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Terry Cosby
Chief
Natural Resources Conservation Service
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Chief Cosby,

I write today to inquire about the geographic scope of opportunities available under the Natural Resources Conservation Service's (NRCS) Inflation Reduction Act (IRA) Agricultural Conservation Easement Program - Agricultural Land Easements (ACEP-ALE) program. Since its inception, the guidance for IRA ACEP-ALE has limited its geographic scope to exclude Oregon and other western states from eligibility. If NRCS were to open eligibility to new regions – in line with Congressional intent – there would follow significant climate and environmental benefits in addition to more equitable distribution of funding.

I understand this limitation was for the purposes of expediency, as NRCS already had a clear understanding of the climate impact in the eligible regions. I am also aware that NRCS may be developing new application criteria which would expand the eligible geographies. However, I have heard concerns that these updated eligibility criteria have been delayed for over a year, and NRCS has yet to provide a timeline regarding issuance of the criteria or opportunities for public comment. Can you provide an update on timing of these efforts, and how NRCS is approaching broadening eligibility for funding?

NRCS has identified a number of different carbon benefitting practices via the IRA-EQIP Climate-Smart Ag and Forestry (CSAF) practices[1]. NRCS already uses conservation easements to ensure these are implemented under their ACEP-ALE Grasslands of Special Significance title, which requires certain practices in the protection of grassland ecosystems. I would suggest that any easement which enshrines those practices under the EQIP Climate Smart schedule could and should be considered for IRA dollars.

There is justification for the practical application of this concept. NRCS's own joint study[2], done with American Farmland Trust, shows that more than 90% of ACEP-ALE easement properties institute at least one conservation practice, with more than 70% implementing at least 3 conservation practices. This

[1] https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/oregon/ira-eqip-energy
[2] https://farmland.org/wp-content/uploads/2024/01/AFT_-_Agricultural_Land_Protection_-_An_Essential_Tool_for_Fighting_Climate_Change.pdf

study has indicated multiple ways in which conservation easements can add to the climate picture, including avoiding the conversion of grasslands, avoiding the conversion of highly-erodible or hydric (wet) soils, or the protection of woodlots. Nor is there any reason to believe that Oregon landscapes are less productive as carbon sinks than the Great Plains region indicated, particularly in the Willamette Valley[3] and other temperate and wet growing regions in the state. While many of our Eastern Oregon dry rangelands provide a lower carbon sequestration rate on a per acre basis, the much lower cost to acquire the conservation easement[4] and the large size of those properties makes them as competitive as any region in the country.

Given this information, I would recommend NRCS consider inclusion of potential applications for Oregon and other surrounding states for conservation easements which:

- apply under the Grasslands of Special Significance title, protecting highly carbon-sequestering grassland soils from conversion to other uses;
- include terms which manage tillage or other climate-smart practice requirements over the whole of the property;
- apply restrictions of agricultural practice on highly erodible soils, hydric and wetland soils and/or existing forestland and woodlots, and;
- apply the same criteria used within existing IRA guidelines for farmland at threat from development.

The evidence for the carbon benefit from these strategies is strongly supported through research developed and conducted collaboratively by the state of Oregon and farmers, which demonstrates the potential carbon benefits of implementing these practices statewide.[5]

Thank you for your prompt consideration of these recommendations, and I look forward to your response.

Sincerely,

Andrea Salinas

Andrea Salinas
Member of Congress

[3] Soil Carbon Storage in Willamette Valley Grass Seed Systems: A review
[4] Carbon Sequestration in Degraded Intermountain West Rangelands, United States
[5] Potential greenhouse gas reductions from Natural Climate Solutions in Oregon, USA