

Agricultural Conservation Easement Program (ACEP)

Is ACEP Right for Me?



Can You Answer “Yes” to the Following?

Then the Agricultural Conservation Easement (ACEP) Program may be a good fit for you

I own agricultural land and I am interested in protecting the agricultural values of the land in perpetuity.

I own property with wetlands on it that have been altered for the purposes of agricultural production and am interested in removing that land from agricultural production and restoring and protecting that land for at least 30 years or possibly in perpetuity.

I want to expand my existing conservation efforts to achieve a higher level of environmental stewardship.

I want to receive compensation for enrolling my land in voluntary conservation programs.

What Is ACEP?

ACEP helps landowners, land trusts, and other entities protect, restore, and enhance wetlands or protect working farms and ranches through conservation easements. Under the Agricultural Land Easements component, NRCS helps American Indian tribes, state and local governments, and nongovernmental organizations protect working agricultural lands and limit non-agricultural uses of the land. Under the Wetland Reserve Easements component, NRCS helps to restore, protect, and enhance enrolled wetlands.

Agricultural Land Easements

NRCS provides financial assistance to partners for purchasing Agricultural Land Easements that protect the agricultural use and conservation values of land. The program helps farmers and ranchers keep working farms in agriculture. Eligible partners include American Indian tribes, state and local governments, and non-governmental organizations that have farmland or grassland protection programs. Under the Agricultural Land Easements component, NRCS may contribute up to 50 percent of the fair market value of the agricultural land easement. Where NRCS determines that grasslands of special environmental significance will be protected, NRCS may contribute up to 75 percent of the fair market value of the agricultural land easement.

Wetland Reserve Easements

NRCS provides technical and financial assistance directly to private landowners and American Indian tribes to restore, enhance, and protect wetlands through the purchase of a wetland reserve easement. For acreage owned by an American Indian tribe, there is an additional enrollment option of a 30-year contract. Through the wetland reserve enrollment options, NRCS may enroll eligible land through:

- Permanent Easements are conservation easements in perpetuity. NRCS pays 100 percent of the easement value for the purchase of the easement, and 75 to 100 percent of the restoration costs.
- 30-Year Easements expire after 30 years. Under 30-year easements, NRCS pays 50 to 75 percent of the easement

Enrollment

Contact the NRCS office at your local USDA Service Center to discuss options for your private or tribal lands. NRCS staff are available to provide one-on-one support with your program application and explain all components of your easement options before you enroll.

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 are 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.



More information about ACEP can be found at www.nrcs.usda.gov.





value for the purchase of the easement, and 50 to 75 percent of the restoration costs.

- Term Easements last for the maximum duration allowed under applicable state laws. NRCS pays 50 to 75 percent of the easement value for purchase and between 50 to 75 percent of the restoration costs.
- 30-Year Contracts are only available to enroll acreage owned by Indian tribes. Program payment rates are commensurate with 30-year easements.

For Wetland Reserve Easements, NRCS pays all costs associated with recording in the local land records office, including recording fees, charges for abstracts, survey and appraisal fees, and title insurance.

What are the Benefits of ACEP?

- Keeps agricultural land in family hands.
- Provides a means to remove marginal cropland from production.
- Provides income.
- Protects our nation's best agricultural soils or grasslands.
- Preserves wildlife habitat and protects biodiversity, including for threatened and endangered species.
- Protects and restores wetlands

and improves water quality.

- Sequesters carbon and helps reduce greenhouse gases.

How does ACEP Work?

Landowners who enroll in ACEP retain private ownership of their land but must follow certain land use requirements. They must agree to maintain a specific use of their lands.

Examples include:

- Agreeing to limit non-agricultural use of land in an agricultural land easement.
- Agreeing to cease agricultural activity on a wetland easement to protect the conservation value of the wetlands.

Easement holders may lease the rights to undeveloped recreational uses like hiking, bird watching, hunting, and fishing.

NRCS may provide landowners enrolled in easements with both financial assistance and one-on-one technical support to fit their specific land use goals. Easements are also annually monitored to ensure compliance with allowable land uses.

Easements do not:

- "Take over" land in private ownership – all enrollments are voluntary.
- Cause landowners to lose access to their land.

- Allow public access – unless specifically agreed to by the landowner.
- Shift the tax burden of the enrolled land to the public.

ACEP Eligibility

Land eligible for Agricultural Land Easements includes cropland, rangeland, grassland, pastureland, and nonindustrial private forest land associated with an agricultural operation. NRCS will prioritize applications that protect agricultural uses and related conservation values of the land and those that maximize the protection of contiguous acres devoted to agricultural use. To enroll land through Agricultural Land Easements, NRCS enters into agreements with eligible partners.

Land eligible for Wetland Reserve Easements includes farmed or converted wetlands that have been previously altered for agricultural production that can be successfully and cost-effectively restored. NRCS will prioritize applications based on the easement's potential for improving water quality and protecting and enhancing habitat for migratory birds and other wildlife. To enroll land through Wetland Reserve Easements, NRCS enters into purchase agreements with eligible private landowners or American Indian tribes. NRCS and the landowner work together to develop and implement a wetland reserve plan to guide the restoration easement process. This plan restores, enhances, and protects the wetland's functions and values.

