



United States Department of Agriculture



Rhode Island

Natural  
Resources  
Conservation  
Service



## Land Protection and Stewardship Using the USDA-NRCS Programs

March 2024 Brunilda Velez and Joseph Bachand

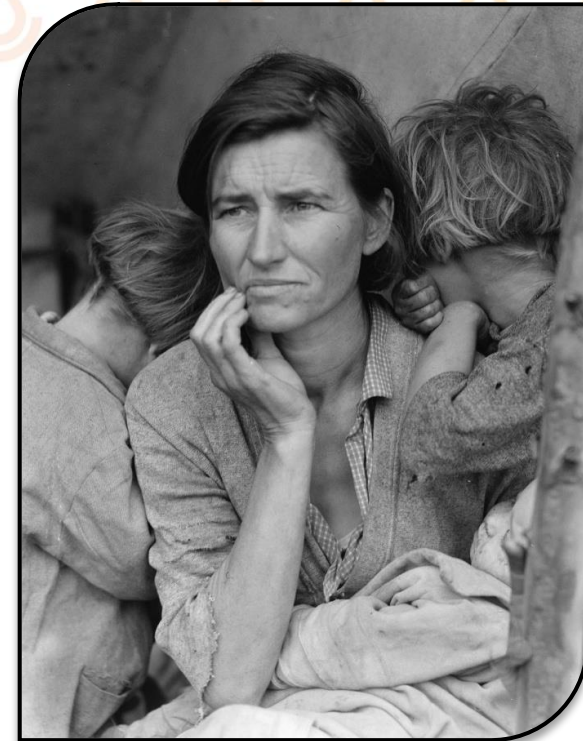
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# Origin of NRCS



*A black blizzard over Prowers Co., Colorado, 1937. (Collection, Univ of Oklahoma)*



*Migrant Mother, Nipomo, California, by Dorothea Lange for FSA, 1936*


The Soil Conservation Service (SCS) was created during the Dust Bowl in the 1930s to control soil erosion on farms.

In 1994, SCS became the Natural Resources Conservation Service (NRCS) & now in addition to soil as a resource, also addresses; water, air, plants, animals, and energy on farms.



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The Natural Resources Conservation Service (NRCS) is a federal agency within the U.S. Department of Agriculture (USDA) that works with **private landowners** and operators, through voluntary conservation, to **promote productive and sustainable lands.**

NRCS supports farmers, ranchers, and private forest landowners in meeting their conservation goals, ***regardless of the size, location, and type of operation.***

We can assist with traditional farming operations, as well as urban farms and forest lands.



A black and white cow stands in a grassy field. In the background, a suspension bridge is visible through a line of trees under a hazy sky. The letters 'ACEP' are overlaid in large, white, bold font with a blue outline.

# ACEP

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

- Helps landowners, land trusts, and other entities protect, restore, and enhance wetlands or protect working farms and ranches through conservation easements.
- Protects the agricultural viability and related conservation values of eligible land by limiting nonagricultural uses which negatively affect agricultural uses and conservation values

# ACEP- Component Overview



## Agricultural Land Easements

Help private and tribal landowners, land trusts, and other entities such as state and local governments protect croplands and grasslands **on working farms** by **limiting non-agricultural uses** of the land through conservation easements.

## Wetland Reserve Easements

Help private and tribal landowners protect, restore and enhance wetlands which have been previously degraded due to agricultural uses.

### Benefits to Different Land Types



#### Wetlands

Wetlands are a home to many species and benefit society by storing floodwaters, filtering pollutants, serving as a carbon sink, and providing recreation opportunities.

Wetland easements and reserves can:

- Protect and restore wetlands
- Improve habitat
- Improve water quality



#### Grasslands

Grasslands include rangeland, pastureland, or shrubland. Easements and reserves help farmers keep grasslands working while providing improved habitat for animals that call grasslands home.

Grasslands easements and reserves can:

- Protect native grasses and forbs
- Improve habitat
- Prevent the development of rural lands



#### Agricultural Lands

Whether they span 1 or 100 acres, privately owned farms across the nation provide open space and natural resources for all sorts of animals. Easements and reserves help farmers improve and maintain their lands.

Agricultural land easements and reserves can:

- Improve agricultural lands
- Prevent the development of rural lands
- Keep working lands in family hands



#### Forests

From New England to California, our country's diverse forests are home to songbirds, wild game, and fish.

Forest easements and reserves can:

- Improve wildlife habitat
- Enhance carbon sequestration
- Improve biodiversity



# Overview of the Wetland Reserve Easements (ACEP-WRE)

## Purpose:

The ACEP-WRE purpose is to restore, protect, and enhance wetlands on eligible private or Tribal lands while maximizing wildlife habitat benefits.

*CPM 440 Part 528.100*

# 528.100 Overview of the Wetland Reserve Easement (WRE) Component



Enrollment Option	Duration	Eligible Applicant
30-Year Contract	30 years	Acreage owned by Indian Tribes only
30-Year Easement	30 years or the maximum duration allowed by State law if less than perpetual	Private landowners or Indian Tribes (including Native Corporations)
Permanent Easement	Perpetuity	Private landowners or Indian Tribes (including Native Corporations)





# ACEP-WRE: Objectives



To protect **private lands** to restore and enhance the functions and values of wetland ecosystems to attain:

- Habitat for migratory birds and other wetland-dependent wildlife
- Protection and improvement of water quality
- Attenuation of floodwater
- Recharge of ground water
- Protection and enhancement of open spaces
- Protection of native flora and fauna
- Contribution to educational and scientific scholarship
- Provide producers a viable option for marginal lands



# WRE – Reserved Interest Deeds



## What is the US buying?

- The USDA is purchasing **ALL of the development and surface rights** of the enrolled property except those specifically reserved to the landowner.
- A warranty easement deed (WED) is recorded which defines the US rights and the landowners' rights.

## What does the landowner reserve?

- Convey, Transfer, or Alienate Title
- Quiet Enjoyment
- Control of Access
- Undeveloped Recreational Use
- Extract Subsurface Resources subject to the WED
- Certain Water Rights



# WRE: Eligible Land Types



Farmed or Converted  
Wetlands

Croplands or  
Grasslands

Hydric Soil Minor  
Components  
(Inclusions and  
Atypical Situations)



Riparian Areas

Lands in Conservation  
Reserve Program  
(CRP)



Wetlands Restored or  
Protected under a  
Private, State, or  
Federal Program



Adjacent Lands



# ACEP-Farmed/Degraded Wetland Examples



Damage by Cattle/Horses, livestock or cropping



Damage or alterations on the Forest



Salt Marshes Can be degraded wetlands

# FY2023 Easement Closings

## ACEP-Wetland Reserve Easement (WRE)

- 330 ac
- \$477K Actual Easement Cost
- 3 Town Parcels
- North Kingstown

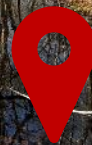
**OUR LARGEST EASEMENT!**

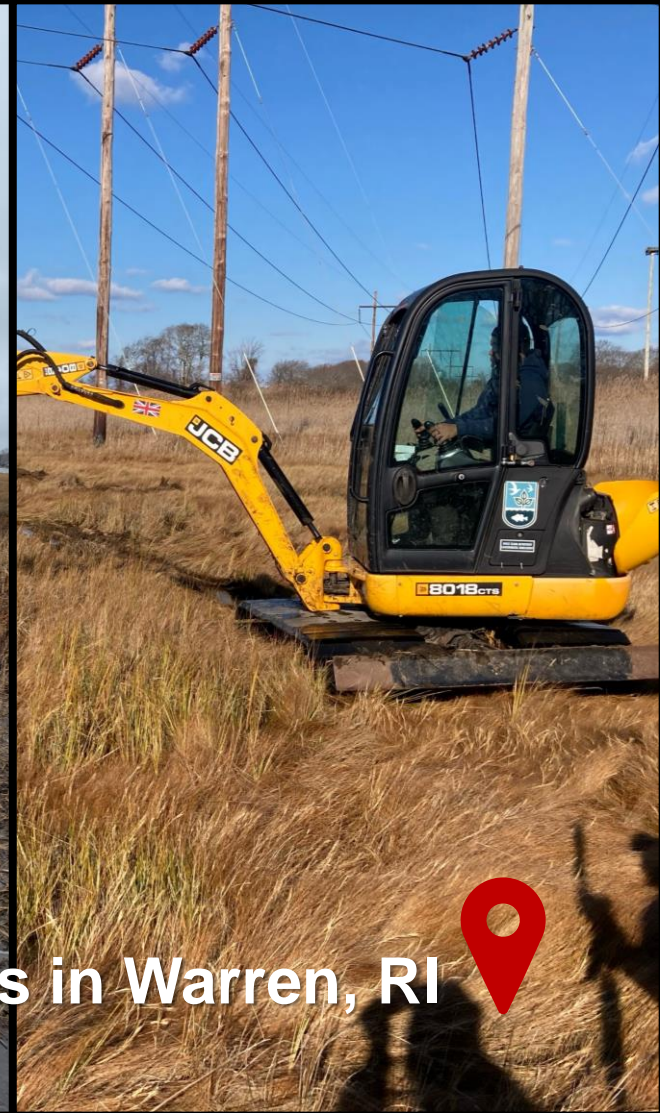


# Rhode Island Biggest ACEP WRE Easement, 330 ac!



North Kingstown, RI





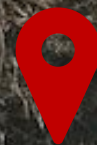
## Sowams Woods in Warren, RI



**ACEP- Wetland Reserve Easement Restoration (WRE)**  
*Purpose: Marsh Migration with Saltmarsh Sparrow Habitat*  
*Wetland Reserve Easement – 23 Acres*



Warwick, RI



**ACEP- Wetland Reserve Easement Restoration (WRE)**

*Purpose: Marsh Migration w/Saltmarsh Sparrow & Diamondback Terrapin Habitat*

*Wetland Reserve Easement – 23 Acres*





# ACEP- Wetland Reserve Easement Restoration (WRE)



**Purpose:** Marsh Migration w/Saltmarsh Sparrow Habitat  
Restoration Coming Soon 2024/2025  
Wetland Reserve Easement – 26 Acres



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# ACEP - Agricultural Land Easements-ALE Basics

# ACEP – ALE Land Eligibility

- Basic ALE Land Eligibility Requirements:
  - Private or tribal land that is agricultural land
  - **Subject to a written pending offer** from an eligible entity
  - Meets one of the ALE land eligibility criteria
  - NRCS will perform an onsite review is required for land eligibility!



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# ALE: Land Eligibility Criteria

- Has prime, unique or other productive soils (Soils)
- Contains historical or archaeological resources
- Enrollment would protect grazing uses and related conservation values by restoring and conserving land (Grassland)
- Further a State or local policy consistent with the purposes of ACEP



# ALE: Entity Responsibilities

- Ensure proper acquisition and recordation of easements
- Pay all costs of easement valuation and procurement
- Hold title of easement
- Meet the cooperative agreement requirements
- Submitting complete and timely documents for NRCS review in accordance with performance deadlines in cooperative agreement
- Conduct monitoring annually
- Enforce terms of easement
- Carry out responsibilities in cooperative agreement
- Provide FSA SCIMS information
- Maintain DUNS and SAM registration



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# FY2023 Easement Closings

**ACEP-Agricultural Land Easement**

**72.8 Total Acres  
Two NEW Agland  
Easements!**





Smithfield, RI



**Total: 52.4 ac**

**NRCS Share: \$845K**

**Entity: Agricultural  
Land Preservation  
Commission (ALPC)**

**Smithfield, RI**

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**Total: 20.4 ac**

**NRCS Share: \$480K**

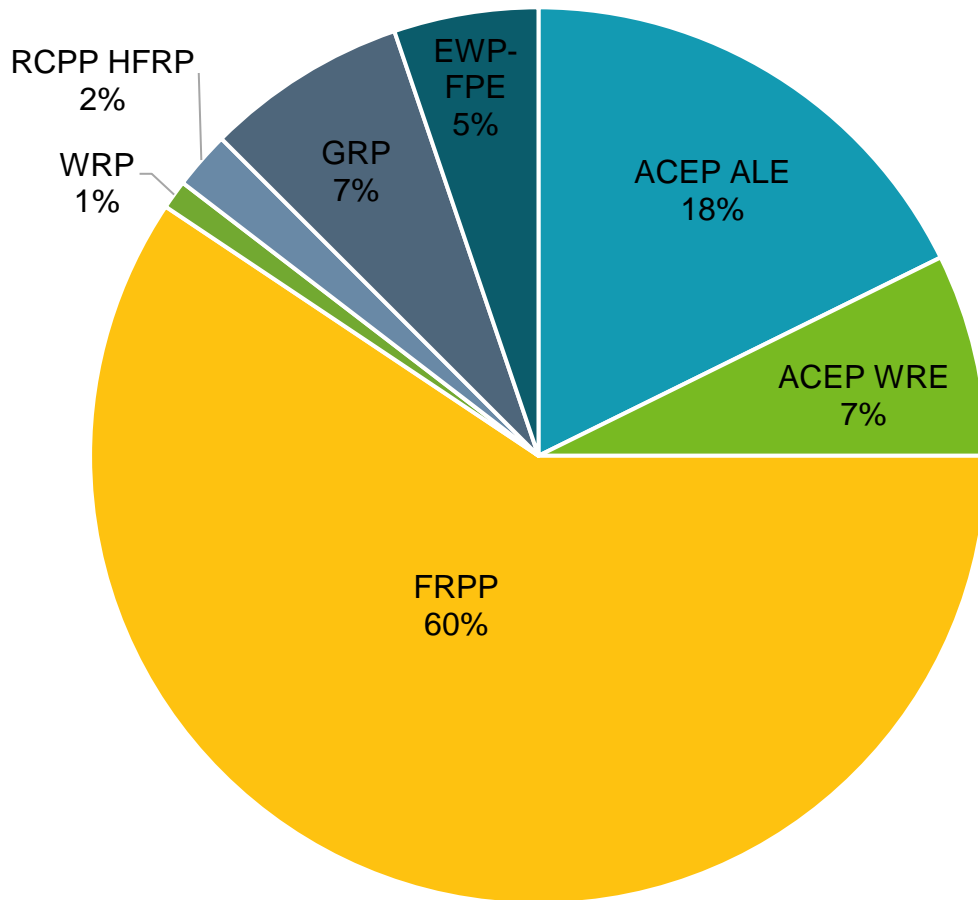
**Entity: Agricultural Land Preservation Commission (ALPC)**

**Warren, RI**

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# Current Rhode Island NRCS Easement Portfolio



Program	Easements	Acres (ac)
ACEP ALE	17	372
ACEP WRE	7	478
FRPP	57	2866
WRP	1	30
RCPP-HFRP	2	178
GRP	7	119
EWP-FPE	5	111
<b>Total</b>	<b>96</b>	<b>4154</b>





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# Funding opportunities to help with stewardship of lands

# EQIP

## Environmental Quality Incentives Program

- Provides financial and technical assistance to agricultural producers in order to address natural resource concerns
- Deliver environmental benefits such as improved water and air quality, conserved ground and surface water, reduced soil erosion and sedimentation or improved or created wildlife habitat



## Conservation Technical Assistance

- With CTA, NRCS helps farmers develop a conservation plan that will help their operation succeed.
- These plans provide a roadmap for producers, helping them meet both their production and natural resource goals.
- Our unique ability to offer both financial and technical assistance helps ensure that we can meet the diverse needs of our customers.



# AMA

## **Agricultural Management Assistance**

- Provides financial and technical assistance to agricultural producers in order to address natural resource concerns – focus on water and high tunnels
- AMA is available in 16 states where participation in the Federal Crop Insurance Program is historically low
- Total AMA payments shall not exceed \$50,000 per participant for any fiscal year

**NEW - MINIMUM ANNUAL  
PAYMENT RATE  
INCREASED TO \$4,000/YR  
AND \$20,000/CONTRACT**

**CSP**

## **Conservation Stewardship Program**

- Helps agricultural producers maintain and improve their existing conservation systems and adopt additional conservation activities to address priority resources concerns.
- Participants earn CSP payments for conservation performance—the higher the performance, the higher the payment.

# Inflation Reduction Act (IRA) (NEW)



- Signed into law by President Biden in August 2022
- The IRA provided RI NRCS with **additional** funds for its **existing** conservation programs. In FY2024, RI addition allocation is:
  - \$5.5M Environmental Quality Incentives Program (EQIP)
  - \$517K Conservation Stewardship Program (CSP)
- **NHQ will hold national signups for:**
  - Regional Conservationist Partnership Program (RCPP)
  - Agricultural Conservation Easement Program – Wetland Reserve Easements (ACEP-WRE)
- **The IRA does not create any new programs** – it gives NRCS additional funds to **expand its existing climate efforts** and satisfy unmet demand
- IRA funds begin in **fiscal year 2023**;  
all IRA funds must be spent by **September 30, 2031**





# NRCS Climate Smart Agriculture Practices (CSAF)

USDA Natural Resources Conservation Service  
U.S. DEPARTMENT OF AGRICULTURE

Climate-Smart Agriculture and Forestry (CSAF) Mitigation Activities List for FY2024

Highlighted activities have been added to the list in FY2024.  
\*Noted activities are added to the list as "provisional".

Mitigation Categories <sup>(1)</sup>	Code	Conservation Practice Standard Name <sup>(2)</sup> (practice unit)	Code	Conservation Stewardship Program (CSP) Enhancement Activities
Soil Health	327	Conservation Cover (acres)	E327A	Conservation cover for pollinators and beneficial insects <sup>(3)</sup>
			E327B	Establish Monarch butterfly habitat
	328	Conservation Crop Rotation (acres)	E328A	Resource conserving crop rotation
			E328B	Improved resource conserving crop rotation
			E328E	Soil health crop rotation
			E328E	Modifications to improve soil health and increase soil organic matter
			E328N	Intercropping to improve soil health
			E328Q	Perennial grain crop conservation rotation
	329	Residue and Tillage Management, No Till (acres)	E329A	No till to reduce soil erosion
			E329B	No till to reduce tillage induced particulate matter
			E329C	No till to increase plant-available moisture
			E329D	No till system to increase soil health and soil organic matter content
			E329E	No till to reduce energy
			None Available	None Available
	332	Contour Buffer Strips (acres)	None Available	
	336	Soil Carbon Amendment (acres) <sup>(4)</sup>	None Available	
	340	Cover Crop (acres)	E340A	Cover crop to reduce soil erosion
			E340B	Intensive cover cropping to increase soil health and soil organic matter content
			E340C	Use of multi-species cover crops to improve soil health and increase soil organic matter
			E340D	Intensive orchard/vineyard floor cover cropping to increase soil health
E340E			Cover crop to minimize soil compaction	
E340G			Cover crop to reduce water quality degradation by utilizing excess soil nutrients	
E340H			Cover crop to suppress excessive weed pressures and break pest cycles	
E340I			Using cover crops for biological strip till	
E340J			Cover crop to improve moisture use efficiency and reduce salts	
345			Residue and Tillage Management, Reduced Till (acres)	E345A
	E345B	Reduced tillage to reduce tillage induced particulate matter		
	E345C	Reduced tillage to increase plant-available moisture		
	E345D	Reduced tillage to increase soil health and soil organic matter content		
	E345E	Reduced tillage to reduce energy use		

FACTSHEET • NOVEMBER 2023 FARMERS.GOV/CLIMATE-SMART

- FY24 list of NRCS climate-smart mitigation activities: [nrcs.usda.gov/mitigation-activities.pdf](https://nrcs.usda.gov/mitigation-activities.pdf)
- Mitigation activities **reduce greenhouse gas emissions and improve carbon storage**
- NRCS is continually evaluating mitigation activities and will update them as appropriate
- NRCS has many other conservation practices that can be used to address resource concerns on the farm. [Field Office Technical Guide](#)



# Popular Conservation practices that qualify as CSAF Practices for Soil Health



Tree & Shrub  
Planting



Cover Crop



Minimum Tillage



No-Till Planting



Mulching





Composted Bedded Pack



Riparian Buffer



Grassed Waterway, Windbreaks & Hedgerows



Composting Facility

# CSAF Practices for Water Quantity



Irrigation Practices

*\*Irrigation Pipeline system and renewable sources - Used to reduce energy use.*



# CSAF Practices for Energy Efficiency



## Combustion System Improvement

- **NEW** - Replace high emitting equipment with electric equipment





# CSAF Practices for Plant & Animal Health



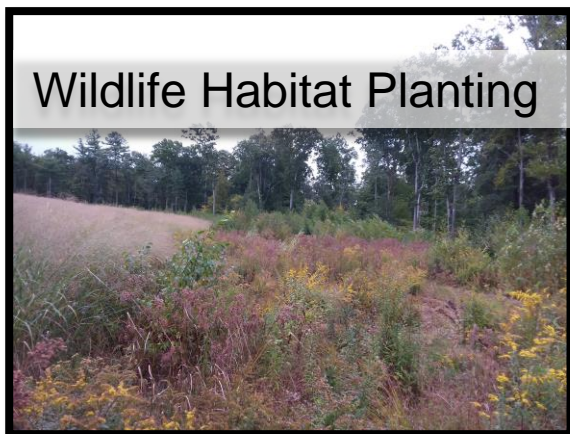
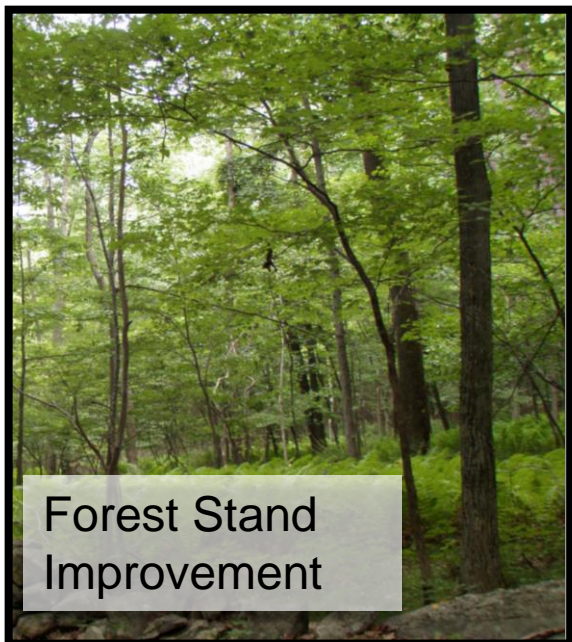
Silvopasture



Rotational Grazing



# CSAF Practices for Forest Health & Agroforestry



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# Small-Scale Conservation Practice Scenarios



- Adjusted payment rates for conservation practices to better serve small-scale operations
- Many are Climate Smart Agriculture and Forestry (CSAF) Practices





# Common Urban & Small-Scale Practices





Rain Garden/Stormwater Management and Pollinator Planting



Soil Health Practices



Windbreak/Hedgerow





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# Thank You



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