

## **Regional Conservation Partnership Program (RCPP) – 2018 Farm Bill RCPP Ranking Guidance**

This Exhibit provides guidance for ranking individual applications associated with an individual 2018 Farm Bill RCPP Programmatic Partnership Agreement (PPA). Each RCPP PPA specifies the eligible activities that may be funded using RCPP financial assistance (FA) funds under that PPA and any specific ranking considerations applicable to those activities. Individual applications may only be ranked for an eligible activity included in the PPA and ranking of such applications is on PPA-specific basis.

The Conservation Assessment Ranking Tool (CART) and Conservation Desktop (CD) must be used for assessing, ranking, and planning applications for the 2018 Farm Bill RCPP eligible activity types, which are:

- Land Management and Rental (LMR),
- Entity-held Easements,
- US-held Easements, and
- Watersheds (future guidance).

Each PPA must have at least one ranking pool in CART for each eligible activity identified in the PPA. Each ranking pool must have one category question that may have multiple response options (categories). The categories created by the category question are used to group similar applications under the ranking pool, and the applications in an individual category only compete against each other. Multiple ranking pools for the same eligible activity should only be established where a single ranking pool (with multiple categories based on the category question) will not adequately or appropriately differentiate and prioritize applications consistent with the RCPP project purposes and negotiated PPA objectives. A single application may only be evaluated under one category within a ranking pool; however, if multiple ranking pools are established for the same eligible activity, a single application may be evaluated under each applicable ranking pool. Additional ranking requirements and guidance specific to the individual eligible activity types are described in Parts I-IV of this Exhibit.

This guidance is supplemental to and must be followed in conjunction with the applicable related policy at: 440-Conservation Programs Manual (CPM)-531; 440-CPM-530, Subpart S; 440-CPM-527; and other agency directives. If a PPA includes ranking considerations that are inconsistent with RCPP policy, the RCPP policy supersedes PPA expectations absent an appropriately approved waiver of national policy.

The ranking requirements in this Exhibit do not apply to RCPP Classic and AFA Supplemental Agreement (SA) awards for RCPP technical assistance (TA) funds.

### **Part I: RCPP Classic Land Management and Rental Activity Ranking Guidance through Producer Contracts and Supplemental Agreements**

#### **1) Introduction**

This Part contains ranking guidance for 2018 Farm Bill RCPP PPAs that include Land Management or Rental (LMR) as an eligible activity.

**Note:** Part III provides the ranking guidance and requirements related to land management (LM) activities for NRCS-required restoration on highly and moderately restrictive US-held easements. The guidance provided in this Part is not applicable to such activities

## 2) General LMR Ranking Pool Requirements

a) Each LMR ranking pool must be based on the negotiated PPA, particularly Attachment 2 (Deliverables), Attachment E (Outcomes), PPA Exhibits 1 and 2 (as applicable), and program requirements.

b) Funding for land management or rental activity must be managed per negotiated PPA budgets. States may use CART categories or CD reports to align obligations with PPA budgets for land management or rental activities. PPA amendments are required where substantive differences between PPA activity budgets and obligations are anticipated.

c) LMR Producer Contract Management in CD and CART

Each RCPP project with LMR activity identified in the PPA for contracting via producer contracts must have at least one LMR ranking pool in CART. Where practical, a single LMR ranking pool for the PPA will be used and must include a (single) category question to group similar applications that may be considered under the ranking pool.

All LMR producer contracts will be managed entirely in CD and CART, which includes application management, assessment, ranking, and contracting.

**Note:** LMR producer contracts will not be entered into or managed in ProTracts.

d) Type II or III Supplemental Agreements (SA) for LMR Activities

Type II and III SAs generally do not require assessment or ranking, unless required per the terms of the PPA. For such SAs, the process is as follows:

i. An SA-only LMR ranking pool will be established for the PPA.

**Note:** For RCPP Classic, the associated practice list must exclude all enhancements and both rental practices (RFRN and RFRP), as these activities are inconsistent with RCPP SA authorities.

ii. A streamlined assessment and ranking of the applications will occur in CART.

iii. After ranking, Type II and III SA awards will be contracted using the RCPP Portal, are subject to NHQ review and concurrence requirements, and will have funds obligated through the bulk upload processes described in NI 440-316.

**Note:** Contact NHQ RCPP team for case-specific assessment and ranking guidance as needed.

## 3) Ranking Pool Naming

The following naming convention must be used for each LMR ranking pool as applicable based on the RCPP PPA type and the activity type:

- i. RCPP Classic - LMR Producer Contracts: (4-digit RCPP ID) (Activity Type: Either LMR Producer, LM Producer, or R Producer) (Optional: Ranking Pool identifier; Fiscal Year) e.g., 1234 LMR Producer; or for a PPA with two LMR ranking pools, 4567 LMR Producer General FY 22 or 4567 LMR Producer HU-only.
- ii. RCPP Classic - LM SAs: (4-digit RCPP ID) (Activity Type: LM Supplemental) (Optional: Ranking Pool identifier; Fiscal Year) e.g., 3456 LM Supplemental FY22.
- iii. RCPP AFA - LMR SAs: (4-digit RCPP ID) (Activity Type: LMR Supplemental, LM Supplemental, R Supplemental) (Optional: Ranking Pool identifier; Fiscal Year) e.g., 6789 R Supplemental FY22.

#### 4) Land Uses

The RCPP 2018 Farm Bill LM and Rental national ranking template includes a comprehensive list of available land uses. Land uses in an LMR ranking pool must be tailored to include the land uses identified in Exhibits 1 and 2 of the PPA, as applicable.

#### 5) Resource Concern Categories and Resource Concerns

The RCPP 2018 Farm Bill LM and Rental national ranking template includes a comprehensive list of available resource concern categories and resource concerns. States must use the information in the PPA and PPA Exhibits 1 and 2 to tailor an LMR ranking pool to the project.

LMR ranking pools for any project with rental activity must include the appropriate ‘Long-term Protection of Land’ practice. Additionally, applications that include either RCPP rental practice (RFRP or RFRN) must include ‘Long-term Protection of Land’ as a resource concern category to be correctly associated with ranking pools.

#### 6) Practices

The RCPP 2018 Farm Bill LM and Rental national ranking template provides a broad list of available practices including traditional conservation practices (100-900 practices codes), enhancements (e-practices codes), and RCPP rental practices (‘RFRP’ FA Rental Payment based on NRCS Defined Model and ‘RFRN’ FA Rental Payment based on Negotiated Project-Specific Scenarios). Practices allowed in an LMR ranking pool must be tailored to the RCPP project, activity types, and contract types in PPA deliverables, and must reflect any negotiated ranking expectations included in the PPA and Exhibits.

**Note:** Enhancements and rental practices may not be included in a ranking pool for RCPP Classic SA for LM activities (see paragraph 2(d)(i) above) or in the streamlined LM ranking pool for restoration on US-held easements (see Part III below).

#### 7) Ranking Component Weights

States must assign weights to the five ranking components in an individual ranking pool within the ranges provided in the RCPP 2018 Farm Bill LM and Rental national ranking template. The ranking weights should be set at levels appropriate to prioritize applications best suited to achieve project purposes.

Where use of a single ranking pool with multiple categories will not adequately or appropriately differentiate and prioritize applications due to the spectrum of project objectives (e.g. prioritizing treatment of most severe resource concerns vs. promoting continued and incremental improvement of already well-stewarded land), multiple ranking pools may be established and may include different ranking component weights.

## 8) Applicability Question

Each ranking pool must have an applicability question reflective of the negotiated PPA expectations. The applicability question may be a geospatial or text-based question to determine applicability of the ranking pool to an assessed practice schedule.

### i. Geospatial.—

- A geospatial applicability question must also specify whether all or any of the land units within an individual assessment may be considered under a given ranking pool as follows:
  - ALL: Only those land units in an individual assessment that meet the parameters of the applicability question may be considered under that ranking pool.
  - ANY: If any land unit included in an individual assessment meets the parameters of the applicability question, the entirety of the land units included in that individual assessment may be considered under that ranking pool.
- State must publish the geospatial layer that represents the features described in the applicability question. The applicability of the ranking pool is automatically determined in CART once the parameters of the applicability question have been established.

Example: For a PPA that includes establishing set-aside buffers to improve impaired waters, the LMR ranking pool for the PPA may have a geospatial applicability question with the following parameters: (All) “Land units in an individual assessment within 1 mile of a 303d listed waterway may be considered under this ranking pool”.

### ii. Text-Based.—A text-based applicability question applies to the entirety of the land units included in the individual assessment.

Example: For a PPA that includes prioritization for activities that will benefit historically underserved (HU) applicants, an HU-only LMR ranking pool may have a text-based applicability question, “An applicant associated with the individual assessment is self-certified as an HU producer?” (Yes = applicable, No = not applicable)

## 9) Category Question

Each ranking pool must include a single category question and one or more response options (categories). Ranking categories support the need to have similar applications compete against one another. The category question should help ensure selections meet project-specific considerations identified in the PPA and associated exhibits. Each assessment may

only compete and be ranked under a single category within a ranking pool. For example, a category question may be developed to:

- i. Ensure rental only, rental and land management, or land management only applications have opportunity to compete against similar applications where discrete competitions are envisioned per PPA. (e.g. “Which LMR activities does this application include?” Potential responses include: “LM only”; “R only”; “LM and R”.)
- ii. Address negotiated expectations for competition of LMR funding based on land use or other project priorities in the PPA. (e.g. “The LMR activity will primarily address resource concerns on which land use?” Potential responses include: “crop”; “forest”; “rangeland/pastureland”; “water”; “other rural land”; “multiple land uses”.)
- iii. Facilitate prioritization of HU producer applications. (e.g. “Based on the self-certification information provided in the application, which type of producer has applied for RCPP funding?” Potential responses include: “limited resource farmer or rancher”; “beginning farmer or rancher”; “socially disadvantaged farmer or rancher”; “veteran farmer or rancher”; “undeclared”.)
- iv. Support separation of assessments that require standard ranking from those that may be subject to streamlined ranking (e.g. pre-selected applications identified in proposal and PPA or LM activities under an SA). (e.g. “Which of the following describes the applicable ranking requirements?” Potential responses include: “Competitive LM Only”; “Competitive LM and Rental”; “Pre-selected application from proposal/PPA”; “Competitive LM Supplemental Agreement”.)

## 10) Point-Based Ranking Questions

### a) Program Questions (200 Points Total)

Each ranking pool must include one or more program questions that address each of the PPA elements bulleted below (e.g., outcomes, contributions). At a minimum, for each PPA element, the specific question provided below or a version modified by the State to be more project-specific or reflective of negotiated project expectations must be used. The point values must meet the minimum/maximum point requirements for each PPA element included in the ranking pool as listed below and taken together must total 200 points.

**Note:** For PPAs that do not include partner bundling/bundles or HU prioritization expectations, the associated program question may be excluded and the associated points redistributed to the remaining program questions subject to the limitations and requirements below.

- Outcomes (minimum 40 Points [20% of Program Questions Points]):

Outcomes Question: Application directly addresses one or more resource concerns for which outcome metrics have been included in the PPA Attachment E?

Example response: “0 points for resource concerns with no outcome metrics; 10 points for resource concerns with 1 outcome metric; 20 points for resource concerns with 2 outcome metrics.”

- Contributions (minimum 40 Points [20% of Program Questions Points]):  
Contributions Question: PPA exhibits identify direct relationship between proposed LMR activities and partner contributions, and application directly leverages RCPP funding with partner contributions.  
Example response: “0 points = no leveraging of RCPP FA with partner FA contributions; 10 points = RCPP FA leverages 25% or less partner FA; 20 points = RCPP FA leverages more than 25% partner FA; etc.”
- Historically Underserved (if included, maximum 40 Points [20% of Program Questions Points]):  
Historically Underserved Producers Question: Application or applicant meets HU requirements or criteria as identified in the PPA or by NRCS.  
Example Response: ‘Yes’ earns points, ‘No’ does not.  
**Note:** PPA cannot change HU definitions but may limit HU categories eligible for ranking points. If PPA is silent on HU priority, NRCS retains right to provide priority to HU producers.
- Partner Bundles/Bundling (if included, maximum 50 Points [25% of Program Questions Points]):  
Partner Application Bundles Question: PPA exhibits identify negotiated expectations for lead partner submission of bundled applications, and application has been identified by lead partner as part of an application bundle.  
Example Response: ‘Yes’ earns points, ‘No’ does not.  
**Note:** Lead partner bundling may not include any application in which the lead partner has a financial interest.
- Other RCPP proposal-related, non-resource driven issues where documented in PPA (if included, points for these questions may not exceed the remainder of available points after all other point requirements have been satisfied):  
States should include ‘other’ program questions to address non-resource driven “programmatic” expectations identified in the PPA exhibits that are not captured elsewhere in the ranking pool.

b) Resource Questions (200 Points)

Each ranking pool must include resource questions that reflect the resource-based RCPP project priorities and negotiated PPA expectations. The resource questions should provide for the consideration of the resource-based attributes of an application beyond the presence and treatment of resource concerns that are accounted for in the CART ‘Vulnerability and Planned Practice Effects’ points. In particular, the resource questions should be sufficiently specific to effectively prioritize applications that best meet the RCPP project objectives, distinguish between applications with similar or identical resource concerns and planned practices, and minimize the occurrence of “ties” between applications (particularly when rental-only applications are a possibility).

Example considerations that may be captured in resource questions:

- Extent to which the application includes targeted species habitat (name species) and includes the appropriate wildlife habitat management practices to improve or maintain the benefits of such habitat.
- Direct benefit of the planned practices to the objectives of an existing Federal, regional, Tribal, or State environmental or natural resource plan (e.g., Species Recovery Plan, State Wildlife Action Plan).
- Extent to which application complements other (non-RCPP project) related conservation efforts in the RCPP project area with project-related conservation benefits (e.g., On-going landscape scale conservation effort to create buffers to 303(d)/impaired water bodies).
- Increased benefit of planned practices to be implemented on or physically adjacent to land on which the agricultural uses or related beneficial uses are protected.

The resource questions, the point values assigned to each individual resource question, and the ranking weight applied to the resource questions as a whole should serve to ensure PPA ranking pools are sufficiently sensitive to prioritize the selection of applications that will best achieve the resource-based project objectives and PPA conservation benefits. Accordingly, States have wide latitude in negotiating meaningful resource questions aligned with RCPP project purposes.

#### 11) Tie Breaker

States are encouraged to develop program and resource questions that effectively distinguish between and prioritize applications. If ties occur, criteria other than the total Federal cost of application must be used to break any tie. Lead State and partner negotiations should establish and PPA should document a method to break any ties.

**Note:** While efficiency score is used as a tie breaker for most land treatment programs, RCPP rental activities do not have efficiency scores; therefore, States must identify other tie-breaker criteria for projects with rental activities.

Where ties occur and unobligated LMR funding remaining in the current year PPA budget is insufficient to fund tied applications, but total LMR funding in PPA would support funding tied applications, the PPA terms allow for accelerated obligations without a PPA amendment.

## Part II: RCPP Classic and AFA Entity-held Easement Activity Ranking Guidance for Type IV Supplemental Agreements

### 1) Introduction

This Part contains ranking guidance for 2018 Farm Bill RCPP Classic PPAs and RCPP AFA PPAs that include RCPP entity-held easements as an eligible activity.

### 2) General Entity-held Easement Ranking Pool Requirements

- a) Each RCPP entity-held easement ranking pool must be based on the negotiated RCPP PPA, particularly Attachment 2 (Deliverables), Attachment E (Outcomes), PPA

entity-held easement exhibit (Exhibit 4 for RCPP Classic PPAs; Exhibit 3 for RCPP AFA PPAs), and program requirements.

- b) CART ranking processes must be followed for each eligible parcel contract application for an RCPP entity-held easement. RCPP FA funding for the payment of easement compensation for an entity-held easement will be obligated based on a CD plan for an individual parcel contract.
- c) Each RCPP project with entity-held easement activity identified in the PPA must have at least one entity-held easement ranking pool in CART. Where practical, a single entity-held easement ranking pool for the PPA will be used and must include a (single) category question to group similar applications that may be considered under the ranking pool.
- d) RCPP Classic or AFA projects with pre-selected parcels identified in the PPA may use streamlined ranking for applications received for such pre-selected parcels. The ranking questions must include at least one question in all four parts of the ranking pool: applicability, category, program priorities, and resource priorities.

**Note:** Pre-selection does not equate to selection for funding, as all landowners and lands must meet applicable eligibility requirements, sufficient funds must be available, and the application must be able to otherwise meet applicable program and PPA requirements as determined by NRCS.

### 3) Ranking Pool Naming

The following naming convention must be used for each RCPP entity-held easement ranking pool: (4-digit RCPP ID) (Activity Type: RCPP Entity-held Easement Parcel Contracts) (Optional: Ranking Pool identifier; Fiscal Year) e.g., 1234 RCPP Entity-held Easement Parcel Contracts; or for a PPA with two entity-held easement ranking pools, 4567 RCPP entity-held easement General or 4567 RCPP entity-held easement HU-only.

### 4) Land Uses

The RCPP 2018 Farm Bill entity-held easement national ranking template includes a comprehensive list of available land uses. Land uses in an entity-held easement ranking pool must be tailored to include the land uses identified in the entity-held easement exhibit of the PPA (Exhibit 4 for RCPP Classic PPAs; Exhibit 3 for RCPP AFA PPAs).

### 5) Resource Concern Categories and Resource Concerns

The RCPP 2018 Farm Bill entity-held easement national ranking template includes a comprehensive list of available resource concern categories and resource concerns. States must use the information in the PPA and entity-held easement exhibit of the PPA (Exhibit 4 for RCPP Classic PPAs; Exhibit 3 for RCPP AFA PPAs) to tailor the ranking pool to the project. All entity-held easement ranking pools must include 'Long-term Protection of Land' as a resource concern category.

### 6) Practices

The RCPP 2018 entity-held easement national ranking template provides a targeted list of available practices, including the two easement practices through which RCPP FA is provided for the purchase of the easement itself, which are LTPPE (Long-Term Protection of Land – Permanent Easement) or LTPMAS (Long-Term Protection of Land – Maximum Duration Allowed by State Law). Only States with State laws that limit the term of a



conservation easement may include the LTPMAS practice in their entity-held easement ranking pool.

The RCPP 2018 Farm Bill entity-held easement national ranking template also includes easement acquisition-related practices for the two due diligence items that may be procured by NRCS for entity-held easements, which are the environmental database searches (LTAPERS) and appraisal technical reviews (LTAPTR1 and LTAPTR2).

**Note:** The long-term protection of land practice and the acquisition-related practices must all be planned in CD. Only the long-term protection of land practice and the associated RCPP FA funds are included in and obligated through the RCPP entity-held easement parcel contract (see 440-CPM-531 and related parcel contract guidance). The costs for the acquisition-related practices are entered in CD but shown as ‘no cost’ with the funds ultimately obligated to the appropriate procurement contracts or agreement (see National Bulletin (NB) 300-22-29 and related CD planning and contracting guidance for entity-held easements).

## 7) Ranking Component Weights

States must assign weights to the five ranking components in an individual ranking pool within the ranges provided in the RCPP 2018 Farm Bill entity-held easement national ranking template. The ranking weights should be set at levels appropriate to prioritize applications best suited to achieve project purposes.

Where use of a single ranking pool will not adequately or appropriately differentiate and prioritize applications due to the spectrum of project objectives (e.g. minimally restrictive easements on working agricultural land vs. highly restrictive easements to protect habitat for at-risk species), multiple ranking pools may be established and may include different ranking component weights.

## 8) Applicability Question

Each ranking pool must have an applicability question reflective of the negotiated PPA expectations. The applicability question may be a geospatial or text-based question to determine applicability of the ranking pool to an assessed practice schedule.

### i. Geospatial.—

- A geospatial applicability question must also specify whether all or any of the land units within an individual assessment may be considered under a given ranking pool as follows:
  - ALL: Only those land units in an individual assessment that meet the parameters of the applicability question may be considered under that ranking pool.
  - ANY: If any land unit included in an individual assessment meets the parameters of the applicability question, the entirety of the land units included in that individual assessment may be considered under that ranking pool.
- State must publish the geospatial layer that represents the features described in the applicability question. The applicability of the ranking pool is automatically

determined in CART once the parameters of the applicability question have been established.

Example: For a PPA with a focus on entity-held easements on grasslands that are managed for the benefit of at-risk wildlife species within designated habitat areas, the entity-held easement ranking pool may have a geospatial applicability question with the following parameters: (Any) “Land units in an individual assessment that intersect with the designated habitat areas may be considered under this ranking pool.”

- ii. Text-Based.— A text-based applicability question applies to the entirety of the land units included in the individual assessment.

Example: For a PPA that includes prioritization for entity-held easements on land owned by HU landowners, an HU-only RCPP entity-held easement ranking pool may have a text-based applicability question, “The land units in this assessment are owned by landowners that meet the HU landowner criteria as self-certified on the NRCS-CPA-1274?” (Yes = applicable, No = not applicable).

## 9) Category Question

Each ranking pool must include a single category question and one or more response options (categories). Ranking categories support the need to have similar applications compete against one another. The category question should help ensure selections meet project-specific considerations identified in the PPA and associated exhibits. Each assessment may only compete and be ranked under a single category within a ranking pool. For example, a category question may be developed to:

- i. Ensure applications for each entity-held easement type (highly, moderately, minimally restrictive) available under the PPA compete only against each other. (e.g. “Which type of entity-held easement is this application for?” Potential responses include: “highly-restrictive easement”; “moderately restrictive easement”; “minimally restrictive easement”.)
- ii. Address negotiated expectations for competition of entity-held easement funding based on land use or other project priorities in the PPA. (e.g. “The entity-held easement will primarily address resource concerns on which land use?” Potential responses include: “crop”; “forest”; “rangeland/pastureland”; “water”; “other rural land”; “multiple land uses”.)
- iii. For PPAs that include pre-selected parcels, ensure pre-selected parcels and non-pre-selected parcels are trackable within the project. (e.g. “The PPA identifies pre-selected and non-preselected parcels, and this parcel contract application is for?” Potential responses include: “pre-selected parcel”; “non-preselected parcel”.)

## 10) Point-Based Ranking Questions

### a) Program Questions (200 Points Total)

Each ranking pool must include one or more program questions that address each of the PPA elements bulleted below (e.g., outcomes, contributions). At a minimum, for each PPA element, the specific question provided below or a version modified by the State to be more project-specific or reflective of negotiated project expectations must be used. The point values must meet the minimum/maximum point requirements for each PPA

element included in the ranking pool as listed below and taken together must total 200 points.

**Note:** For PPAs that do not include partner bundling/bundles or HU prioritization expectations, the associated program question may be excluded and the associated points redistributed to the remaining program questions subject to the limitations and requirements below.

- Outcomes (minimum 40 Points [20% of Program Questions Points]):

Outcomes Question: Application directly addresses one or more resource concerns for which outcome metrics have been included in the PPA Attachment E?

Example response: “0 points for resource concerns with no outcome metrics; 10 points for resource concerns with 1 outcome metric; 20 points for resource concerns with 2 outcome metrics”, etc.

- Contributions (minimum 40 Points [20% of Program Questions Points]):

Contributions Question: PPA exhibits identify direct relationship between proposed entity-held easement activities and partner contributions, and application directly leverages RCPP funding with partner contributions. Only parcel contracts that close during the term of the PPA, and for which parcel match has been identified in PPA as a contribution to the overall project, will support answers that receive points.

Example response: “0 points = no cash-match provided by eligible entity for payment of easement compensation to the landowner; 15 points = 25% cash match provided by eligible entity for payment of easement compensation to the landowner; 30 points = 25-50% cash match provided by eligible entity for payment of easement compensation to the landowner; etc.”

- Historically Underserved (if included, maximum 40 Points [20% of Program Questions Points]):

Historically Underserved Producers Question: Application or applicant meets HU requirements or criteria as identified in the PPA or by NRCS.

Example Response: ‘Yes’ earns points, ‘No’ does not.

**Note:** PPA cannot change HU definitions but may limit HU categories eligible for ranking points. If PPA is silent on HU priority, NRCS retains right to provide priority to HU producers.

- Partner Bundles/Bundling (if included, maximum 50 Points [25% of Program Questions Points]):

Partner Application Bundles Question: PPA exhibits identify negotiated expectations for lead partner submission of bundled applications, and application has been identified by lead partner as part of an application bundle.

Example Response: ‘Yes’ earns points, ‘No’ does not.

**Note:** Lead partner bundling may not include any application in which the lead partner has a financial interest.

- Other RCPP proposal-related, non-resource driven issues where documented in PPA (if included, points for these questions may not exceed the remainder of available points after all other point requirements have been satisfied):

States should include ‘other’ program questions to address non-resource driven “programmatic” expectations identified in the PPA exhibits that are not captured elsewhere in the ranking pool.

b) Resource Questions (200 Points)

Each ranking pool must include resource questions that reflect the resource-based RCPP project priorities and negotiated PPA expectations. The resource questions should provide for the consideration of resource-based attributes of an application beyond the presence and treatment of resource concerns, which are already accounted for in the CART ‘Vulnerability and Planned Practice Effects’ points. In particular, the resource questions should distinguish between applications with similar or identical resource concerns and planned practices and should minimize the occurrence of “ties” between applications (see example considerations provide in Part I).

The resource questions, the point values assigned to each individual resource question, and the ranking weight applied to the resource questions as a whole should serve to ensure PPA ranking pools are sufficiently sensitive to prioritize the selection of applications that will best achieve the resource-based project objectives and PPA conservation benefits. Accordingly, States have wide latitude in negotiating meaningful resource questions aligned with RCPP project purposes.

**11) Tie Breaker**

States are encouraged to develop program and resource questions that effectively distinguish between and prioritize applications. If ties occur, criteria other than the total Federal cost of application must be used to break any tie. Lead State and partner negotiations should establish and PPA should document a method to break any ties.

Where ties occur and unobligated funding remaining in the current year is insufficient to fund tied applications, but total entity-held easement funding in the PPA would support funding tied applications, the PPA terms allow for accelerated obligations without a PPA amendment.

**Part III: RCPP Classic US-held Easement Activity Ranking Guidance**

**1) Introduction**

This Part contains ranking guidance for 2018 Farm Bill RCPP PPAs that include US-held easements as an eligible activity.

**2) General Ranking Pool Requirements for US-held Easements**

- a) US-held easement ranking pool

- i. Each RCPP US-held easement ranking pool must be based on the negotiated RCPP PPA, particularly Attachment 2 (Deliverables), Attachment E (Outcomes), PPA Exhibit 3, as applicable Exhibit 1, and program requirements.
- ii. Each RCPP project with US-held easement activity identified in the PPA must have at least one US-held easement ranking pool in CART. Where practical, a single US-held easement ranking pool for the PPA will be used and must include a (single) category question to group similar applications that may be considered under the ranking pool.
- iii. The US-held easement ranking pool determines the priority of the easement for funding, and the selection of an easement for funding includes the requirement to fund any NRCS-required restoration on a highly or moderately restrictive easement.
- iv. At a minimum, each US-held easement ranking pool must be comprehensive enough to evaluate the attributes related to the long-term protection of the proposed easement area, and for highly and moderately restrictive easements, any restoration activities that NRCS may require to be implemented on the easement.
- v. RCPP projects with pre-selected properties identified in the PPA may use a streamlined ranking in the US-held easement ranking pool for applications received for such pre-selected properties. The ranking questions must include at least one question in all four parts of the ranking pool: applicability, category, program priorities, and resource priorities.

**Note:** Pre-selection does not equate to selection for funding, as all landowners and lands must meet applicable eligibility requirements, sufficient funds must be available, and the application must be able to otherwise meet applicable program and PPA requirements as determined by NRCS.

- b) Associated LM for US-held easement restoration ranking pool (highly and moderately restrictive easements only)
  - i. For each US-held easement ranking pool that may result in the selection of a highly or moderately restrictive easement on which NRCS may require restoration activities, an associated streamlined “LM for US-held easement restoration” ranking pool must also be established in CART and must use the “RCPP 2018 Farm Bill LM for US-held easement restoration” national ranking template.
  - ii. The ranking in the streamlined LM for US-held easement restoration ranking pool is for administrative purposes only, to facilitate the planning in CD, and as applicable, the contracting in CD of required restoration activities.
  - iii. The outcome of the ranking in the LM for US-held easement restoration ranking pool does not affect prioritization or selection of the easement for funding (which is determined under the associated US-held easement ranking pool) nor does it affect the requirement to fund the NRCS-required restoration on the selected US-held easement.
  - iv. For US-held easements that may have NRCS-required restoration, the ranking in the LM for US-held easement restoration ranking pool must be completed after the ranking of the application in the US-held easement ranking pool and prior to identifying an easement as tentatively selected for funding based on the outcome of the ranking in the US-held easement ranking pool.

- c) On minimally or moderately restrictive easements, NRCS may recommend conservation practices to treat identified resource concerns; however, RCPP funding for such practices is subject to the requirements applicable to standard LMR producer contracts under the PPA including ranking in CART under the applicable LMR ranking pool as described in Part I above. Selection of the easement for funding under the US-held easement ranking pool does not guarantee funding of recommended conservation practices in an LMR ranking pool.

**Note:** Exhibit 1 of the PPA should distinguish and document the limitations and requirements (e.g. practices, activities, ranking considerations) specific to LM activities for US-held easement restoration and those applicable to standard LMR activities under the same PPA.

- d) In the US-held easement ranking pool, required restoration practices (highly or moderately restrictive easements only) and recommended conservation practices (moderately or minimally restrictive easements) will not earn planned practice points but will earn vulnerability points for the resource concerns existing.

### 3) Ranking Pool Naming

- a) The following naming convention **MUST** be used for each RCPP US-held easement ranking pool: (4-digit RCPP ID) (Activity Type: RCPP US-held easement Program Contract) (Optional: Ranking Pool identifier; Fiscal Year) e.g., 1234 US-held easement Program Contract.
- b) The following naming convention **MUST** be used for an associated streamlined LM for US-held easement restoration ranking pool: (4-digit RCPP ID) (Activity Type: LM Restoration on US-held easement) (Optional: Ranking Pool identifier; Fiscal Year) e.g., 1234 LM US-held easement Restoration.

### 4) Land Uses

- a) The RCPP 2018 Farm Bill US-held easement national ranking template includes a comprehensive list of available land uses. Land uses in a US-held easement ranking pool must be tailored to include the land uses identified in Exhibit 3 of the PPA.
- b) The associated LM for US-held easement restoration ranking pool (highly or moderately restrictive US-held easements) may only include the land uses associated with such easements as identified in Exhibit 3 of the PPAs.

**Note:** Highly restrictive US-held easements may not include ‘Farmstead’ as a land use.

### 5) Resource Concern Categories and Resource Concerns

The RCPP 2018 Farm Bill US-held easements national ranking template and the associated RCPP 2018 Farm Bill LM for US-held easement restoration national ranking template each include a comprehensive list of available resource concern categories and resource concerns. States must use the information in the PPA, PPA Exhibit 3, and as applicable PPA Exhibit 1 to tailor the US-held easement ranking pool, and as applicable the LM for US-held easement restoration ranking pool to the RCPP project. All US-held easement ranking pools must include ‘Long-term Protection of Land’ as a resource concern category.

6) Practices

- a) For the US-held easement ranking pool, the RCPP 2018 Farm Bill US-held easement national ranking template provides a targeted list of available practices, including the two easement practices through which RCPP FA is provided for the purchase of the easement itself, which are:
  - i. LTPPE (Long-Term Protection of Land – Permanent Easement), and
  - ii. LTPMAS (Long-Term Protection of Land – Maximum Duration Allowed by State Law). **Note:** Only States with State laws that limit the term of a conservation easement may include the LTPMAS practice in their ranking pool.

- b) The RCPP 2018 Farm Bill US-held easement national ranking template also includes the easement acquisition-related practices for the items that must be procured for US-held easements (e.g., easement valuation, survey, title, and due diligence reports, and closing agent services).

**Note:** All RCPP US-held easement acquisition and acquisition-related practices must be planned in CD with associated costs entered. RCPP FA funding for the purchase of the US-held easement itself will be obligated to an Agreement for the Purchase of Conservation Easement (Form NRCS-CPA-1303), which is a type of RCPP program contract entered into by NRCS and the landowner. RCPP FA funds for the acquisition-related cost items (e.g. appraisal, title services, environmental record search, survey, etc.) must be obligated through the appropriate procurement contracts or agreements (e.g., Federal contract or cooperative agreements) (see 440-CPM-531, NB 300-22-29, NB 300-22-40, and related CD planning, contract, and fund obligation guidance).

- c) For the LM for US-held easement restoration ranking pool (highly or moderately restrictive easements only), the RCPP 2018 Farm Bill LM for US-held easement restoration national ranking template provides a targeted list of available practices. Only those practices that are appropriate for the restoration of the individual easement based on the easement purposes and as determined by NRCS may be selected, planned, and funded. Rental activities are not included in the LM for US-held easement restoration ranking pool.

7) Ranking Component Weights

States must assign weights to the five ranking components in an individual ranking pool within the ranges provided in the RCPP national ranking template. The ranking weights should be set at levels appropriate to prioritize applications best suited to achieve project purposes.

Where use of a single US-held easement ranking pool will not adequately or appropriately differentiate and prioritize applications due to the spectrum of project objectives (e.g. minimally restrictive easements on working agricultural land vs. highly restrictive easements to protect habitat for at-risk species), multiple US-held easement ranking pools may be established and may include different ranking component weights.

8) Applicability Question

- a) Each US-held easement ranking pool must have an applicability question reflective of the negotiated PPA expectations. The applicability question may be a geospatial or text-

based question to determine applicability of the ranking pool to an assessed practice schedule.

i. Geospatial.—

- A geospatial applicability question must also specify whether all or any of the land units within an individual assessment may be considered under a given ranking pool as follows:
  - ALL: Only those land units in an individual assessment that meet the parameters of the applicability question may be considered under that ranking pool.
  - ANY: If any land unit included in an individual assessment meets the parameters of the applicability question, the entirety of the land units included in that individual assessment may be considered under that ranking pool.
- State must publish the geospatial layer that represents the features described in the applicability question. The applicability of the ranking pool is automatically determined in CART once the parameters of the applicability question have been established.

Example: For a PPA with a focus on US-held easements for the restoration, protection, and management of forestlands that are managed for the benefit of at-risk wildlife species within designated habitat areas, the US-held easement ranking pool may have a geospatial applicability question with the following parameters: (Any) “Land units in an individual assessment that intersect with the designated habitat areas may be considered under this ranking pool.”

ii. Text-Based.— A text-based applicability question applies to the entirety of the land units included in the individual assessment.

Example: For a PPA that includes prioritization for US-held easements on land owned by HU landowners, an HU-only RCPP US-held easement ranking pool may have a text-based applicability question, “The land units in this assessment are owned by landowners that meet the HU landowner criteria as self-certified on the NRCS-CPA-1200?” (Yes = applicable, No = not applicable)

- b) The applicability question in the streamlined LM for US-held easement restoration ranking pool may be used to simply identify (YES/NO) that the land units included in the individual assessment are associated with an application for a US-held easement that has been ranked under the US-held easement ranking pool.

9) Category Question

- a) Each US-held easement ranking pool must include a single category question and one or more response options (categories). Ranking categories support the need to have similar applications compete against one another. The category question should help ensure selections meet project-specific considerations identified in the PPA and associated exhibits. Each assessment may only compete and be ranked under a single category within a ranking pool. For example, a category question may be developed to:



- i. Ensure applications for each US-held easement type that may be enrolled based on the terms of the PPA (e.g., highly, moderately, minimally restrictive) available under the PPA compete only against each other. (e.g. “Which type of US-held easement is this application for?” Potential responses include: “highly restrictive easement”; “moderately restrictive easement”; “minimally restrictive easement”).
  - ii. Address negotiated expectations for competition of US-held easement funding based on land use or other project priorities in the PPA. (e.g. “The US-held easement will primarily address resource concerns on which land use?” Potential responses include: “crop”; “forest”; “rangeland/pastureland”; “water”; “other rural land”; “multiple land uses”.)
  - iii. For PPAs that include pre-selected parcels, ensure pre-selected parcels and non-pre-selected parcels are trackable within the project. (e.g. “The PPA identifies pre-selected and non-preselected properties, and this application is for?” Potential responses include: “pre-selected property”; “non-preselected property”.)
- b) The category question in the streamlined LM for US-held easement restoration ranking pool may simply replicate the category question used in the associated US-held easement ranking pool or may be further streamlined.

## 10) Point-Based Ranking Questions

### a) Program Questions (200 Points Total)

Each US-held easement ranking pool must include one or more program questions that address each of the PPA elements bulleted below (e.g., outcomes, contributions). At a minimum, for each PPA element, the specific question provided below or a version modified by the State to be more project-specific or reflective of negotiated project expectations must be used. The point values must meet the minimum/maximum point requirements for each PPA element included in the ranking pool as listed below and taken together must total 200 points.

**Note:** For PPAs that do not include partner bundling/bundles or HU prioritization expectations, the associated program question may be excluded and the associated points redistributed to the remaining program questions subject to the limitations and requirements below.

- Outcomes (minimum 40 Points [20% of Program Questions Points]):

Outcomes Question: Application directly addresses one or more resource concerns for which outcome metrics have been included in the PPA Attachment E?

Example response: “0 points for resource concerns with no outcome metrics; 10 points for resource concerns with 1 outcome metric; 20 points for resource concerns with 2 outcome metrics”, etc.

- Contributions (minimum 40 Points [20% of Program Questions Points]):

Contributions Question: PPA exhibits identify direct relationship between proposed US-held easement activities and partner contributions, and application directly leverages RCPP funding with partner contributions.

Example response: “0 points = no leveraging of RCPP FA with partner contributions; 20 points = RCPP FA funds leveraged by partner FA contributions toward restoration implementation costs; 40 points = RCPP FA funds leveraged by partner TA and FA contributions toward restoration design and implementation.”

- Historically Underserved (if included, maximum 40 Points [20% of Program Questions Points]):

Historically Underserved Producers Question: Application or applicant meets HU requirements or criteria as identified in the PPA or by NRCS.

Example Response: ‘Yes’ earns points, ‘No’ does not.

**Note:** PPA cannot change HU definitions but may limit HU categories eligible for ranking points. If PPA is silent on HU priority, NRCS retains right to provide priority to HU producers.

- Partner Bundles/Bundling (if included, maximum 50 Points [25% of Program Questions Points]):

Partner Application Bundles Question: PPA exhibits identify negotiated expectations for lead partner submission of bundled applications, and application has been identified by lead partner as part of an application bundle.

Example Response: ‘Yes’ earns points, ‘No’ does not.

**Note:** Lead partner bundling may not include any application in which the lead partner has a financial interest.

- Other RCPP proposal-related, non-resource driven issues where documented in PPA (if included, points for these questions may not exceed the remainder of available points after all other point requirements have been satisfied):

States should include ‘other’ program questions to address non-resource driven “programmatic” expectations identified in the PPA exhibits that are not captured elsewhere in the ranking pool.

**b) Resource Questions (200 Points)**

Each US-held easement ranking pool must include resource questions that reflect the resource-based RCPP project priorities and negotiated PPA expectations. The resource questions should provide for the consideration of resource-based attributes of an application beyond the presence and treatment of resource concerns, which are already accounted for in the CART ‘Vulnerability and Planned Practice Effects’ points. In particular, the resource questions should distinguish between applications with similar or identical resource concerns and planned practices and should minimize the occurrence of “ties” between applications (see example considerations provide in Part I).

The resource questions, the point values assigned to each individual resource question, and the ranking weight applied to the resource questions as a whole should serve to ensure PPA ranking pools are sufficiently sensitive to prioritize the selection of applications that will best achieve the resource-based project objectives and PPA

conservation benefits. Accordingly, States have wide latitude in negotiating meaningful resource questions aligned with RCPP project purposes.

- c) The streamlined LM for US-held easement restoration ranking pool must contain at least one program question, which should be derived as appropriate from the associated US-held easement ranking pool.

**11) Tie Breaker**

States are encouraged to develop program and resource questions that effectively distinguish between and prioritize applications. If ties occur, criteria other than the total Federal cost of application must be used to break any tie. Lead State and partner negotiation should establish and PPA should document a method to break any ties.

Where ties occur and unobligated funding remaining in the current year is insufficient to fund tied applications, but total US-held easement funding in the PPA would support funding tied applications, the PPA terms allow for accelerated obligations without a PPA amendment.

**Part IV: RCPP Watershed Activity Ranking Guidance**

Watershed activities will be managed via SAs in the RCPP portal, based on projects and or local assessment processes identified in selected project proposals.