

ACEP NEWS FLASHES

From the NRCS Easement Program Division (EPD)



NRCS Streamlined Agricultural Conservation Easement Program (ACEP)-Agricultural Land Easement (ALE) Process

In fiscal year 2023, NRCS rolled out several improvements to ACEP-ALE to assist agricultural producers and private landowners conserve productive farmlands and at-risk grasslands. NRCS streamlined processes for appraisal reviews, internal controls, and certification for eligible entities.

Key program changes include:

- **Streamlined Certification of Eligible Entities:** NRCS is working to expand the number of certified eligible entities by launching an initiative to proactively notify potentially eligible entities that they qualify for adopting these administrative flexibilities. NRCS sent out letters in May and July offering pre-qualified entities the opportunity to become certified by accepting the offer letter and returning it to NRCS. As of the time of the publishing of this newsletter there are currently 31 certified entities. The certified entities have more autonomy utilizing their established easement acquisition processes in their purchase of easements funded under ACEP-ALE.

- **Threshold for National Appraisal Review Requirement Raised:**

The threshold for national review of ACEP-ALE appraisals was raised to greater than \$3 million, from \$1 million. NRCS raised the threshold to align program requirements with increased land values, enabling the agency to better target staff resources. Appraisals help ensure cost-effective and appropriate use of federal funds that are contributed to a conservation partner for their purchase of the ACEP-ALE from the farmer or

rancher. Raising the appraisal review limit reduced the number of appraisals requiring national level NRCS review by approximately 50%.

- **Commitment to Quality Internal Controls:** As a pledge to improve the quality of internal controls through the streamlined process, NRCS has implemented a team of NRCS employees from across the country to review the current internal control processes and procedures to identify where efficiencies in the workflow can be gained while implementing statutory and regulatory program requirements. NRCS employees selected for the team were chosen for their knowledge of easement program policy and procedures and experience with internal controls reviews. This team will continue to review, refine and improve internal controls processes to further strengthen and streamline the processes throughout 2024.

These improvements are the first step in an ongoing effort to streamline ACEP to ensure the program implementation is customer friendly. NRCS plans to continue evaluating easement processes in fiscal year 2024 to make easement programs easier to implement. These changes will also strengthen implementation of the Inflation Reduction Act (IRA), which included \$1.4 billion in additional funding for ACEP over the next five years.



Agricultural Conservation Easement Program

The Agricultural Conservation Easement Program (ACEP) helps landowners, Indian Tribes, land trusts, and other entities protect working farms and ranches through conservation easements. The program is administered by the USDA Natural Resources Conservation Service (NRCS).

Under the Agricultural Land Easement (ALE) component, NRCS helps American Indian tribes, state and local governments, and nongovernmental organizations protect working agricultural lands and limit nonagricultural uses of the land.

NRCS accepts program applications on a continual basis, but establishes application batching dates for evaluation, ranking and funding selection of eligible applications. Applications received after the batching date will be deferred to the next funding period.

Ranking deadlines for each state can be found on the NRCS website at www.nrcs.usda.gov/ranking-dates.

Fiscal Year 2024 IRA ACEP Priority Expansion

NRCS expanded the national priorities for Inflation Reduction Act (IRA) funding for the Agricultural Conservation Easements Program (ACEP) easements in fiscal year 2024.

For ACEP Agricultural Land Easements (ALE), NRCS is nationally prioritizing:

- 1) Grasslands in areas under a high threat of conversion from grassland or native vegetation to a non-grassland use.
- 2) Agricultural lands, such as cropland or grassland, under a high threat of conversion to a non-agricultural use.
- 3) Active agricultural rice production on subsiding highly organic soils where the percentage of subsiding highly organic soils is greater than or equal to 50 percent. This localized priority based on NRCS soil mapping.

NRCS accepts applications year-round for ACEP, those interested in this funding cycle must apply by Nov. 13, 2023. NRCS will consider previously unfunded applications in this round.

Entity Success Story From Across The Country

Secret Valley Ranch, Baker County, Oregon

Secret Valley Ranch, comprised of 8,877 acres, is considered one of eastern Oregon's greatest ranches. As landowners, Mark and Patti Bennett have been stewarding Secret Valley Ranch for decades to improve grassland conditions for cattle and wildlife. For them, conservation and agriculture go hand in hand. Their efforts to restore, protect, and improve the ecosystem have built a model for other landowners to follow. The Bennetts' approach to rotational grazing, consistent rangeland monitoring, and adaptive management techniques are obvious indicators that Mark and Patti have led both their business and land stewardship models with future generations of animal and human inhabitants in mind. Throughout the years, the Bennetts have completed many improvement projects across Secret Valley's vast landscape. Their goals were two-fold:

- safeguard and improve the property's sage-grouse population
- maintain their family's cattle operation and agricultural business



New Easement Program Data Dashboard

The various dashboards offer an overview of NRCS conservation easement programs and their data.

Filters allow for sorting of data by state, program, count and acres.

The data dashboard can be found on the farmers.gov website at:

[Easement Program Data | Farmers.gov](https://farmers.gov/easement-program-data)

