

# USDA Seeks Public Input on Implementing Public-Private Conservation Partnerships

Article By:

Alan J. Sachs

Patrick J. Redmond

---

On August 16, 2024, the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) issued a Request for Information (RFI) seeking input on its formulation of processes, priorities, and criteria for public-private conservation partnerships authorized under the SUSTAINS (Sustainability Targets in Agriculture to Incentivize Natural Solutions) Act. The RFI provides an opportunity for stakeholders in environmental credit and offset markets to prioritize certain categories of agricultural projects generating carbon sequestration and other climate, wildlife, and water benefits that may be eligible for a federal match of private investments as well as the ability to claim resulting environmental credits.

## Key Takeaways

- **What Happened:** USDA's NRCS seeks input on SUSTAINS Act environmental credit and offset partnerships.
- **Who's Impacted:** Agribusinesses, investors, and other stakeholders in environmental credit and offset markets.
- **What Should You Do:** Companies should respond by mid-September with suggested priorities for carbon, wetlands, or other credit- or offset-generating programs and projects and expectations for claiming credits and offsets.

The SUSTAINS Act, passed by Congress in late 2022, expanded NRCS's authority to accept nonfederal contributions to support the Environmental Quality Incentives Program, Conservation Stewardship Program, and similar farmland, forest, and wetlands programs. In addition, the SUSTAINS Act authorizes NRCS to match private contributions and allows contributors to designate these leveraged funds for use in a specific program or geographic area. In fiscal year 2023, NRCS provided over \$2.8 billion in financial assistance through its conservation programs, and the Inflation Reduction Act will maintain this support for coming years.

The SUSTAINS Act calls on NRCS to "establish a process" for notifying farmers and ranchers about which activities may be carried out under the covered NRCS programs and what terms would apply to the producers' share of marketable credits generated by these activities. In its new RFI, NRCS is

asking all interested parties to weigh in on whether the agency should prioritize private contributions for specific natural resource outcomes. NRCS also seeks input on the agency's criteria and considerations for accepting proposed contributions, as well as the kinds of marketable credits prospective participants expect to take away from their participation. Finally, NRCS seeks suggestions on ensuring that the partnership program maintains integrity and achieves benefit and equity for farmers, ranchers, and rural communities while simultaneously providing maximum conservation benefits.

NRCS will accept responses through September 16, 2024, and the RFI notice is available [here](#).

© 2025 Beveridge & Diamond PC

---

National Law Review, Volume XIV, Number 243

Source URL: <https://natlawreview.com/article/usda-seeks-public-input-implementing-public-private-conservation-partnerships>