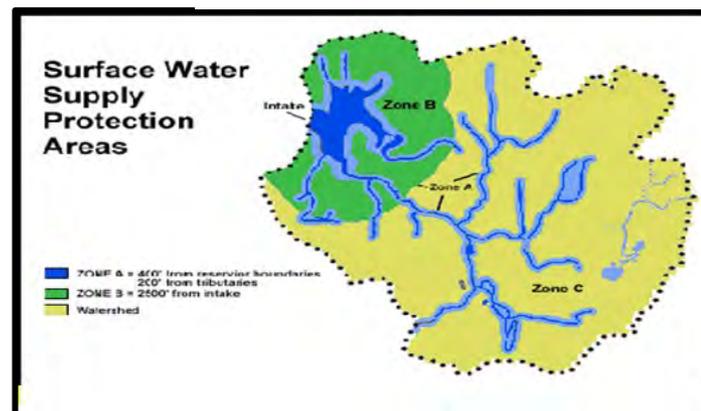


Identifying State Local Priority Areas

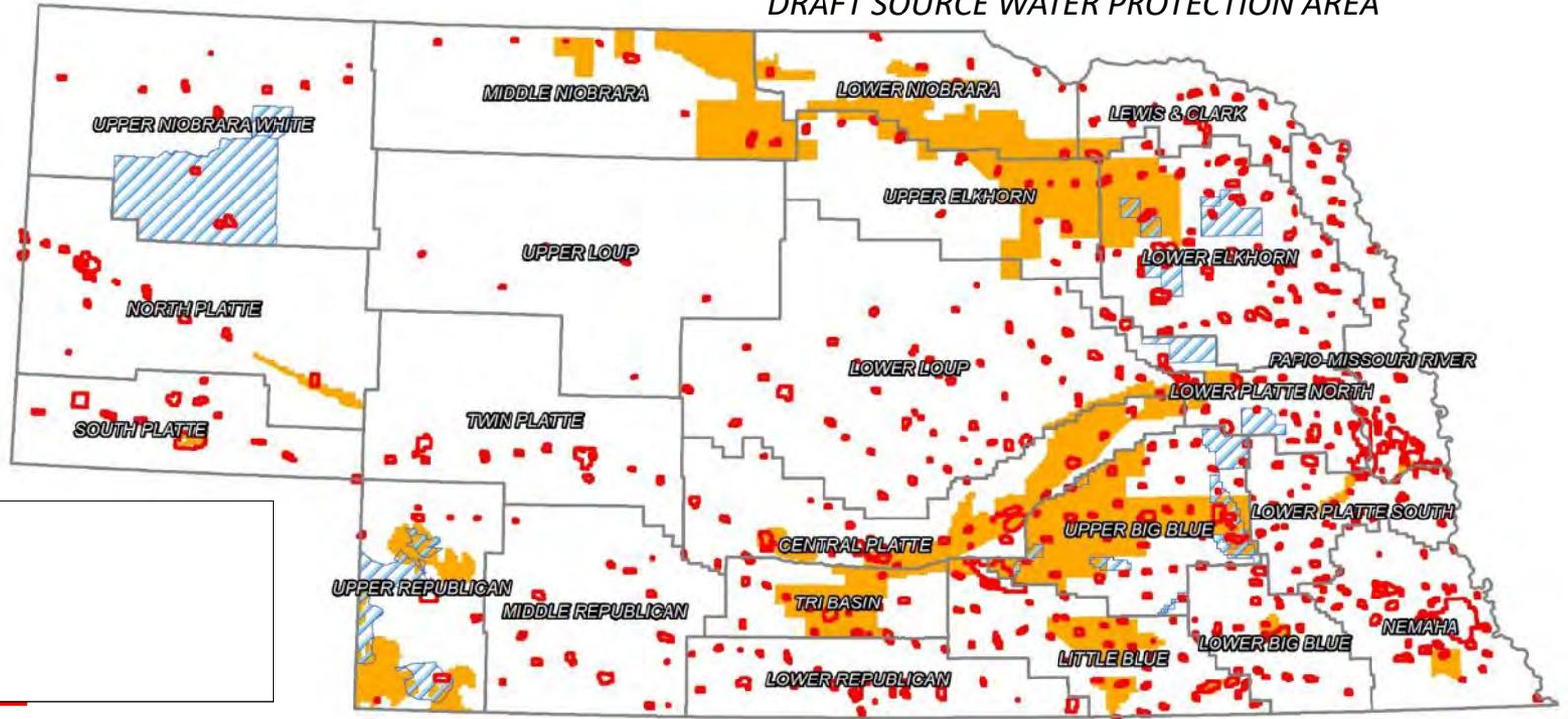
- State Conservationists have worked with either the drinking water program or interested utilities/public water systems in their states to identify priority areas
- Utility/state partners assisted NRCS in developing delineations for the priority areas
 - Sizes vary depending on whether it is a surface water or ground water source, and by the size of the population it serves
 - States have used a variety of approaches in determining local priorities



Surface Water Delineation



DRAFT SOURCE WATER PROTECTION AREA



The Phase 2-4 and Quantity Management Areas that intersect a Wellhead Protection Area define the medium priority level.

Total Medium & High Priority Areas: 8,006,050 acres

Source Water Protection Practice List

* Practices with potential up to 90% c/s rate

- 327 - Conservation Cover
- *328 - Conservation Crop Rotation
- 332 - Contour Buffer Strips
- *340 - Cover Crop
- 342 - Critical Area Planting
- 355 - Well Water Testing
- 386 - Field Border
- 390 - Riparian Herbaceous Cover
- 391-Riparian Forest Buffer
- 393 - Filter Strip
- 412 - Grassed Waterway
- *449 - Irrigation Water Management
- *590 - Nutrient Management
- 635 - Vegetated Treatment Area
- 656 - Constructed Wetland



Source Water Protection Practice List

* Practices with potential up to 90% c/s rate

- *351 - Water Well Decommissioning
- 430 - Irrigation Pipeline
- *441 - Irrigation System, Micro irrigation
- *442 - Sprinkler System
- 512 - Forage and Biomass Planting
- 550 - Range Planting
- *595 - Integrated Pest Management
- *657 - Wetland Restoration
- 659 - Wetland Enhancement



EQIP High Priority Practices

State Conservationists, in consultation with the State Technical Committee, have the **option to select up to 10 high priority practices, which may receive increased payment rates**. A high priority practice must meet one of the following criteria:

- Addresses specific causes of impairment relating to excessive nutrients in ground or surface water;
- Addresses the conservation of water, to advance drought mitigation and declining aquifers;
- Meets other environmental priorities and other priority resource concerns identified in habitat or other area restoration plans; or
- Is geographically targeted to address a natural resource concern in a specific watershed.

***Selection of practices to receive higher payment should incentivize conservation practices that have high potential for conservation but are underutilized.**

EQIP High Priority Practices

(Maximum of 10 practices allowed)

- *314 – Brush Management
- 327 – Conservation Cover
- 328 - Conservation Crop Rotation
- 332 – Contour Buffer Strips
- 338 – Prescribed Burning
- 386 – Field Border
- 391 – Riparian Forest Buffer
- 393 – Filter Strip
- 395 – Stream Habitat Improvement or Management
- 412 – Grassed Waterway
- 472 – Access Control
- 590 – Nutrient Management
- 595 – Pest Management
- 657 – Wetland Restoration
- *420 – Wildlife Habitat Planting
- *604 – Saturated Buffer

* Only applies to “very low density” scenario for practice 314

* Practices 420 and 604 are Not Available in FY2020





EQIP Allocation FY2020

2020 Mandatory Distribution

- Source Water Protection – 10%
- Wildlife Initiative – 10%
- Historically Underserved – 10%
- Livestock – 50%

FY2020 STATEWIDE FUND POOLS

- Seasonal High Tunnel
- Organic
- Energy
- Conservation Activity Plans
- Animal Feeding Operations
- Tribal
- HEL Treatment

FY2020 PARTNERSHIP FUND POOLS

- National Water Quality Initiative (NWQI)
 - 4 Projects = \$1.3 million
- Water Smart (Bureau of Reclamation)
 - 1 Project – URNRD = \$150,000
- Forest Service (Joint Chiefs)
 - 1 Project – UNWNRD, MNNRD, ULNRD = \$342,000

- **FY2020 General EQIP Allocation = \$23 Million**
 - Local Work Groups = \$14 Million
 - Wildlife (10%) = \$2.3 Million
 - Historically Underserved (10%) = \$2.3 Million
 - Source Water Protection (10%) = \$2.3 Million
 - Animal Feeding Operations = \$1.0 Million
 - HEL Treatment = \$500,000
 - Conservation Activity Plans = \$200,000
 - Working Lands for Wildlife = \$100,000
 - High Tunnels = \$100,000
 - Organic = \$100,000
 - Tribal = \$100,000
 - Energy = \$25,000

Environmental Quality Incentives Program (EQIP)

- EQIP General Application Cutoff = March 13, 2020



United States Department of Agriculture

Regional Conservation Partnership Program (RCPP) – Building on Success

- 375 active projects
- 2,000 partners
- \$1 Billion in NRCS investment
- \$2 Billion in non-NRCS investments

Regional Conservation Partnership Program (RCPP)

- Provides mandatory funding at \$300 million (from \$100 million)
 - 50% of available funds for state or multi-state projects
 - 50% of available funds for projects within critical conservation areas
 - Removed National funding pool
- Removes 7% funding contributions from covered programs

Regional Conservation Partnership Program (RCPP)

- Adds CRP and Watershed Protection and Flood Prevention Act as covered programs
 - Land enrolled into the new CSP-Grassland Conservation Initiative is not eligible
- **Agreements can be for longer than 5 years** if longer period is necessary to meet the objectives of the program
- **A partnership agreement may be renewed** for a period not to exceed 5 years.
- Provides ability to renew partnership agreements through an expedited non-competitive process **if Secretary determines that a project has met or exceeded the objectives** of the project and extension is requested by the partner.

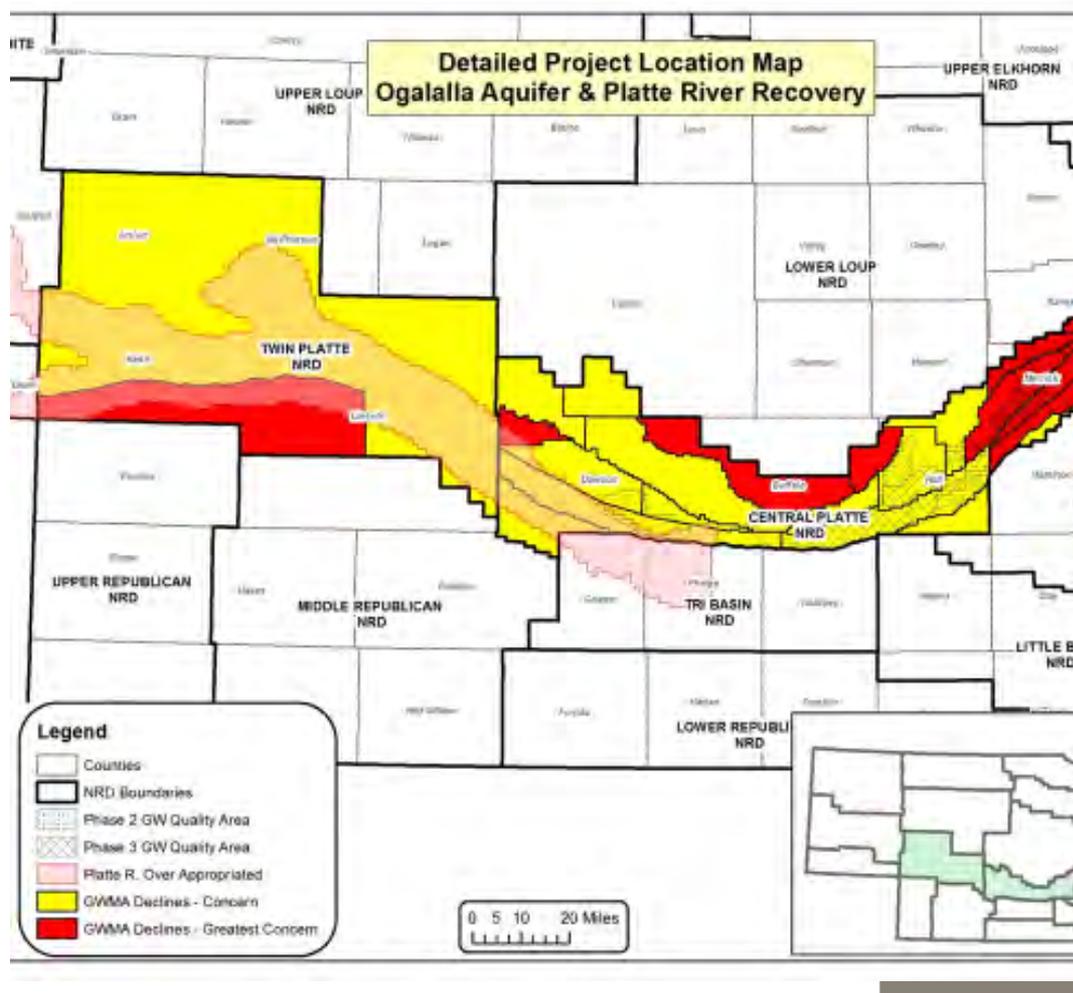
Regional Conservation Partnership Program (RCPP)

- **Existing Regional Conservation Partnership Program (RCPP) projects in Nebraska**
 - **Ogallala Aquifer & Platte River Recovery – CPNRD & TPNRD**
 - **Regional Grassland Bird & Grazing Enhancement Initiative - NGPC**
 - **Cropland Cover for Soil Health and Wildlife – NGPC**
 - **Lower Elkhorn Water and Soil Conservation Project**
 - **Republican Basin Conservation Partnership – LRNRD**
 - **Divots in the Pivots – UBBNRD/RWBJV**
 - **Wahoo Creek Water Quality Sites 26 & 27 – LPNNRD**
 - **Papillion Creek Site WP-1 Dam - PMRNRD**

RCPP - Nebraska

Ogallala Aquifer & Platte River Recovery (5 Years, 2015 – 2019)

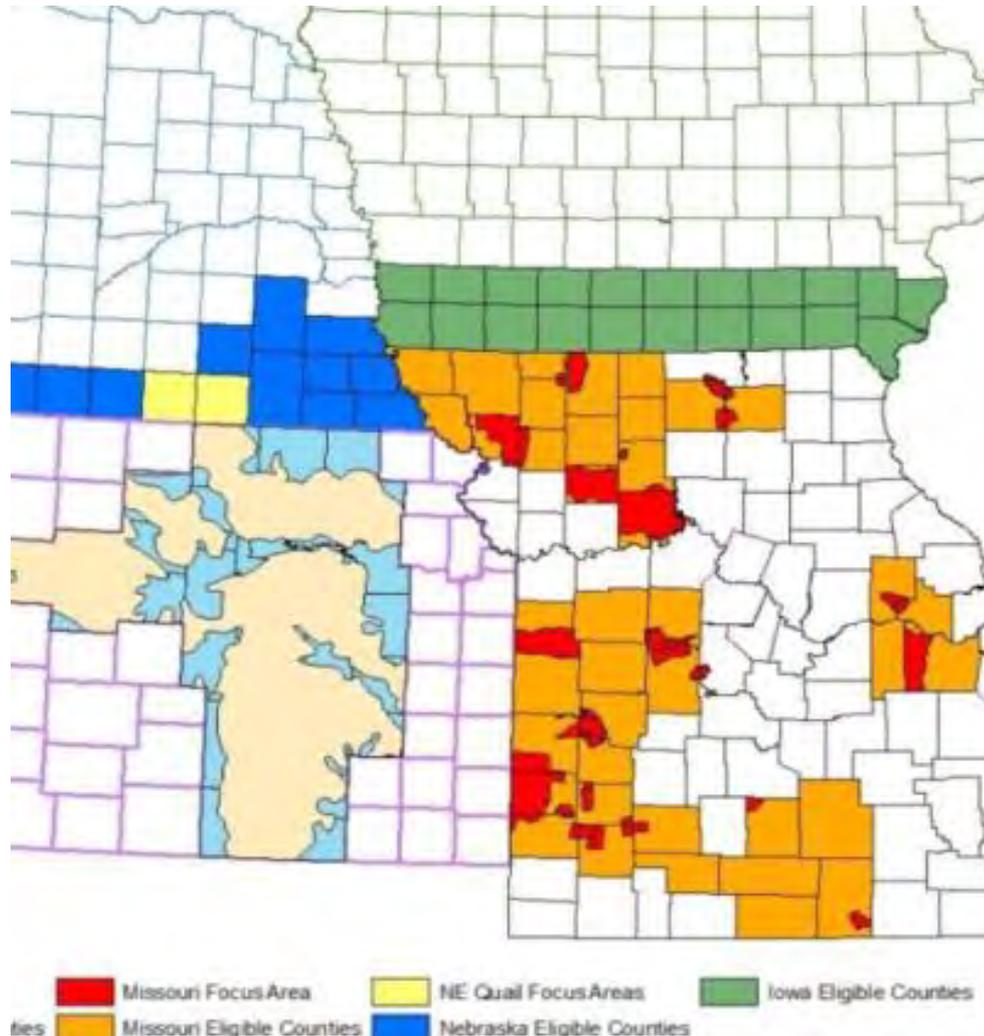
- CPNRD, TPNRD
- \$ 1.7 million
- Current balance = \$23,000
- 1 year extension approved
- Expires 05/13/2021
- Renewal Application TBD



RCPP - Nebraska

Regional Grassland Bird & Grazing Enhancement Initiative (5 years, 2015 – 2019)

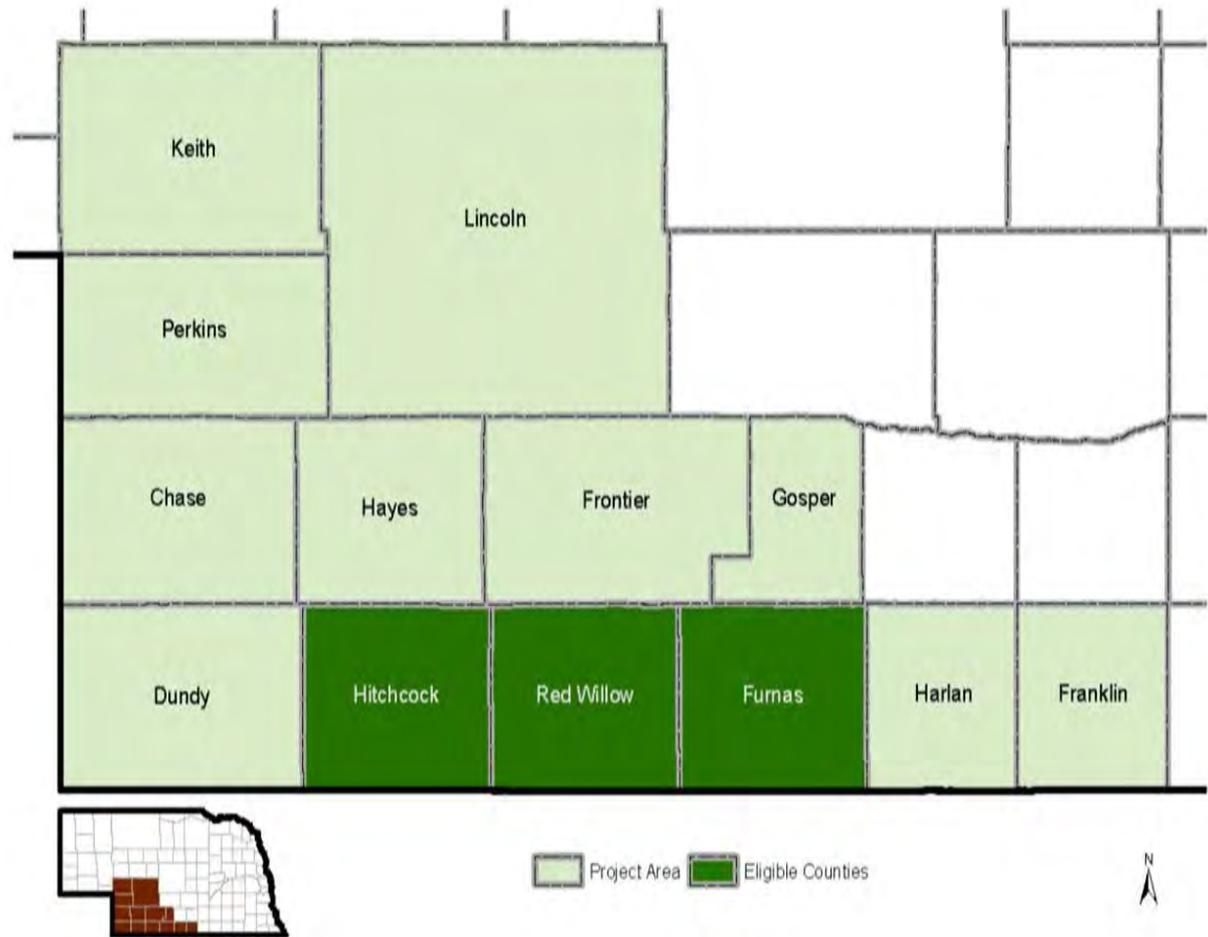
- Missouri, Nebraska, Kansas, Iowa
- \$ 885,000 (Nebraska allocation)
- Current Fund Balance = \$160,000
- Expires 09/30/2020



RCPP - Nebraska

Cropland Cover for Soil Health and Wildlife - 2016 – NGPC

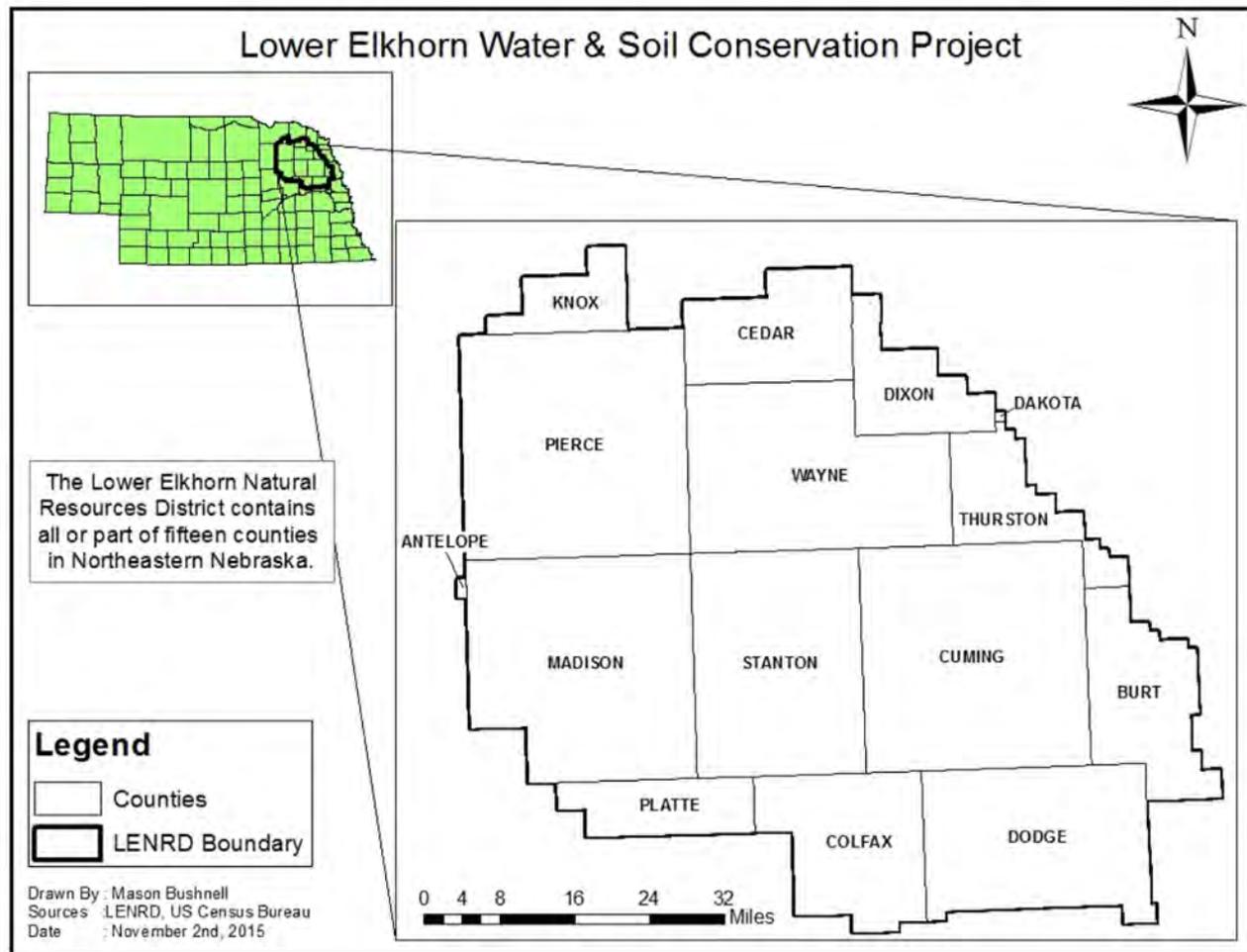
- Initial Allocation = \$700,000
- Current Balance = \$18,000
- Expires: 12/31/2020
- Approved for Renewal
(Approved funds = \$700,000)
- Agreement being developed
(potential 5 years into 2025)
- Next signup in FY2021



RCPP - Nebraska

Lower Elkhorn Water and Soil Conservation Project

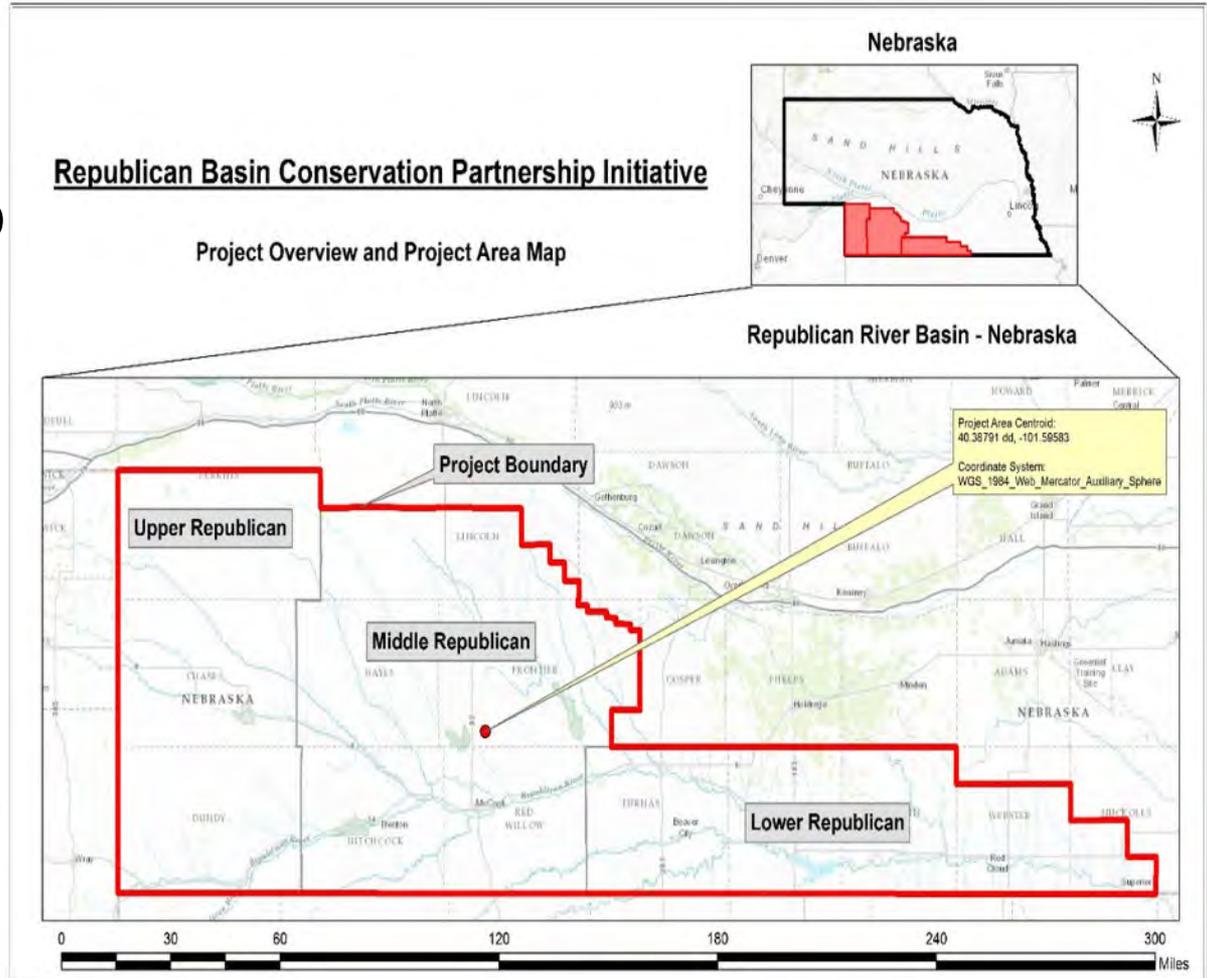
- \$400,000
- Completed - Expired



RCPP - Nebraska

Republican Basin Conservation Partnership (2016) – LRNRD, MRNRD, URNRD

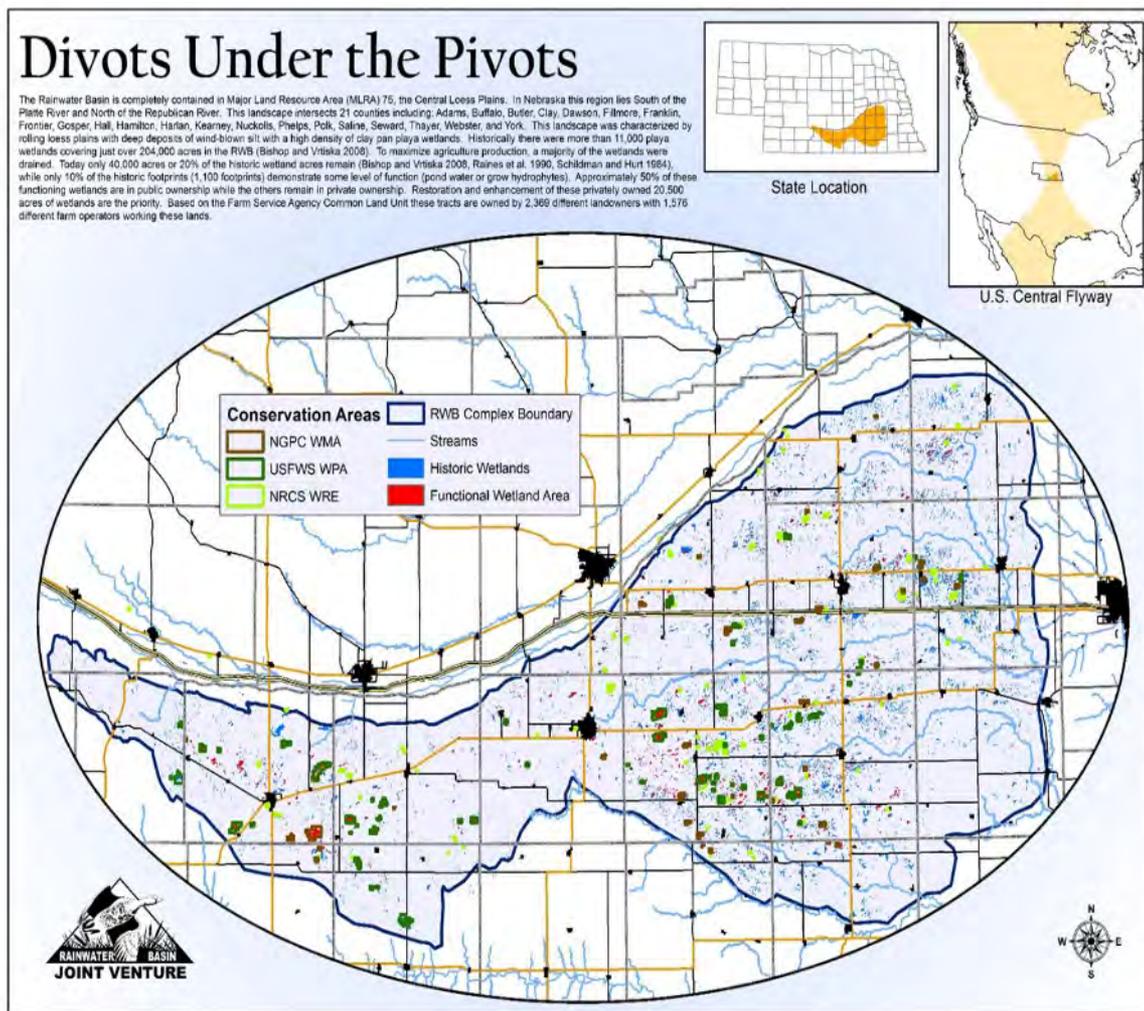
- \$2.1 million allocated
- Additional FA approved = \$500,000
- Current balance = \$509,000
- Application deadline was January 17, 2020
- Expires: 08/08/2020



RCCP - Nebraska

Divots in the Pivots (2017)

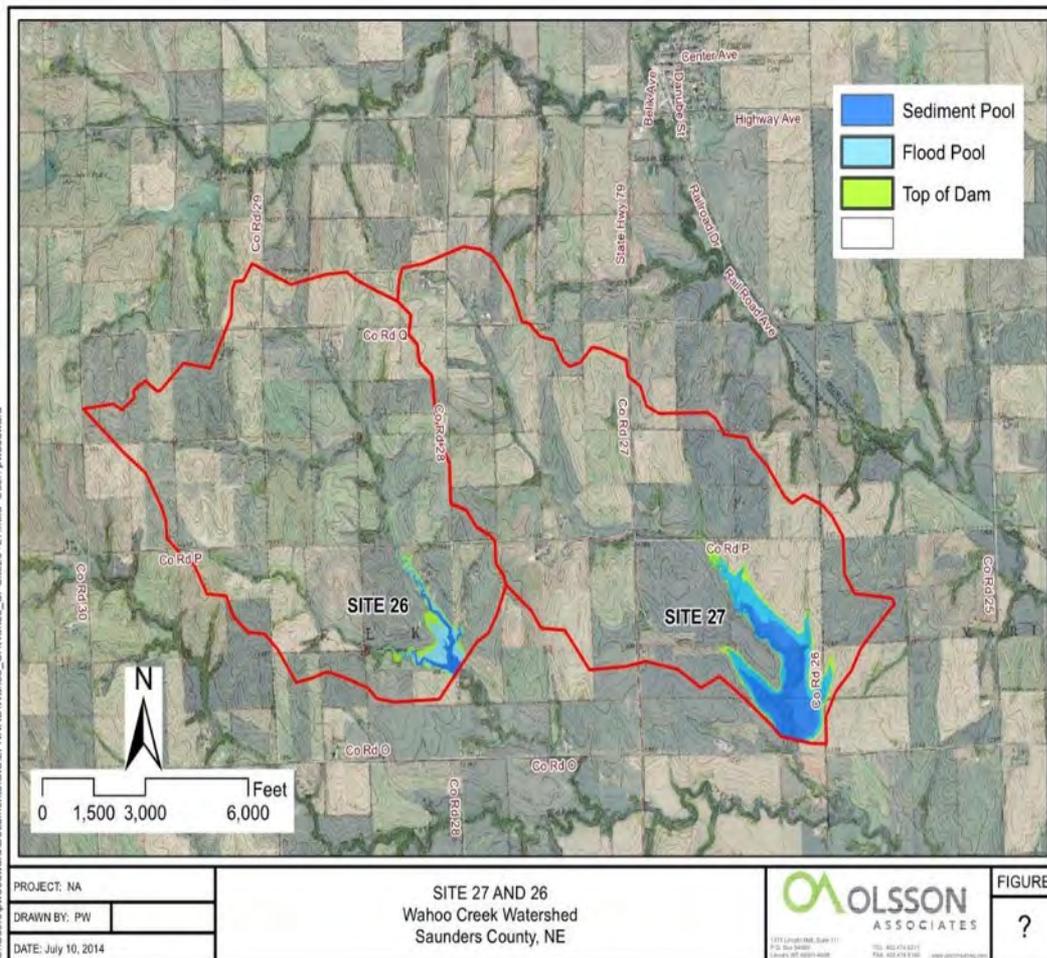
- UBBNRD and RWBJV Partners
- Combination of ACEP-ALE, ACEP-WRE and EQIP
- \$1.8 million
- Expires 09/30/2022



RCPP - Nebraska

Wahoo Creek Water Quality Sites 26 & 27 (2017)

- LPNNRD Partner
- \$1.5 million
- Active Status



RCPP - Nebraska

- **Papillion Creek Site WP-1 Dam (2018)**
 - **P-MRNRD Partner**
 - **\$4.4 million**
 - **Active Status**

Regional Conservation Partnership Program (RCPP)

- **FY2019 RCPP APF released September 3, 2019**
 - Applications were due December 3, 2019
 - 4 proposals received involving Nebraska
 - RCPP Award Announcement mid March 2020
 - Partnership Agreements finalized mid June 2020
 - Next APF anticipated July 1, 2020

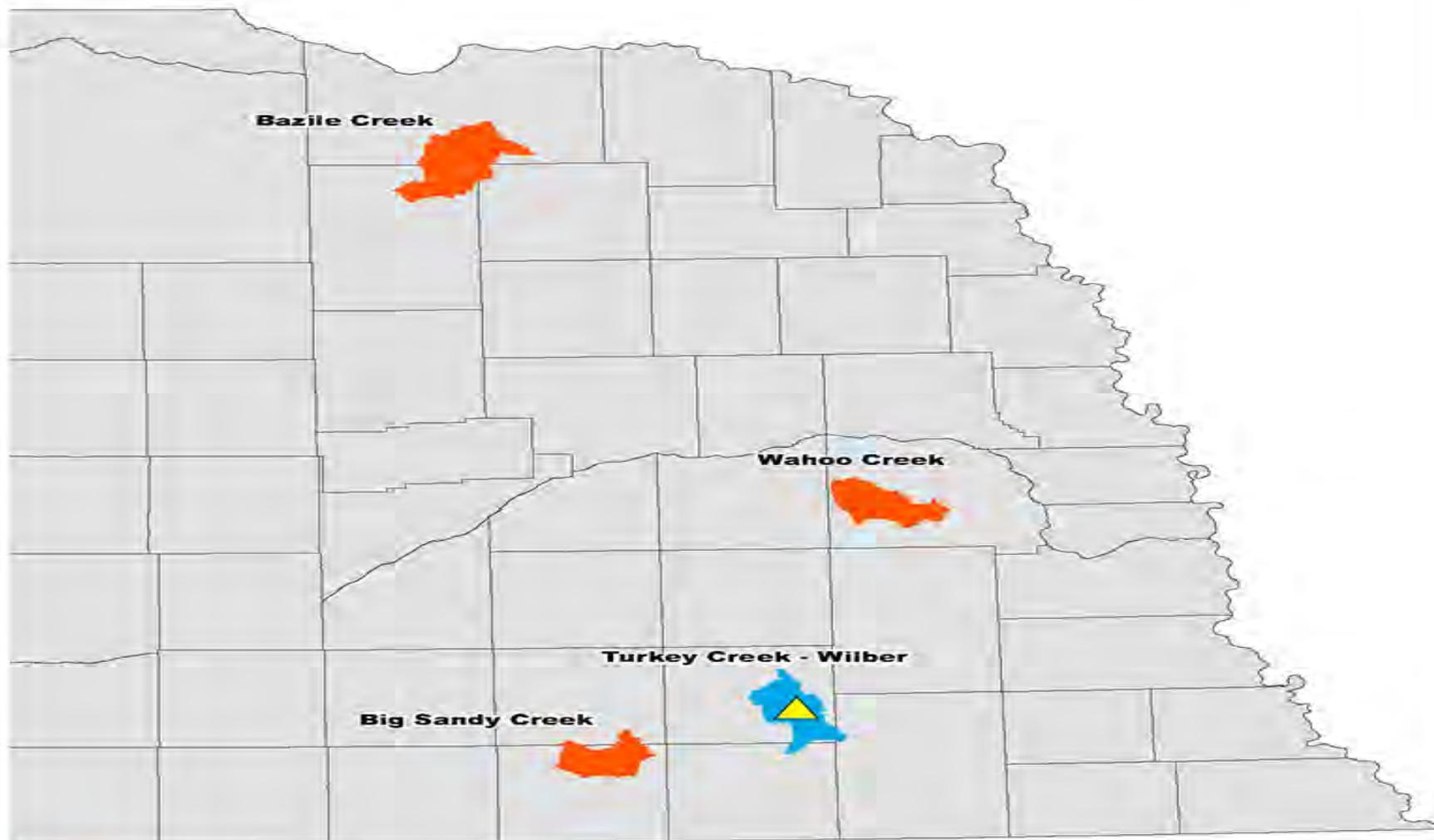


NATIONAL WATER QUALITY INITIATIVE (NWQI)

National Water Quality Initiative

- Wahoo Creek - Saunders
- Bazile Creek – Antelope, Pierce, Knox
- Big Sandy Creek – Little Blue NRD
- Turkey Creek – Lower Big Blue NRD

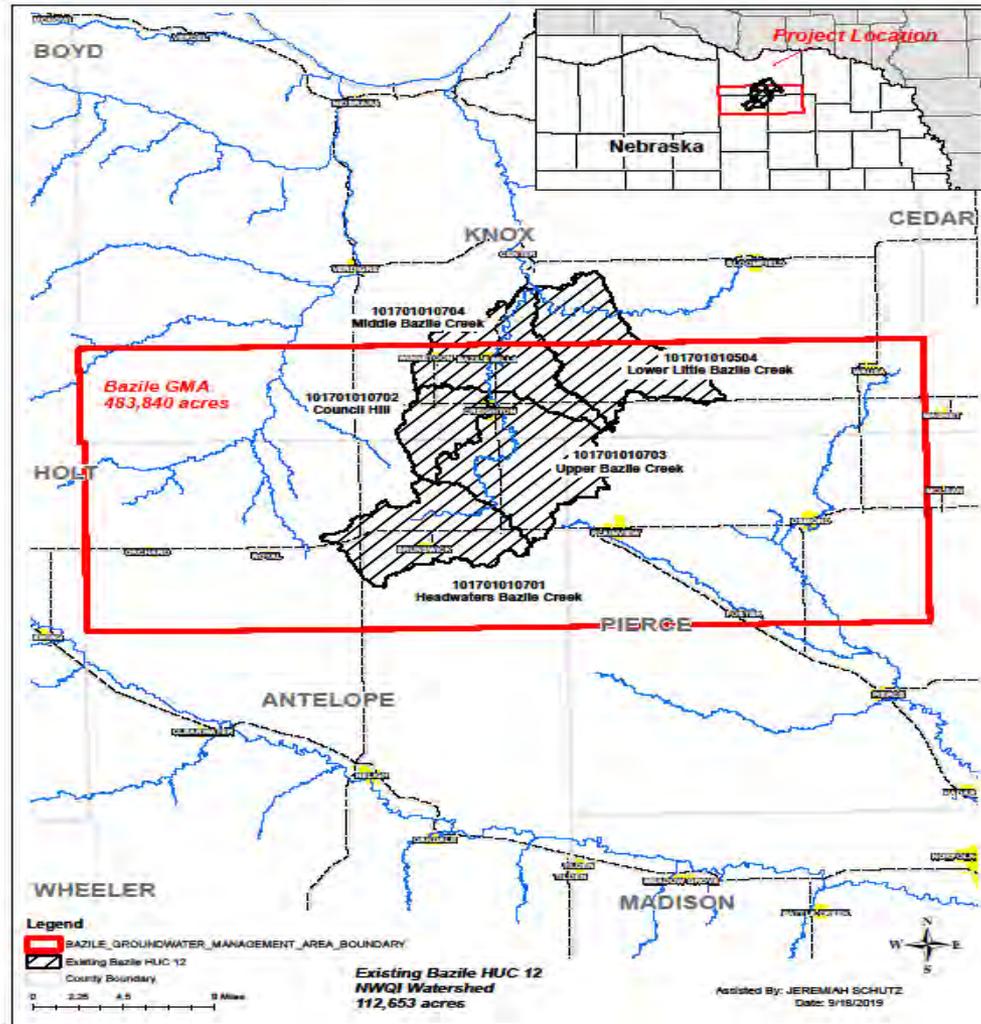
Nebraska NWQI FY 2019 Watersheds



-  **FY2019 NWQI Watersheds (Implementation Phase Priority Areas)**
-  **FY2019 NWQI Watershed Assessments (Planning Phase Priority Areas)**

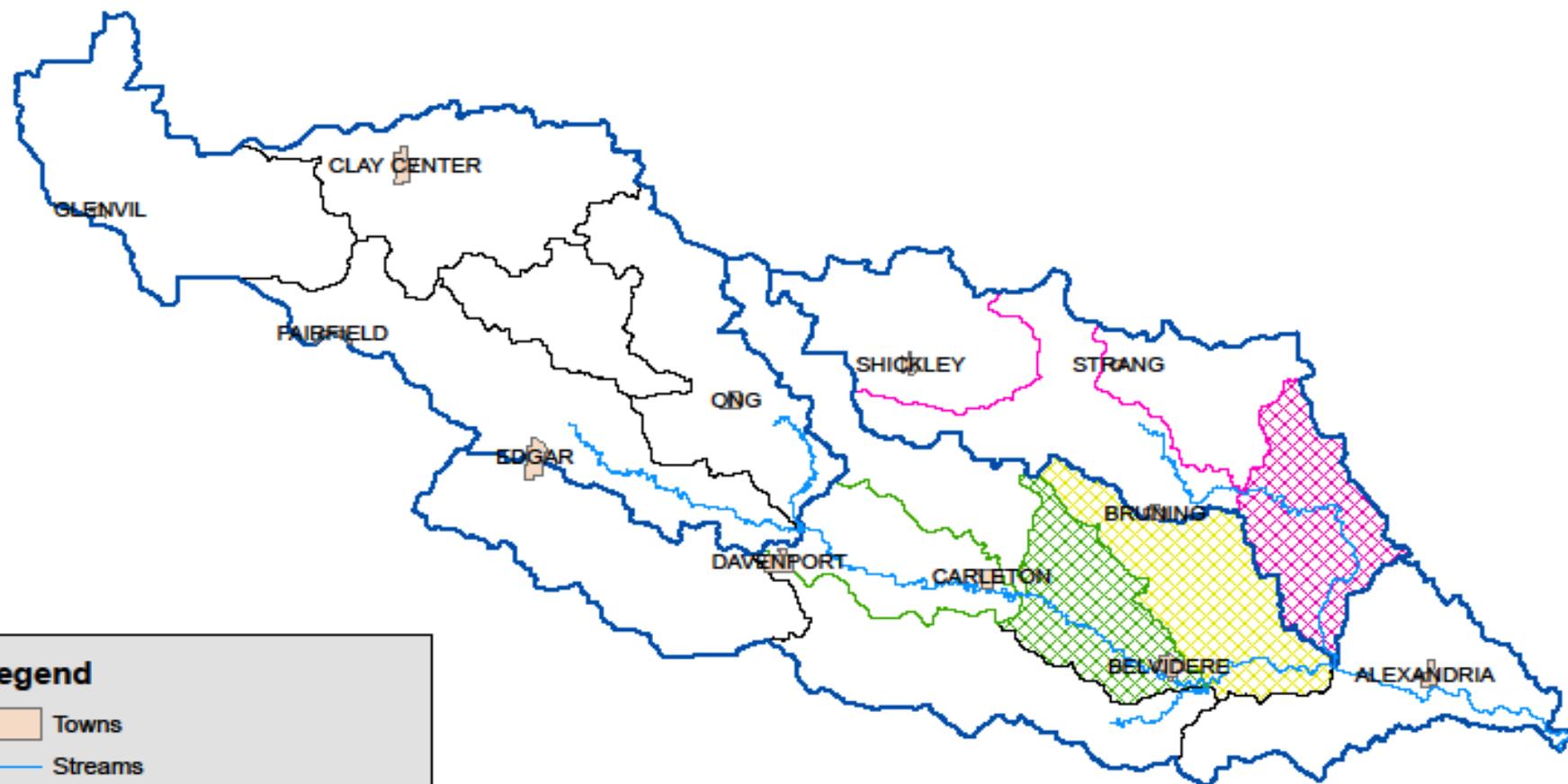
-  **Source Water Protection Areas - FY 2019 (Planning Phase)**

Bazile NWQI



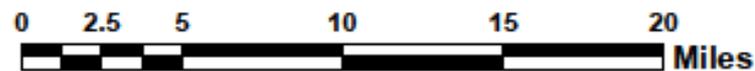


Big Sandy Creek - NWQI Target Watersheds

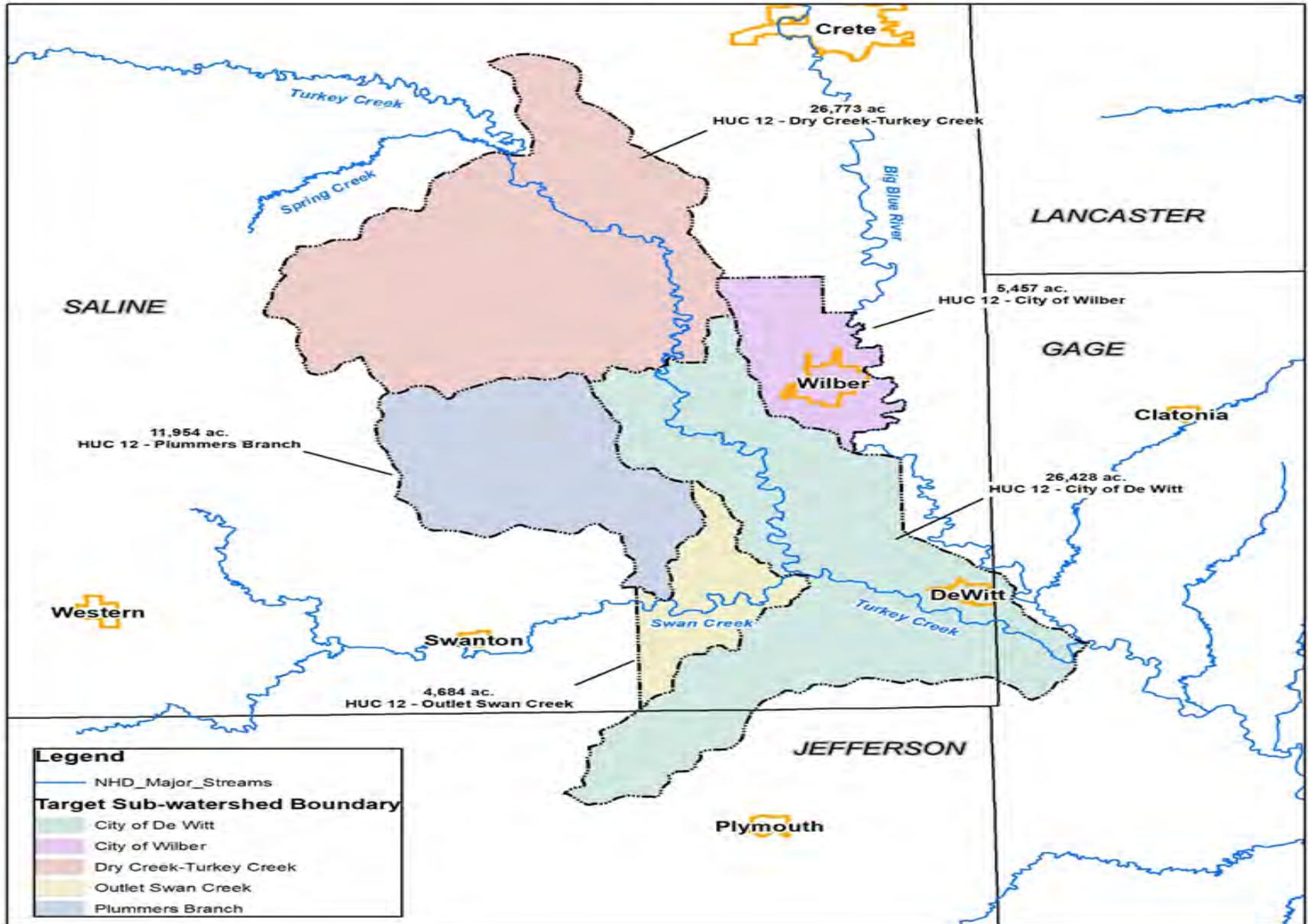


Legend

- Towns
- Streams
- Big Sandy Creek HUC 10s
- HUC 12s
- HUC 12: City of Belvidere
- HUC 12: Big Sandy Creek
- HUC 12: Outlet Dry Sandy Creek



TURKEY CREEK PRIORITY SUB-WATERSHED MAP FINAL NWQI BOUNDARY



Wahoo Creek HUC 12s Selected for the 2016 National Water Quality Initiative in Nebraska

SAUNDERS
COUNTY

Lower Platte North
Natural Resource District

North Fork Wahoo Creek
102002030702

Dunlop Creek-Wahoo Creek
102002030703

Miller Branch-Wahoo Creek
102002030704

WAHOO

Wahoo Creek
Category 5
Impaired at this point

Legend

 Selected HUC12s



D. Griffith - 1/2016

- **FY2020 NWQI Allocation = \$1.3 Million**
 - Big Sandy FA = \$206,059
 - Wahoo Creek (Implementation) FA = \$289,970
 - Wahoo Creek (Readiness/Planning) TA = \$50,000
 - Bazile Creek FA = \$401,717
 - Turkey Creek FA = \$390,951

- **FY2020 Application Cutoff Dates**
 - Big Sandy = May 22, 2020
 - Wahoo Creek = April 17, 2020
 - Bazile = March 13, 2020
 - Turkey Creek = March 13, 2020



United States Department of Agriculture

Delivering Results for Agriculture and Conservation



Conservation Innovation Grants



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History of CIG

- **Originally authorized in the 2002 Farm Bill**
 - **First grants awarded in 2004**
 - **Reauthorized in 2008, 2014 and 2018**
 - **On-Farm Conservation Innovation Trials (and Soil Health Demo Trial) added in 2018**
- 
- A man wearing a light-colored cap and a button-down shirt stands in a field of tall grass or crops. He is gesturing with his right hand towards the background, which features a dense line of trees and a hazy sky. The overall scene is in grayscale.

What is Innovation in a CIG Context?

- Developing and demonstrating approaches and technologies that, **based on initial research and testing, have a high likelihood of success.**
- On-farm demonstrations and field tests
- **Originally meant to be a bridge between research and wide-scale adoption**
- On-farm research added in 2014, but only in-field, applied conservation research.



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What is Innovation in a CIG Context?

- **Transfer** of an approach/technology from a proven ag sector or geography to a new one.
- **Demonstration** of a new technology that has shown promise in controlled settings.
- **Demonstration** of a new approach for financing private lands conservation.
- **Demonstration** of a new approach for incentivizing producer adoption of conservation practices and systems.



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What do we try to avoid in CIG?

- Traditional outreach and education projects
- On-farm conservation activities that are funded through EQIP
- Projects with no field-based or demonstration component
- Funding the same partner twice for the same idea
- Funding projects that are intended to lead to commercially available tools or products (i.e., bias toward tools and products available to producers for free)



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CIG Classic

- Funds the development of promising approaches and technologies—which may or may not be successful!
- Funding rarely provided directly to producers
- Projects often include small-scale pilots or demonstrations
- National and State competitions



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CIG On-Farm Trials

- Funds the implementation and evaluation of innovative approaches, systems and practices that we know provide a conservation benefit.
- Funding must be provided directly to producers to offset implementation risk.
- Partners must complete both conservation and economic evaluations.
- Soil Health Demo Trial awardees must agree to use consistent assessment methods.
- National competition only.



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Conservation Innovation Grants

- **2020 On-Farm Trials funding announcement released May 15, 2019**
 - 2020 On-Farm Trials Award recipients announced November 26, 2019
 - 4 Nebraska projects approved
- **2020 CIG “Classic” funding announcement released May 30, 2019**
 - 2020 national CIG Classic funding announcement to be released by April 1, 2020



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Agricultural Conservation Easement Programs

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Current NRCS Easement Programs



Agricultural Conservation Easement Program

- Agricultural Land Easement (ACEP-ALE)
- Wetland Reserve Easement (ACEP-WRE)



Emergency Watershed Protection Program – Floodplain Easements (EWPP-FPE)



Healthy Forests Reserve Program (HFRP)



Regional Conservation Partnership Program (RCPP) – Easement Authorities



Repealed NRCS Easement Programs

Wetlands Reserve Program (WRP) - 1992

Emergency Wetlands Reserve Program (EWRP) – 1993

Farm and Ranch Lands Protection Program (FRPP) – 1996

Grassland Reserve Program (GRP) - 2002



Agricultural Conservation Easement Program (ACEP)

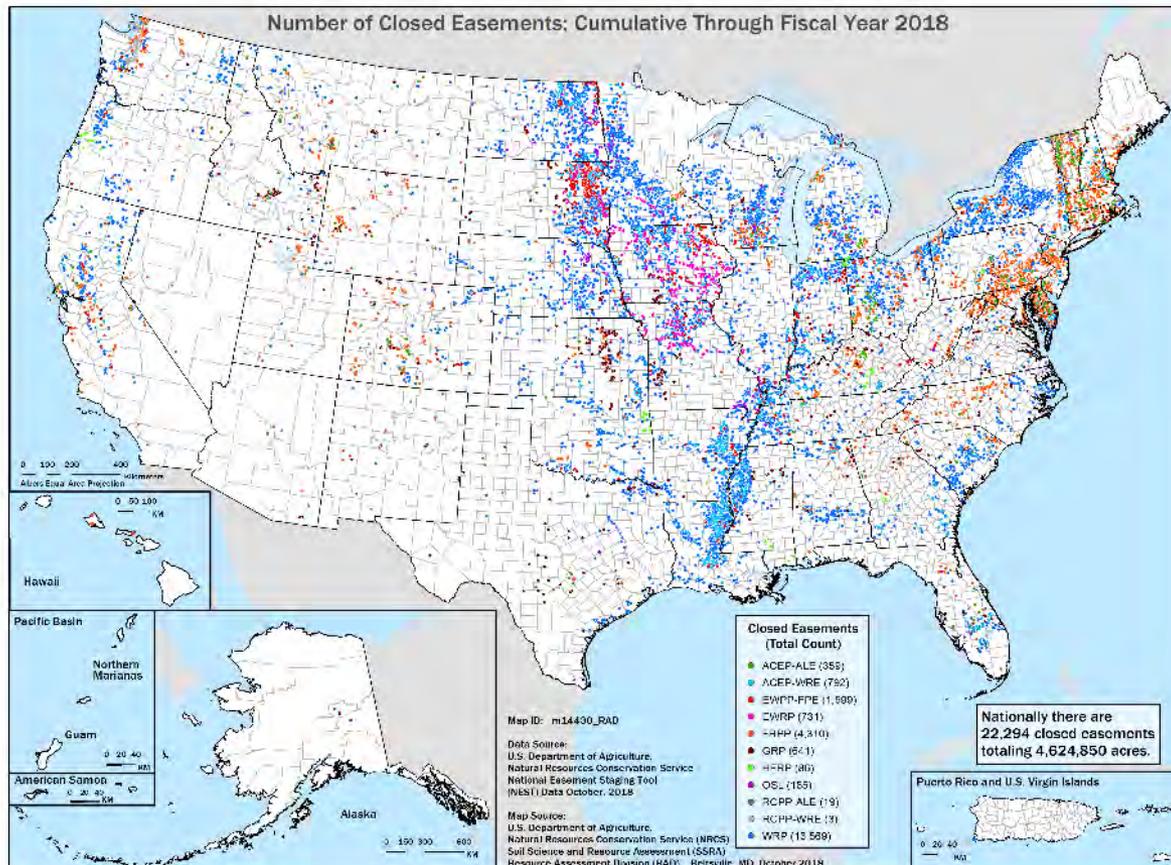
Agricultural Land Easements (ACEP-ALE)

- Combines the purposes and functions of **FRPP and GRP**
- NRCS provides funds to eligible entities for the purchase of agricultural land easements.
- **Eligible Entity holds the easement**
- **US obtains a 3rd party right of enforcement**
- Eligible Entity responsible for monitoring, management, and enforcement

Wetland Reserve Easements (ACEP-WRE)

- Same purposes and functions as **WRP**
- NRCS purchases easements directly from private and Tribal landowners through a reserved interest deed in eligible land to restore, protect, and enhance wetlands and associated lands.
- **US holds the easement**
- NRCS responsible for monitoring, management, and enforcement

25 years of NRCS Easement Program Accomplishments - Closed Easements



As of end of FY 2019:

Over 22,750 easements

On over 4.8 million acres



Agricultural Conservation Easement Program (ACEP)

- Funding: \$450 million each year (\$2.25 billion); increase of \$225 million



Wetland Reserve Easements (WRE)

- **Increases county cap** for WRE acreage from 10 to 15 percent
- Added 'or improving water quality' in addition to protecting and enhancing habitat for migratory birds and other wildlife as WRE acquisition priority.
- Included water management as an eligible compatible use



Wetland Reserve Easements (WRE)

- **Grazing as Compatible Use:** can follow either a WRE conservation plan or “a grazing management plan that is consistent with the WRE plan and has been reviewed at least every 5 years”
- Allows ‘Alternative Plant Communities’
 - Must be: hydrologically appropriate native community or alternative naturalized vegetative community.
 - Eliminate the 30% restriction on restoration of alternative plant communities



ACEP-ALE - Purpose

- **Protecting the agricultural use and future viability, and related conservation values, of eligible land by limiting nonagricultural uses of that land that negatively affect the agricultural uses and conservation values**



Agricultural Land Easements (ALE)

- **Added Buy-Protect-Sell Transaction**
 - Eligible entity shall hold the ALE but transfer ownership of the land to a farmer or rancher that is not an eligible entity within 3 years after the date of ALE acquisition
- Removed requirement of an agriculture land easement plan
 - Still requires conservation plan only for land that is highly erodible cropland
- **Removes requirement of 50% cash match associated with charitable donations**



ACEP-WRE – Compatible Use Authorizations

- The authority to grant CUAs has been specified in the regulation (§ 1468.38(d))
- **CUAs are time limited and may be modified or rescinded by NRCS at any time**
- In evaluating CUAs, NRCS will consider whether the CUA will **facilitate practical administration and management of the land and ensure that the CUA furthers the easement functions and values**
- Water management has been added to the list of specific examples of compatible uses identified in the ACEP regulation



2019 Spring Flood



EWP – Floodplain Easement Program

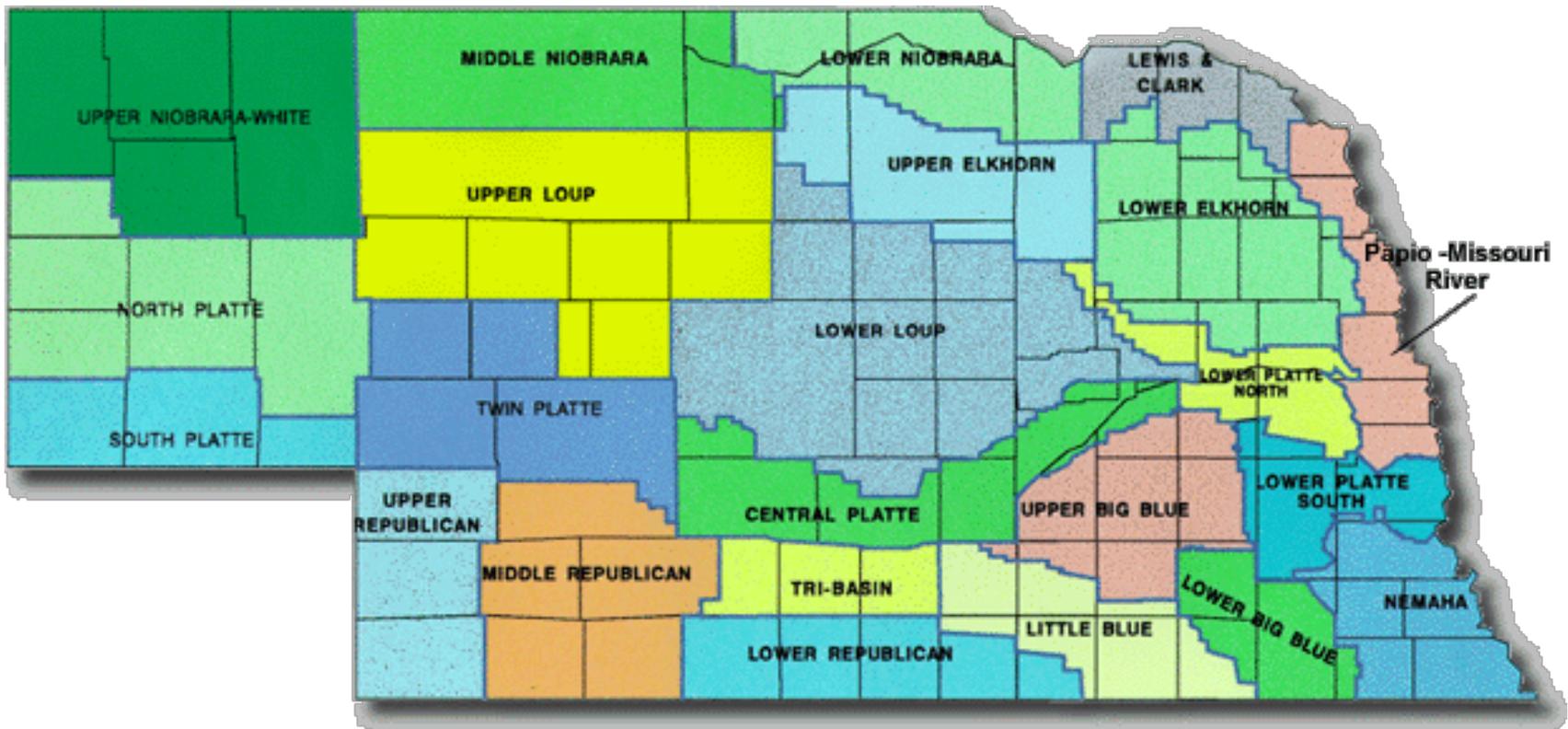
- Sign up ended October 31, 2019.
- 28 applications on approximately 6300 acres.
- Cost estimates exceed \$20 million for purchase and restoration
- Nebraska received an initial allocation of \$4.7 million
- Approval of applications is pending

FY2020 ACEP - Nebraska

- Application cutoff – April 3, 2020
- FY2020 allocations
 - ACEP-ALE = \$580,000
 - ACEP-WRE = \$2.8 million
- Ranking tool being revised - CART
- Easement State Tech Subcommittee meeting - TBD

LOCAL WORK GROUP MEETINGS

- Local Work Groups - 23



LOCAL WORK GROUP MEETINGS

- Meetings completed in January/February 2020
- *LOCAL WORK GROUP AGENDA ITEMS:*
 - Priority Resource Concerns
 - Fund Pools - Ranking Tools – Screening Tools
 - Revised ranking process for FY2020 – CART
 - Practice Payment Schedule
 - Local issues



QUESTIONS?