

**SAMPLE ONLY – MUST BE CUSTOMIZED TO PARCEL**

**Agricultural Land Easement Plan for XXXXXXXXXXXXX**

NEST ID # 731106##### \_ #####



Section 1265B(4)(C) of the 2014 Agricultural Act (2014 Act) introduced statutory requirements for various types of plans under ACEP-ALE enrollments. This Agricultural Land Easement Plan is being developed for the XXXX Farm as required by the 2014 Act.

This Agricultural Land Easement Plan, and all attached component plans, are intended to be a living document. The grantee is responsible for maintaining and updating this Agricultural Land Easement Plan as management types and land uses change and shall not restrict NRCS access to the Agricultural Land Easement Plan or to the easement property for monitoring purposes.

**Agricultural Land Easement Plan Minimum Requirements:**

1. Description of activities to promote long term viability of the land
2. Description of current, and historic if appropriate, farm management system – including information from baseline
3. Identify recommended and required conservation or management practices to address resource concerns identified
4. Identify additional permissible and prohibited activities consistent with the terms of the deed
5. Document the established limit on Impervious Surface
6. Include or reference additional component plans (e.g. Forest Management Plan, Grassland Management Plan, Conservation Plan to address Highly Erodible Land (HEL))

**A conservation plan is required if the parcel contains HEL. The conservation plan:**

1. Provides conservation practices and management to maintain all cropland at or below tolerable soil loss levels (T),
2. Provides conservation practices and management to prevent ephemeral gully erosion,
3. Provides conservation practices and management to meet all current state laws and regulations for water quality protection.

This Agricultural Land Easement Plan will be reviewed on-site by NRCS staff once every 5 years and updated if necessary to protect soil and water quality and to assure the farm management meets state regulations. All conservation practices identified in the conservation plan must be fully implemented within 10 years of the easement closing date. Practices to meet Food Security Act Highly Erodible Land provisions and/or State Law must be implemented immediately.

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## **List of Component Plans Referenced in this Document**

Component 1: Conservation Plan

Component 2: XXXXXXXXXX (Cooperating Entity) Baseline Documentation Report

Component 3: Forest Management Plan

## **Section I – Farm Setting: Agricultural and Ecological Landscape**

The XXXX Farm was a small dairy farm with a 100 head milking herd. XXXXX and XXXX XXXX sold the herd in 2012. From 2012 through 2014 the farm was rented to the XXXXXXXX Farm for the production of haylage and corn silage. In 2015 son XXXX took over the day to day operation of the farm and seeded down all of the fields that were in corn in 2014. As a result the entire farm is currently in perennial vegetation. The farm consists of 2 parcels, the home farm on Local Road and the “XXXXX” farm parcel on Local Road #2. The XXXX II easement applies to the “XXXXX” farm parcel located about one mile south of the home farm. XXXXX and XXXX purchased this farm in 1972. The farmstead that went with this parcel was sold years ago. It is currently owned by XXXXXXXXXXXX. The XXXXX’s have water rights to supply water to their house from an old spring and pump house in the pasture west of field 18. An overhead power supply line and buried pipeline run from the Hamilton property to the pump house in the pasture (field P1), refer to the plan map for the location. The 16.2 acres of pasture in the SW corner of this parcel straddles a stream that drains to the west and then north into the South Slang of Little Otter Creek a little over 2 miles away. 4.5 acres of this farm will be excluded from the easement (the footprint of field 18).

The farm is located in Hartford County in the town of XXXXXXXX, Connecticut. The 137 acre “XXXXX” farm easement area consists of approximately 117 acres of tillable land and 20 acres of pasture and wetter drainage areas. Included in this easement are 2 future building envelopes, 4.5 acres at the far east end of field 19 and the far north end of the pasture, field P1 and a second envelope of 4 acres at the far west end of field 17. Prior to 2014, all open land was managed as cropland, hayland or pasture. In 2015 XXXX XXXX seeded down field 12, 13, 14, 19, 20 and 21 west. The eastern ½ of field 21 was seeded down in 2014. All of Tract 10691 is currently seeded to hay or is in old pasture. All of the crop fields in Tract 10691 are considered Non-Highly Erodible (NHEL). XXXX would like to expand field 15, 16 and 21 toward the water course that flows by them (closer to the top of the bank while leaving an adequate buffer). At present the pastureland in field P1 is idle.

Typically the XXXX's managed this parcel to produce corn silage, hay and pasture to support their dairy herd until 2011. XXXX XXXX's long term plans for the parcel are to rotate the crop fields with 2 years of corn silage and 4 years of hay, fall plowed across the slope where possible. XXXX soil sampled field 12, 13, 14, 19, 20, and 21 west in 2015. Manure would be applied to the crop fields by honey wagon from the home farm manure storage pond. Feed would be stored in the home farm's bunk silo as piled corn silage and as wrapped haylage round bales and used to feed boarded dry cows and bred heifers and to supplement a small herd of beef animals. XXXX would like to explore grazing beef animals on the pasture in this parcel. It appears approximately 40 feeder size beef animals could be grazed with some late season feed supplementation or some late season grazing of the nearby hay fields if the pasture on the home farm and the XXXX II parcel are used together. It appears that 2 or more paddocks could easily be created on this parcel by excluding the livestock from the water course that bisects the pasture. Some alternatives for pasture water supply include a pasture pump with the supply pipe in the water course in the pasture, utilizing the existing spring and pump house with permission from the XXXXXXXX's and tapping into the town water supply line that runs through field 13 and 17. According to the town records, the pipeline is buried approximately 100 yards to the east of the XXXX house and the XXXXXXXX's are hooked into the water system.

Soils on the XXXX II parcel includes 9 acres of prime farmland (6.5%) and 126 acres of statewide important soils (92%). Field 12, P1 and 17 along Local Road have 9 acres of prime farmland, Amenia Stony Loam, 0 to 8% slope soils. Soils on field 15, 16, 17 consists predominantly of Vergennes clay, 2 to 6%. Soils on field 14, 19, 20, 21, and most of field 13 are predominantly Covington and Panton Silty Clays. The pastureland generally consists of Vergennes clay, 6 to 25% slope, and Covington and Panton Silty Clays. The farmland terrain is generally gently to moderately sloping.

The XXXX II parcel is located in Local Watershed, which originates in neighboring town and flows southwest into the Connecticut River. Erosion control and water quality protection are the primary environmental concerns for this watershed, the XXXX family, as well as for neighbors and the public at large. Refer to the Baseline Documentation Report (component 2) for additional information regarding this farm and the environmental setting.

The XXXX farm is a small family farm. Its location on the landscape provides the general community and travelers visiting the region with picturesque views of the Connecticut River Valley. Protection of the XXXX II parcel ensures that the farm will have an economically viable future and that it is protected from future development. Conserving this property protects the natural resources on the farmland as well as further protecting the XXXXXXXX Watershed. Conserving the property also protects the scenic values that the farm provides and helps enhance the 'rural image' of Connecticut.

## **Section II – Overall Management Goals & Long Term Viability**

The goal of the Easement and of this Plan is to protect the agricultural use and provide for future viability and related conservation values of the easement by limiting nonagricultural uses of the land.

This Plan will ensure that the property remains agriculturally viable for future generations by promoting active conservation of the landscape.

{Even though a firm foundation exists to ensure continuity of operations, should the landowner not be able to make farming a financial success, the Cooperating Entity may have incorporated an Option to

Purchase at Agricultural Value (OPAV) in the easement deed. This provision gives the easement co-holders (VHCB) the right to intervene in any future sale to a non-family, non-farmer, and to buy the property at its appraised commercial agricultural value. This provision helps to ensure that farmland stays in active agricultural production, providing a strong incentive for farm owners to sell the protected property to other farmers. }

### **Section III – Agricultural Management Objectives and Management Actions**

At the time of enrollment, the landowners, XXXXX and XXXX XXXX along with their son XXXX, are operating the farm as a crop and hay farm. Plans to transition this historical dairy farm to a custom dry cow/ heifer boarding facility and beef operation are underway. Long term objectives are to maintain farm viability while protecting soil and water quality.

At the home farm boarded livestock would be confinement fed corn silage and wrapped balage harvested from the home farm and the XXXX II parcel. A small herd of beef would be raised on pasture with some haylage supplementation as needed. The XXXX II farm consists of crop and hay fields with a small amount of pasture. Crop fields will be rotated between corn silage and grass-legume hay. For a thorough description of the farm management at the time of enrollment see the attached Baseline Documentation Report compiled by the *Cooperating Entity* (Component 2).

#### **Cropland Management:**

A crop rotation of 2 years of silage corn followed by 4 years of legume hay is planned for all crop fields. Tillage patterns will be oriented across the general slope of fields as much as possible. All the crop fields on this parcel are non-Highly Erodible Land (NHEL). Current and planned management of these fields would meet general Food Security Act requirements. The planned rotation of 2 years of corn silage followed by 4 years of hay will keep erosion levels below allowable soil loss levels (T) and provide a positive soil conditioning index. There is a water course that flows between field 13 and 21 and another that flows through field 16 and 17 that will require 10 foot grass buffers if and when this portion of the field is plowed, this amounts to approximately 1.2 acres total between the 4 buffer areas. A 10 foot manure spreading setback should be maintained when applying manure near the water courses in field 13, 21, 16 and 17. No areas of ephemeral gully erosion were noted during the resource inventory of this parcel. XXXX would like to expand field 15, 16 and 21 toward the water course the flows by them (closer to the top of the bank while leaving an adequate buffer).

Immediate Required Actions: 1) Maintain the grass buffer and manure spreading setback widths listed in the Conservation Plan (Component 1) for the field 13, 16, 17 and 21 (see the plan map for locations).

Required Action: 1) Manage Non Highly Erodible fields planted to an annual crop in a manner that keeps soil erosion at or below the allowable soil loss level (T). See the crop rotations outlined in the attached Conservation Plan (Component 1). These must be implemented within 10 years of the Easement Closing Date.

Required Action: 2) File an updated 1026 if any area that will be plowed up to plant an annual crop where an HEL determination has not been completed. This would apply to Field UN1 and P1. Update the farm's 1026 if any drainage improvements or land clearing is planned (this includes hedgerow clearing).

## **Grazing Land Management:**

XXXX XXXX would like to explore grazing beef on the old pasture, field P1. The existing fenced in pasture area is approximately 16.2 acres including a northern 2.1 acre portion in the 4.5 acre building envelope. The steep banks and water course that flows through the pasture toward the South Slang of *Local Stream* may need to be managed to ensure that adequate vegetative cover is maintained on streambanks by limiting livestock trampling and equipment damage (except at defined crossings) to protect streambanks from excessive erosion. To protect the stream banks and vegetation along the water course that flows through the pasture an exclusion fence is recommended to protect the riparian area from livestock damage if and when livestock are grazed in this area. Due to the steep banks along the water course that flows through the pasture an exclusion fence installed along the top of the bank would likely provide the best location for installation and long term maintenance. This would leave 2 paddocks totaling approximately 11.7 acres. The excluded area should be eligible for the CRP program under the riparian buffer practice. Technical and financial assistance would be available for fencing, a water system, any necessary livestock crossings and the establishment of a wooded riparian buffer (see the attached grazing map). There is a deeded water supply to the neighboring property at the south end of the pasture. A spring and pump station provide water to the house. Power is supplied by an overhead power line and a buried pipeline supplies water from the pump house to the XXXXXXXX's home.

**Required Action (if field P1 is grazed):** 1) Install a fence in the pasture in a manner that protects streambanks by limiting livestock trampling and equipment damage to protect against excessive erosion and provides a 50 foot buffer between the pasture and the onsite spring and pump house. Fenced off crossings and water access points will improve water quality on and off the farm. A variety of USDA programs are available to assist with stream crossing installation. EQIP fencing requirements require a permanent installation.

**Recommended Action:** 1) Contact the NRCS/FSA office for technical assistance and financial assistance to install exclusion fencing, improved stream crossings / water access points, a water supply system and pest management. Refer to the [Conservation Plan \(Component 1\)](#) . The planned pasture system does not have a formal Grazing Management Plan.

**Recommended Action:** 2) Contact NRCS regarding development of an approved Grazing Management Plan. This plan would identify additional grazing management strategies, components or considerations to help ensure grazing on this property meets the needs of the grazing manager as well as the grazing livestock. Refer to the [Conservation Plan \(Component 1\)](#) .

## **Forest Land Management:**

There are approximately 35 contiguous acres of forest on this parcel. A forest management plan has been developed and is attached as [Forest Management Plan \(Component 3\)](#) to this plan. Refer to this for additional recommendations.

## **Agricultural Waste Management:**

This farm does not currently have a Comprehensive Nutrient Management Plan (CNMP) nor a Nutrient Management Plan. All sources of manure and nutrients should be accounted for when

determining recommended application rates for crops. Nutrient applications shall be based on soil testing by field. All fields receiving mechanical application of manure should be soil tested at least once every five years. Records of soil tests shall be maintained for five years. Animal mortalities buried on the farm property should be sited so as meet any local or state requirements.

Animal mortalities composted on the farm property shall be sited so as to meet separation distances as described in the Connecticut Conservation Practice Standard for 316-Animal Mortality Facility.

Immediate Required Actions: 1) Obtain new soils tests for all fields that will receive mechanically applied manure in 2016 (Field 15, 16, 17 and 21 east if manure is applied there).

Note: Check with the {nutrient receiving} Farm to see if they have any recent soil tests for these fields. Refer to the **Conservation Plan (Component 1)**

Immediate Required Actions: 2) Maintain any manure setbacks (application buffers) as outlined in the Conservation Plan (component 1) and attached maps.

Required actions: 1) Ensure the future handling of livestock mortalities is according to local/state requirements if animal mortalities are buried or composted on this parcel.

Recommended actions: 1) It is recommended that the agricultural waste management on this property to be conducted in accordance with an NRCS approved Comprehensive Nutrient Management Plan and all sub-components thereof (Manure and Waste Water Handling Plan, Land Treatment Plan, and Nutrient Management Plan). This practice will address any ground water, surface water, fertility, and erosion resource concerns that exist on the farmstead, cropland, hay land and pasture. A properly planned and applied CNMP with proper recordkeeping will enable eligibility for financial assistance through EQIP for practices related to manure handling.

Refer to the **Conservation Plan (Component 1)**

#### **Section IV – Additional Agricultural Features and Operations**

N/A.

#### **Section V – Other Management Opportunities and Limitations**

##### **Impervious Surfaces:**

As described in the deed, impervious surfaces will not exceed 2% of the protected land, excluding NRCS-approved conservation practices described in this Agricultural Land Easement Plan.

Impervious surfaces are defined as material that does not allow water to percolate into the soil on the parcel. This includes, but is not limited to, residential buildings, agricultural buildings with or without flooring, paved areas, and any other surfaces that are covered by asphalt, concrete, or roofs. This limitation does not include public roads or other roads owned and controlled by parties with superior rights to those rights conveyed to Grantee by this Agricultural Land Easement.

##### **Restricted Areas:**

A building envelope of 3.5 acres has been identified on the survey and in the easement deed. The land use is currently hayland and is not Prime Farmland soils. According to the Conservation Deed, the

location of this building envelope may be moved in the future with prior written approval from the State Conservationist and the XXXXXXXX Land Trust. This adjustment will only be permitted if the new location does not adversely affect any Prime Farmland soils.

## **Section VI - Monitoring**

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### **Monitoring Requirements:**

On-site Monitoring of the easement by the Grantee (Cooperating Entity) will occur on a yearly schedule as described in the easement deed. NRCS shall make an on-site visit, at a minimum, every 5 years for monitoring purposes. Monitoring may be more frequent if NRCS becomes aware of a landowner changes, a change in management style, or any other change that could impact the easement. During monitoring the Agricultural Land Easement Plan will be reviewed by NRCS staff, if necessary, to ensure that soil and water quality are being protected.

### **NRCS Rights to Egress & Ingress:**

The easement is bounded by two public roads. Local Road#1 bisects this parcel from north to south. Local Road #2 abuts this parcel on the south side of field P1 and 18.

## **Section VII – Updates to the Agricultural Land Easement Plan**

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NRCS recognizes that an ACEP-ALE easement is in perpetuity, therefore a plan developed at the time of easement closing may not be applicable 30 years down the road. Landowners are encouraged to take ownership of their Agricultural Land Easement Plan and to update them within one year of a change in management style or landownership. As such, Agricultural Land Easement Plans are considered “living documents”.

# Agricultural Land Easement Plan

## XXXXXXXX FARM

NEST ID #####\_####

I (we) have reviewed this ACEP-ALE Plan and agree to content included therein:

### CERTIFICATION OF PARTICIPANTS:

\_\_\_\_\_  
Customer Signature                      DATE

\_\_\_\_\_  
Customer Signature                      DATE

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I have provided a review of the content of this plan with the NRCS ACEP-ALE customer:

### CERTIFICATION OF NRCS CONSERVATION PLANNER:

\_\_\_\_\_  
Conservation Planner                      DATE

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The content of this plan meets the requirements of the ACEP-ALE Program:

### CERTIFICATION OF NRCS CERTIFIED CONSERVATION PLANNER:

\_\_\_\_\_  
Conservation Planner                      DATE