

Long Island Sound Watershed Regional Conservation Partnership Program (LISW-RCPP) – Agricultural Conservation Easement Program (ACEP) – Agricultural Land Easement (ALE) for Vermont, Massachusetts, Connecticut, and Rhode Island.

Request for Proposals

Pre-Screening Applications Accepted January 27, 2020 – March 12, 2020

Overview

The Long Island Sound Watershed Regional Conservation Partnership Program (LISW-RCPP) is a landscape-scale initiative that covers the geographic area of Long Island Sound (the Sound) and its watershed (HUC 01100007). In 2014, seven non-governmental organizations (NGOs) applied for and received a grant amount of \$10 million from the US Department of Agriculture, Natural Resources Conservation Service (NRCS) under the Regional Conservation Partnership Program. This group of NGOs, along with stakeholders and regional partners, are coordinating the development and implementation of a comprehensive working lands program with three critical foci. These include 1) nutrient management and soil health; 2) protection of non-industrial forestland, and 3) working lands adaptation/resilience. Through increased levels of regional coordination, the partners of the LISW-RCPP aim to better leverage all resources by connecting with existing state and federal programs and catalyzing innovative watershed-scale public/private partnerships.

The purpose of the LISW-RCPP - Agricultural Conservation Easement Program (ACEP) – Agricultural Land Easement (ALE) (ACEP-ALE) is to assist entities to permanently protect forest and other agricultural land in Vermont, Massachusetts, Connecticut, and Rhode Island, on a voluntary basis, and to achieve outcomes representing the second focus area: protecting forestland resources on private lands through permanent conservation easements. This is consistent with the purpose of the ACEP – ALE component: “To protect the agricultural use and future viability, and related conservation values, of eligible land by limiting nonagricultural uses of that land and to protect grazing uses and related conservation values by restoring and

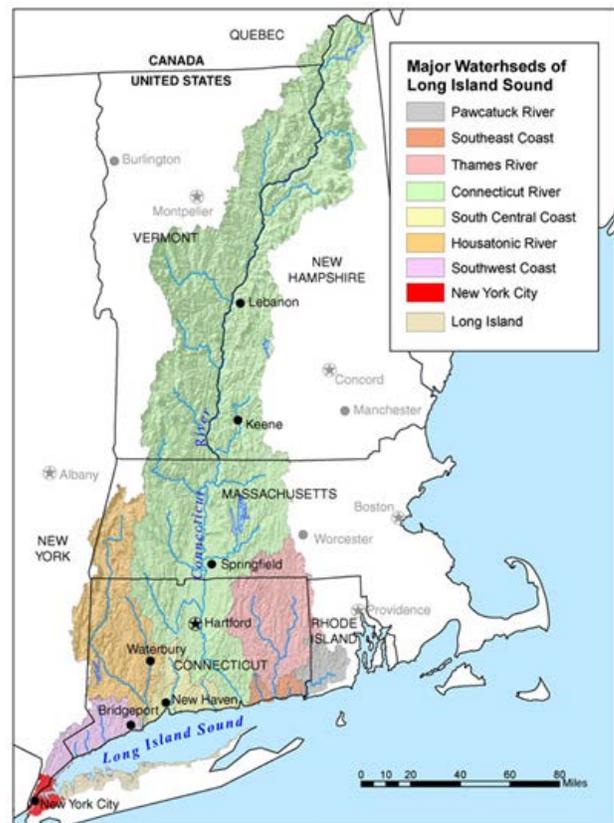


Figure 1: Major Watersheds of the Long Island Sound Watershed

conserving eligible land” (Source: <https://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=37029.wba>).

The objectives of the LISW-RCPP-ACEP-ALE are to:

- Permanently protect actively managed agricultural/forest land that will contribute to local economic activity;
- Improve plant and animal biodiversity;
- Protect drinking water supply resource areas, and
- Enhance carbon sequestration.

The LI Sound Watershed Conservation Imperative

The Long Island Sound Watershed is in a remarkable time of challenge, transition – and opportunity. The region has extraordinary natural resources that are invaluable to both wildlife and people. Millions of acres of forests and other natural habitats clean our water, shelter our rich array of biodiversity, provide flood resilience during severe weather events, and mitigate climate change through carbon sequestration and storage. These lands also provide billions of dollars to the regional economy from tourism, recreation, and forest management. Forestlands also provide local communities with outdoor recreation, local wood, fuel, jobs, and more. These regional landscapes represent the natural infrastructure without which we cannot live. We must protect our region’s vital natural heritage to sustain us today as well as the many generations that follow.

Primary Resource Concern: Excess Nitrogen

The primary resource concern addressed by the LISW-RCPP is excess nutrients in stormwater runoff from working lands within the watershed and the conversion of agricultural and forest lands to urban uses resulting in urban stormwater runoff. The US Environmental Protection Agency’s (EPA) Long Island Sound Study has identified nitrogen as the primary driver of severe hypoxic conditions in the Sound. As a result, in 2000, both Connecticut and New York adopted a Total Maximum Daily Load (TMDL) for dissolved oxygen, laying out the necessary nutrient reductions needed to restore the health of the Sound. Additionally, excess nutrients are also impacting upland water resources within the watershed, including public drinking water supplies, where severe algal blooms in surface water reservoirs reduce the effectiveness of chlorine in treating for pathogens.

One Solution: Protect Privately-Owned Working Forestland from Development that also Benefits Wildlife Habitat and Water Quality

The LISW-RCPP includes a robust forest land protection program, funded through the targeted application of \$1.2 million in Healthy Forest Reserve Program (HFRP) funding and \$1.6 million in ACEP-ALE funding, and aimed at bolstering the long-term health of the watershed. Protecting and sustaining land as forest is critical both for reaching the nitrogen reduction goals of the TMDL and providing drinking water supply protection. Permanent land protection also addresses

many of the secondary resource concerns, including biodiversity and forest fragmentation. More specifically, the LISW-RCPP values the permanent protection of forestland owned by individual and family forest owners that do now or is poised to contribute to the local economies through commercial operations, are vulnerable to development or fragmentation, and that contain critical or significant habitat that sustains biodiversity and drinking water supply areas. Parcels submitted to this RFP will be evaluated on how well they address a number of priority natural features, land conversion trends, and the land's contribution to large landscape conservation connectivity.

The Role of Strategic Large Landscape Conservation Initiatives

The LISW-RCPP seeks to use ACEP-ALE (and HFRP) funding as a catalyst for conservation and management of individual and family-owned woodlands in different kinds of landscapes throughout the watershed. Our partners recognize that all great conservation happens through the combination of multiple sources of funding and the engagement of various groups and agencies. The LISW-RCPP also wants to ensure that the investments of its many partners and that of taxpayers results in leveraging the greatest economic, ecological, and social benefits in different parts of the watershed. We want to encourage this outcome by prioritizing the expenditure of ACEP-ALE funds in areas that meet statutory purposes, but that also protect drinking water supply areas, if possible.

The watershed is comprised of urban, suburban, exurban, pastoral, and more remote wildlands and woodland landscapes, all of which may, under greater levels of conservation, contribute to the long-term health of the Sound. However, more than 80 percent of the LI Sound Watershed is in private hands, much of it in small family ownerships. To facilitate greater commercial efficiencies, habitat connectivity, water quantity, and quality, and ecological resilience, particularly in a time of climate change, we need to consider the status of surrounding parcels to the extent that may stretch to thousands, tens, and hundreds of thousands of acres. Fortunately, regional-scale conservation initiatives are working throughout the watershed. These include twenty "Regional Conservation Partnerships" or RCPs that seek to increase the connectivity of land protection projects through greater private-public coordination. And it includes at least two strategic conservation designs that link intact habitats across state boundaries such as "Connect the Connecticut," within the entire CT River watershed and "Natures Network" across the northeastern United States.

The LISW-RCPP will screen, score, and rank applications elevating those that best meet the special requirements of this special Vermont-only LISW-RCPP ACEP-ALE program, and that results in greater economic, ecological, and social benefits and leveraged funding. The LISW-RCPP will use geographic information systems (GIS) to estimate potential benefits from each application and to score and rank pre-screening applications. Therefore applicants do not need to calculate scores for their parcel if they choose not to. The LISW-RCPP will then submit their list of high-quality pre-screening applications to the NRCS State Conservationists in for their consideration.

Benefits and Match Requirements

The LISW-RCPP - Agricultural Conservation Easement Program (ACEP) – Agricultural Land Easement Program (ALE) Program (ACEP-ALE) offers one enrollment option: Permanent agricultural land easements (held by an eligible entity with the USDA holding a right of enforcement). Eligible entities can receive 50 percent of the fair market value of the easement through expenditures of LISW-RCPP ACEP-ALE funding (up to \$1,000,000 in total). Applicants may apply for funding for more than one project. ACEP-ALE funds only go toward the appraised value of the easement and do not include transaction costs.

Pre-Screening Application Procedures and Deadlines

In cooperation with NRCS, the LISW-RCPP is administering a pre-screening application process to focus attention on regional priorities in addition to what is required by statute. After each Enrollment Period, the LISW-RCPP will submit to NRCS State Conservationists a list of high-quality applications based on eligibility and ranking criteria. Most of the values associated with each criterion for each parcel will be measured through the use of geographic information systems (GIS) when that data is available.

Prospective applicants are invited to visit the LISW-RCPP-ACEP-ALE webpage to download the LISW-RCPP-ACEP-ALE Pre-Screening Application Form.

An online mapping tool is available to assist in estimating a project's eligibility and score based on the Ranking Criteria, although applicants do not have to calculate scores since the grantors will be calculating them.

Click [here](#) to learn how to use the online criteria mapping tool.

Click [here](#) to access the online criteria mapping tool.

Complete applications will include:

1. LISW-RCPP ACEP-ALE Pre-Screening Application Form (PDF fillable form)
2. NRCS Form NRCS-CPA 1200, Conservation Program Application (click [here](#) to download)
3. A copy of an Assessor's map showing the applicant's parcel with its map, block, lot numbers, and acres clearly shown
4. A locus map, GIS map, or screenshot of the online mapping criteria tool showing the parcel's location in relation to eligibility and ranking criteria
5. A letter of landowner intent
6. Any long-term forest management plan associated with the parcel/project (if applicable)
7. Any farm succession plan or similar plan established to address farm viability for future generations.

Eligibility Criteria

To be eligible for enrollment in the LISW-RCPP-ACEP ALE, the parcel must meet national and state/ LISW-RCPP eligibility requirements and be sponsored by an eligible entity as defined in 440 CPM 528.32.

1. An eligible entity is one of the following:

- a. An agency of any State or local government or Indian Tribe (including a farmland protection board or land resource council established under State law)
- b. A nongovernmental organization that certifies that it is—
 - i. Organized for and, at all times since the formation of the organization, have been operated principally for one or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986.
 - ii. An organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under 501(a) of that code
 1. Described in paragraph (1) or (2) section 509(a) of the Internal Revenue Code of 1986 or is described in section 509(a)(3) of that code and is controlled by an organization described in section 509(a)(2) of that code
 2. The clauses under section 170 address the following:
 - a. Title 440 – Conservation Programs Manual (440-528-M, First Ed., Amend. 95, March 2015) 528-D.4
 - i. The preservation of land areas for outdoor recreation by, or the education of, the general public
 - ii. The protection of a relatively natural habitat of fish, wildlife, plants, or similar ecosystems
 - iii. The preservation of open space (including farmland and forest land) where such preservation is—
 1. For the scenic enjoyment of the general public
 2. Pursuant to a clearly delineated Federal, State, or local governmental conservation policy and will yield a significant public benefit
 - iv. The preservation of a historically important land area or a certified historic structure.
 3. Section 501(c)(3) addresses corporations and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention

of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation (except as otherwise provided in subsection (h)), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

4. Sections 509(a) (1), (2), and (3) include churches, educational organizations, and medical organizations. (3) A Tribal entity is an “Indian Tribe” as defined by section 4(e) of the Indian Self Determination and Education Assistance Act (25 U.S.C. Section 450b(e)), i.e., “federally recognized Tribes.” The Bureau of Indian Affairs publishes in the Federal Register a list of Indian Tribes that are identified as federally recognized Indian Tribes (see <http://www.bia.gov/cs/groups/public/documents/text/idc-020700.pdf>). Indian Tribes that are not federally recognized may qualify under nongovernmental organization status above.

2. The land offered for enrollment must meet general ACEP-ALE land eligibility criteria as defined in 440 CPM 528.33:

- a. The offered parcel must be Private or Tribal land that is agricultural land.
- b. The offered parcel must be subject to a written pending offer for the purchase of an agricultural land easement from an eligible entity.
- c. The offered parcel must meet one of the following four criteria to be eligible for enrollment.
 - i. Has prime, unique, or other productive soil (see Appendix for soil criteria (for VT only) if applying under this category).
 - ii. Contains historical or archaeological resources.
 - iii. Enrolling the land would protect grazing uses and related conservation values by restoring and conserving land.
 - iv. Protecting the land will further a State or local policy consistent with the purposes of ACEP.

3. The land offered for enrollment must meet LISW-RCPP specific criteria as set forth in the scope of the RCPP agreement:

- a. The applicant has access to sources of funding other than NRCS funds to complete the permanent protection of the parcel.
- b. The landowner has clear title to the land.
- c. The parcel must be located within the LI Sound Watershed and Vermont, Massachusetts, Connecticut, or Rhode Island.
- d. The percent of the parcel area covered in forest must not exceed 99%.

Ranking Criteria

Thirteen national and ten state/LISW-RCPP ranking criteria will be used to provide each applicant's project parcel with a score. Highly ranked parcels or projects will be larger in area, either contain or abut land with particular natural features, be found in counties with specific development pressures, and be located near other priority lands such that the ACEP-ALE easement would result in measurably contributing to priority resources at the regional or large landscape-scale as described in the criteria details below. The eligibility and ranking criteria can also be found in the Pre-Screening Application Ranking Worksheet and the Pre-Screening Application. Download a copy of these documents from the LISW-RCPP Forest Land Protection website.

National Ranking Criteria

1. Percent of prime, unique, and important farmland in the parcel to be protected

Instructions: Assign 1 point for each 1% of Prime farmland and 0.5 points for each 1% percent Statewide important farmland. Assign 0 points for all other soil types. If there is a split in the total percentage, round down.

Example: Parcel has 30% prime (30 points) and 35% Statewide (17.5 points) = 48 points, but since 20 points are the maximum points awarded for this criterion, the points scored is equal to 20.

2. Percentage change in the acres 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 (USDA - NASS - Census of Agriculture). Positive percentages are increases, and negative percentages are decreases in land. Please see appendix where points are pre-calculated for each county.

Instructions: Referencing the Census table in the Appendix, assign 0 points for any increase in permanent grassland, pasture, and rangeland, assign 3 points for a change (decrease) of -0.1% to -10%; assign 5 points for a change (decrease) of -11% to -20%, assign 10 points for a change (decrease) of -21% to -100%

3. Percent of cropland, pastureland, grassland, and rangeland in the parcel to be protected (i.e., open land). Use the online mapping tool and select the Imagery base map to provide an estimate).

Instructions: Assign 0.33 points for each 1% of open land in the parcel. If there is a split in the total percentage, round down. Maximum of 10 points

Example: Parcel has 30% open land = 10 points

4. Ratio of the total acres of land in the parcel to be protected to average farm size in the county according to the most recent USDA Census of Agriculture (USDA - NASS - Census of Agriculture). Please see appendix where the average farm size is listed for each

county and follow instructions to calculate points based on the size of the applicant's parcel(s).

Instructions: Assign 0 points for a ratio of 1 or less, 15 points for a ratio of 1 or more.

- 5. Percentage change in the acreage of farmland in the county in which the parcel is located between the last two USDA Censuses of Agriculture (USDA - NASS - Census of Agriculture).** Please see appendix where points are pre-calculated for each county.

Instructions: Referencing the attached table, assign 0 points for a change of more than 0% (i.e., an increase), 10 points for change of 0 to -5% percent, 15 points for a change of -5% to -300%. An increase in percentage (+) receives 0 points.

- 6. Percent population growth in the county as documented by the most recent United States Census (Census Bureau Home Page).** Please see appendix where points are pre-calculated for each county.

Instructions: Referencing the attached table, assign 0 points for a growth rate of less than the State growth rate, 2 points for a growth rate of 1X to 25X the State growth rate, 5 points for a growth rate of 25X to 50X the State growth rate, 10 points for a growth rate of more than 50X the State growth rate.

- 7. Population density (population per square mile), as documented by the most recent United States Census (Census Bureau Home Page).** Please see appendix where points are pre-calculated for each county.

Instructions: Referencing the attached table, assign 0 points for population density less than the State population density, 5 points for a population density of 1X to 2X times the State population density, 10 points for a population density of 2X or more.

- 8. The existence of a farm succession plan or similar plan established to address farm viability for future generations.**

Instructions: Assign 0 points for no written plan, assign 15 points for an existing written plan, or if the applicant is enrolled in a program to develop a written plan.

- 9. Proximity of the parcel to other protected land, including military installations, parks, National Forest, and conservation easements**

Instructions: Assign 0 points for less than 50 acres of other protected land within a mile of the boundaries of the parcel, 15 points for 51-100 acres of protected land within a mile of the boundaries of the parcel, 30 points for 101 acres or more of protected land within a mile of the boundaries of the parcel.

- 10. Proximity of the parcel to other agricultural operations and agricultural infrastructure**

Instructions: Assign 10 points for less than 250 acres of agricultural land within a mile of the boundaries of the parcel, 20 points for 251-500 acres of ag. land within a mile of the

boundaries of the parcel, 30 points for 501 acres or more of agricultural land within a mile of the boundaries of the parcel.

11. Parcel's ability to maximize the protection of contiguous acres devoted to agricultural use.

Instructions: Assign 20 points if the parcel will be contiguous with another protected or conserved parcel(s) on one side, 30 points if the parcel will be contiguous with other protected or conserved parcels on 2 or more sides, 0 points if the parcel is non-contiguous to any other protected or conserved parcels.

12. Currently enrolled in CRP in a contract that is set to expire within a year.

Instructions: Assign 3 points if Yes, 0 points if No.

13. The parcel is a Grassland of Special Environmental Significance that will benefit from the protection under the long-term easement. Please contact the following NRCS Conservationists directly to determine if the parcel contains grassland of this designation: Obediah Racicot, Assistant State Conservationist for Programs, USDA/NRCS – Colchester, VT, (802) 951-6796 x 228, Obediah.racicot@vt.usda.gov; Rita Thibodeau, Acting Assistance State Conservationist, USDA – NRCS, Amherst, MA, (413) 253-4379, rita.thibodeau@usda.gov; Joyce Purcell, Assistant State Conservationist for Programs, USDA – NRCS – Tolland, CT, (860) 871-4028, joyce.purcell@ct.usda.gov; Brunilda Velez, Assistant State Conservationist for Programs, USDA – NRCS – Warwick, RI, (401) 822-8820, brunilda.velez@ri.usda.gov.

Instructions: Assign 2 points if Yes, 0 points if No.

State /LISW-RCPP Ranking Criteria

SUSTAINABILITY

1. The application package contains a long-term (10+ years) forest management plan completed by a professional forester and a landowner statement of intent (letter), signifying their willingness to have land managed for commercial harvests or another economic gain. If the land is currently enrolled in the VT Use Value Appraisal Program (UVA), MA Chapter 61 program (Ch. 61), CT PA-490 (490), or RI Farm, Forest and Open Space Program (RIGL 44-27), note this fact in the landowner statement of intent.

SCALE: Active, long-term forest management plan and a landowner statement of intent for land not in the UVA, Ch.61, 490, or RIGL 44-27) (both plan and statement attached) = 5 points; Active, long-term forest management plan and a landowner statement of intent for land in the UVA, Ch.61, 490, or RIGL 44-27 (both plan and statement attached) = 10 points

NATURAL RESOURCE FEATURES

- 2. The number of acres of forestland and farmland in the parcel that are within the Long Island Sound Watershed and Vermont, Massachusetts, or Rhode Island.**

SCALE: 0.50 points for each acre of forestland and farmland in the watershed and Vermont, Massachusetts, Connecticut, or Rhode Island. Any parcel with over 100 acres of farm and forestland within the LI Sound Watershed and within the State of Vermont, Commonwealth of Massachusetts, State of Connecticut, or State of Rhode Island, is given the maximum points (50).

- 3. Percent of prime, unique, and statewide important farmland in the parcel to be protected.**

SCALE: 0.5 points for each 1% of Prime farmland and 0.1 points for each 1% percent of Statewide important farmland. Assign 0 points for all other soil types. If there is a split in the total percentage, round down. The maximum score is 5 points (See Appendix for VT Waiver for Soils).

- 4. Percent of cropland, pastureland, grassland, and rangeland in the parcel to be protected (i.e., open land).** Use the online mapping tool and select the Imagery base map to provide an estimate).

SCALE: 0.33 points for each 1% of open land in the parcel. If there is a split in the total percentage, round down. Maximum of 5 points.

- 5. The number of acres in an area defined as within 100 feet of the bank of a stream, river, or another waterbody, the protection of which would contribute to the overall water quality of the surface and groundwater.**

SCALE: 2 points for each acre of land within a 100-foot buffer as measured from the bank or high-water mark associated with the surface water. Any parcel with over 10 acres in the buffer area is given the maximum points (20).

- 6. The number of acres within a surface drinking water source protection area or watershed.**

Due to security issues, most states do not allow “drinking water source protection areas” at the parcel level to be made available to the public. To determine whether the parcel you are interested in conserving is located in a designated “drinking water source protection area,” please contact Kira Jacobs directly: Kira Jacobs, Source Water Protection Program, U.S. EPA, 617-918-1817, jacobs.kira@epa.gov.

SCALE 0.20 points for each acre of land within a surface drinking water source protection area or watershed for a total of 20 points. Any parcel that has more than 100 acres in these water source protection areas and watersheds receives the maximum of 20 points.

7. The number of acres in an area defined as having above-average resilience to climate change.

SCALE: 0.15 points for each acre of land within a ¼ mile of an area of land with above-average resilience to climate change. Acreages over 100 will be given the maximum points (15).

8. The number of acres in an area defined as being within or abutting areas containing habitat or core forests prioritized by state agencies (State Wildlife and Forest Action Plans); included in the CT River Watershed Landscape Conservation Design (connecttheconnecticut.org) Tier 1 Cores, Tier 2 Cores, or Connectors, or Nature’s Network Cores or Connectors; by Regional Conservation Partnerships or other large landscape conservation or stewardship initiatives.

SCALE: 0.4 points for each acre of land within each of these three categories of priority habitat or forest cores or connectors. Any parcel having 100 or more acres that meet these conditions receives the maximum points of 40.

9. Parcel’s ability to protect high sensitivity historical or archaeological features. To determine whether the parcel you are interested in conserving contains “high sensitivity historical or archaeological features,” please contact the following NRCS Conservationists directly to determine if the parcel contains grassland of this designation: Obediah Racicot, Assistant State Conservationist for Programs, USDA/NRCS – Colchester, VT, (802) 951-6796 x 228, Obediah.racicot@vt.usda.gov; Rita Thibodeau, Acting Assistance State Conservationist, USDA – NRCS, Amherst, MA, (413) 253-4379, rita.thibodeau@usda.gov; Joyce Purcell, Assistant State Conservationist for Programs, USDA – NRCS – Tolland, CT, (860) 871-4028, joyce.purcell@ct.usda.gov; Brunilda Velez, Assistant State Conservationist for Programs, USDA – NRCS – Warwick, RI, (401) 822-8820, brunilda.velez@ri.usda.gov.

SCALE: 10 points if the parcel contains “high sensitivity historical or archaeological features.” 0 points if the parcel does not contain “high sensitivity historical or archaeological features.”

10. Parcel’s ability to maximize the protection of contiguous acres devoted to forest habitat or forest products.

SCALE: 10 points if the parcel does not abut but is within a ¼ mile of protected forest managed for forest products or forest habitat. 25 points if abutting other protected forestland managed for these purposes.

Pre-Screening Application Process Schedule 2019

- Monday, January 27, 2020: Launch of the LISW-RCPP - Agricultural Conservation Easement Program (ACEP) – Agricultural Land Easement (ALE) (ACEP-ALE) and Opening of the Pre-Screening Application Process.
- Enrollment Period: Monday, January 27, 2020 – Thursday, March 12, 2020. Applicants will have 45 days to submit their application packets for the LISW-RCPP-ACEP-ALE.
- April 3, 2020: LISW-RCPP will submit their ranking of the pre-screening applications to NRCS for review and processing. LISW-RCPP will contact the applicants to inform them of their projects' ranking status.
- May 1, 2020: NRCS to contact applicants.
- January 8, 2021: NRCS to seek signed agreements with landowners.
- May 15, 2021: NRCS closes easements with match provided by conservation organizations.

Completed pre-screening applications and attachments must be received as PDFs by email no later than 5 PM Thursday, March 12, 2020, to blabich@highstead.net with Subject Line: LISW Forest Land Protection Technical Committee.

If sending a hardcopy application is preferred, the complete application must be postmarked no later than Thursday, March 12, 2020, and addressed to:

Attn: LISW Forest Land Protection Technical Committee
Highstead Foundation
P.O. Box 1097
Redding Center, CT 06875

For more information about this program, and or for assistance, please contact Bill Labich, Chair of the LISW-RCPP Forest Land Protection Technical Committee, and Highstead Foundation Senior Conservationist at blabich@highstead.net

APPENDIX

NRCS Vermont Waiver Area for Soils:

440-528.33(8)(I)(i). Land Eligibility requires that for ACEP-ALE parcels being enrolled under the Soils category consist of at least 50 percent combination of prime, unique, or statewide important soils in order to be eligible for participation in the program. 440-528.33(8) (I)(ii) allows for the State Conservationist with the advice of the State Technical Committee, to increase or decrease the required percentage of prime, unique, or statewide important soil s for a specific area or region of the state.

The majority of Vermont's prime and statewide important soils are located in the Lake Champlain and Connecticut River Valley Major Land Resource Areas MLRA 142 and 145 (For more information on MLRA locations, see <http://soils.usda.gov/survey/geography/mlra/>).

Vermont's soils distribution on its topography and historically small farms have made meeting the 50 percent requirement challenging. Landowners and their productive forms outside these MLRA areas are at a competitive disadvantage for participation in AC EP-A LE under Criteria I. For farmland located outside these MLRAs to be eligible under the Vermont NRCS General Waiver, parcels submitted for consideration must contain no less than **35 percent** prime, unique, statewide or locally important soils and must include an explanation regarding one or more of the following factors:

- The viability of the farm due to size and access to market infrastructure.
- Contributions of the farm to the state's agricultural industry, or
- Conservation of compatible natural resources.

Applicants are encouraged to provide additional information for Vermont NRCS State Conservationist to consider when reviewing requests for soils waivers, specifically whether the application:

- Provides a significant environmental benefit beyond what is normally provided by these projects (ecosystem services, carbon sequestration, etc.).
- Leverages a much larger conservation project than what is specific to the application (contiguous habitat or important state lands, etc.).
- Adds a significant amount of land to an already conserved block of land.

Appendix: County point scores for National Ranking Criteria 2 through 7

County	State	POINTS_NRF2	CntyAveFarmSize	POINTS_NRF4	POINTS_NRF5	POINTS_NRF6	POINTS_NRF7
		Points for National Ranking Criteria 2: Percent change of grassland, pasture, and rangeland... See worksheet for how to score	National Ranking Criteria 4: County's Average Farm Size (Acres - 2012 to 2017 VT; 2007-2012 MA and RI).	Parcel Dependent: Points for National Ranking Criteria 4: You must divide your project's acreage by the counties average farm size (from column to left) to get a ratio. Enter 0 points if the ratio is less than or equal to 1.0; enter 15 points if the ratio is greater than 1.0	Points for National Ranking Criteria 5: Percent change in acreage of farm and ranch land in the county.	Points For National Ranking Criteria 6: Percent population change in the county.	Points for National Ranking Criteria 7: Population density (population per square mile).
Fairfield, CT	CT	5	130		10	10	5
Hartford, CT	CT	5	61		15	0	5
Litchfield, CT	CT	5	74		10	0	0
Middlesex, CT	CT	10	37		15	0	0
New Haven, CT	CT	10	39		15	0	5
New London, CT	CT	5	73		15	0	0
Tolland, CT	CT	10	69		15	0	0
Windham, CT	CT	10	80		15	0	0
Berkshire County, MA	MA	0	123		15	0	0
Franklin County, MA	MA	0	106		0	0	0
Hampden County, MA	MA	0	69		0	0	0
Hampshire County, MA	MA	0	73		0	0	0
Middlesex County, MA	MA	0	44		15	2	10
Worcester County, MA	MA	5	61		10	0	0
Kent County, RI	RI	5	87		0	0	0
Providence County, RI	RI	0	43		0	2	5
Washington County, RI	RI	5	62		0	0	0
Addison County, VT	VT	10	236		15	2	0
Bennington County, VT	VT	10	132		15	0	0
Caledonia County, VT	VT	5	149		0	0	0
Essex County, VT	VT	0	404		0	0	0
Orange County, VT	VT	5	150		15	2	0
Orleans County, VT	VT	10	230		10	0	0
Rutland County, VT	VT	10	161		15	0	5
Washington County, VT	VT	3	117		10	0	5
Windham County, VT	VT	10	108		15	0	0
Windsor County, VT	VT	3	166		0	0	0