

2024 Agricultural Land Easements Workshop

Rising to the Challenge: Recommended Actions



Workshop Overview

Conversion of agricultural land is rapidly altering western landscapes. Conservation easements are a primary tool for maintaining private agricultural lands and their associated conservation values like providing wildlife habitat and maintaining migration corridors for big game. The USDA Natural Resource Conservation Service (NRCS) Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE) and the Regional Conservation Partnership Program (RCPP) are the largest sources of federal funding for conservation easements and are critical to agricultural land conservation across the country. However, the pace of ACEP-ALE and RCPP implementation is not meeting the current demand for conservation easements.

The Intermountain West Joint Venture (IWJV) and the University of Wyoming's Ruckelshaus Institute jointly hosted the 2024 Agricultural Land Easement Workshop to collaboratively identify specific strategies to increase the pace and scale of ACEP-ALE and RCPP implementation to meet landowner demand and the challenges facing working agricultural lands. Building off of a [successful 2023 ACEP-ALE workshop](#), the workshop convened a small group that included western NRCS State Conservationists, other state NRCS staff, land trust leaders, and partners with an interest in the success of these programs. Participants were invited based on their direct experience with ACEP-ALE and RCPP in the West, expertise in a particular area of interest for the workshop, and willingness to work collaboratively with the group to find actionable solutions.

Here, we highlight recommended actions emerging from the results of those conversations with the intent to spur tangible actions by land trusts, NRCS state offices, and others, to increase the pace and scale of ACEP-ALE and RCPP implementation. Recommendations are not necessarily endorsed by all participating individuals and organizations. The IWJV and the Ruckelshaus Institute acknowledge that ACEP-ALE and RCPP are administered based on a complex range of policies, rules, regulations, and statutes and we may not have a full understanding of the nuances and complexities governing these programs. We are also aware of concerted efforts on behalf of NRCS to actively implement changes to improve its programs for partners and agricultural landowners. We greatly appreciate their responsiveness in this endeavor.

Recommended Actions from the Workshop

The Inflation Reduction Act provides NRCS with nearly \$20 billion in additional conservation program funding to obligate between FY22 and FY26. This presents unprecedented opportunities and challenges that require NRCS to think and act in ways that recognize and support the effectiveness of the state offices and on-the-ground partners. *The action items below are thoughtful and actionable recommendations based on input from land trusts, NRCS State Conservationists, state easement specialists, and policy experts from land trust organizations. Further collaboration among these entities and NRCS will ensure the successful implementation of easements through NRCS Programs.*

- Enhance opportunities with historically underserved landowners by: maximizing the federal share that will contribute to the fair market value of an easement, providing Technical Assistance (TA) funding on RCPP easement projects for supporting land trusts, and identifying innovative ways to fund due diligence costs.
- Create consistency in payment rates and deed terms for easements under ACEP-ALE, RCPP, and RCPP Alternate Funding Arrangements (AFA).
- Expand the scope of ACEP-ALE TA funds to strategically build entity capacity to facilitate high-quality applications that reduce NRCS administrative workload and increase implementation efficiency.
- Allow IRA-funded easements to follow the existing ACEP-ALE acquisition processes at the state level.
- Reinstate the authority of states with the proven skills and experience to administer easements and basic administrative actions at the state level using a Job Approval Authority (JAA)-type approach.
- Identify flexibilities and opportunities for NRCS funds beyond ACEP-ALE to support due diligence costs.
- Allow entity certification under ACEP-ALE to extend to easement projects under RCPP.

The Power of Partnerships

NRCS is the largest federal funder of conservation easements. The successful implementation of NRCS-funded conservation easements has the potential to be the largest driver in ensuring the nexus of agriculture and habitat is maintained in perpetuity in the western landscape. However, NRCS cannot do this work alone. There is a network of partners across the West that are excited, interested, capable, and ready to help put NRCS easement funding to work. Success requires both NRCS support of and collaboration with these NGO, state, tribal, and federal partners. The items below are actionable ways NRCS can enhance its collaboration with partner entities across the West.

- Recognize the various ways that partners bring value to, leverage, and implement NRCS programs (e.g., through shared positions, promoting NRCS programs, working with landowners to access easements, and by holding and monitoring easements in perpetuity) without creating unattainable financial burdens on partner operations.
- Engage partners to ensure intended improvements to policy and programs have the intended benefits on the ground.
- Leverage partnership networks within states to increase the impact and importance of NRCS funds on the western landscape.

Workshop Participant List

Aaron Field, Director of Private Lands Conservation, Theodore Roosevelt Conservation Partnership
Alex Few, Regional Director, Park County Open Lands, Jackson Hole Land Trust
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Amy Beatie, Executive Director, Keep it Colorado
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Brian Ohs, Montana Association of Land Trusts ACEP-ALE Easement Liaison, Montana Association of Land Trusts
Cecilia Rosacker, Executive Director, Rio Grande Agricultural Land Trust
Chad Ellis, Chief Executive Officer, Texas Agricultural Land Trust
Cris Coffin, National Agricultural Land Network Director & Senior Policy Advisor, American Farmland Trust
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