




Will I be paid for an easement?

The value of an easement is determined by a third party appraisal. Any payments to you will come from the entity, not NRCS.

NRCS provides cost-share assistance to eligible entities to purchase agricultural easements from landowners. NRCS cost-share generally will not exceed 50 percent of the fair market value of the agricultural land easement, unless a waiver is granted for a special case. The entity must provide an amount that is at least as much as the NRCS contribution. For example:

-  Easement fair market value: **\$100,000**
-  NRCS contribution: **\$50,000 (50% of value)**
-  Eligible entity contribution: **\$50,000 (50% of value)**



\$100,000



\$100,000

In special cases, such as Grasslands of Special Environmental Significance (GSS), NRCS may grant a waiver to the cost-share rules and pay up to 75 percent of the fair market value of the easement. GSS designation will be verified by NRCS onsite.

Fair market value is determined by third party appraisal during Step 3. The entity hires the appraiser. The landowner does not pay for or participate in the selection of the appraiser; this responsibility will be taken care of by the entity. The entity will have enough knowledge of conservation easement values to make the landowner an offer based on an easement value.

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FAQ



Agricultural Land Easements

ALE IS A COMPONENT OF THE AGRICULTURAL CONSERVATION EASEMENT PROGRAM (ACEP)



If you want to keep your land in agricultural use for future generations, an Agricultural Land Easement (ALE) might be right for you.

What is a Conservation Easement?

A conservation easement is an interest in real property established by an agreement between a landowner and an eligible entity to prohibit some uses of the land, such as non-agricultural development. The landowner, entity and NRCS work together to determine which uses should be prohibited to achieve certain conservation goals.

What is an Eligible Entity?

An eligible entity is an organization which meets NRCS requirements to hold an agricultural easement, such as an American Indian tribe, state or local government, private organization, or some combination of these groups. Eligible entities purchase conservation easements from landowners to protect the agricultural and natural resource values of a property.

How do I find an Eligible Entity?

Land trusts are a common ALE partner. For a list of land trusts/other groups that work in Washington visit the National Land Trusts website: <https://www.findalandtrust.org>

Am I eligible for ALE?

Landowners must be compliant with Adjusted Gross Income, Highly Erodible Land and Wetland Conservation requirements. Eligible land types include those that have prime, unique, or other productive soil, contain historical or archaeological resources, those where enrolling the land would protect grazing uses and related conservation values by restoring and conserving land, or where protecting the land will further a State or local policy consistent with the purposes of ACEP.

Does ALE restrict recreation?

No. ALE does not restrict recreation such as hunting or fishing. Speak with your entity to discuss permanent structures related to recreation.

Still have questions?

Visit your local NRCS Field Service Center or call 603-868-9931 to connect with someone from the NH NRCS Easement Team

Keeping working lands

WORKING

5 Steps of ALE!



7 tidbits

1

Identify an eligible entity and submit an application to NRCS

Eligible entities include state or local government agencies, Indian Tribes, and non-governmental organizations with specific certification, such as a land trust.

Only an eligible entity can hold an NRCS conservation easement.

Once you've found the entity that's right for you, the entity will complete and submit an easement application to NRCS on your behalf.

Applications can be submitted at any time, but will be reviewed after the application deadline.

TOTAL DURATION
1 month - 1 year

2

NRCS determines eligibility, rank and selection for funding

NRCS determines land, landowner and entity eligibility for ALE.

Land eligibility is based on several factors, including land type, land use, written pending offer, ownership, proximity to agricultural markets, and the threat of development and potential to protect agricultural uses.

NRCS also completes a landowner interview, onsite field verifications and due diligence.

If eligible, the application is ranked for funding, the ALE ranking worksheet can be found on the NRCS easement program web page.

TOTAL DURATION
6 - 8 months

3

Enter into ALE Agreement

If selected for funding, NRCS and the entity will enter into an ALE agreement, which specifies rights, responsibilities and financial obligations to purchase the ALE easement.

The entity contracts with third parties for a title report, appraisal and environmental assessment.

The entity works with the landowner to complete the baseline report, the ALE Plan, a draft conservation easement deed with NRCS minimum deed terms and other needed documents.

TOTAL DURATION
1 - 3 years

4

Review documents and establish easement

NRCS reviews, works with the entity to finalize, and approves the documents for closing on the ALE easement.

The entity consults with the landowner on any changes.

The entity provides the final documents to NRCS approximately 120 days before closing.

If everything is determined to be in order, the ALE easement deed will be recorded on the property title and funds are transferred to the landowner through escrow from the entity.

TOTAL DURATION
90 - 120 days

5

Monitoring and management

You've done it! The road has been long and there may have been a few bumps, but your land is now protected from nonagricultural development.

The working land is protected for future generations to continue agricultural production according to the ALE deed and plan as developed in step 3.

The entity will continue to work with the landowner to implement the ALE plan and to provide annual monitoring reports to NRCS.

TOTAL DURATION
now & forever

1. Land with an ALE easement still belongs to you, just with restrictions. You retain the right to transfer ownership in the future.
2. Only an eligible entity can hold an ALE easement.
3. Unlike other NRCS programs, the entity you select will work with NRCS.
4. The value of an easement is determined by a third party appraisal. Any payments to you will come from the entity, not NRCS.
5. The ALE Agreement is between the entity and NRCS rather than the landowner and NRCS. The entity has a separate agreement with the landowner, the Offer to Purchase the ALE.
6. ALE easements are forever. The ALE deed will be permanently recorded with the land title, regardless of changes in ownership.
7. The landowner provides input to the ALE Plan, it is a living document and can be modified if agreed to by the entity and NRCS.