

Agricultural Conservation Easement Program (ACEP)
Wetland Reserve Easement (WRE)

Landowner Application Package

Landowner submits the following to the Field Office

- NRCS-CPA-1200 – Conservation Program Application (02/2014)
- Acceptable proof of ownership. Date land was acquired: _____
 - General or Special Warranty Deed
 - Warranty Deed with Vendor's Lien
 - Probated Will
 - Gift Deed
 - Prior Title Policy
 - (Note: If ownership records are not clear for NRCS staff, the landowner will be requested to provide additional documentation)
- Request for waiver for 24 month ownership requirement if applicable.
- CCC-505 – Voluntary Permanent Base Acre Reduction (06-26-14). This document is required to determine the amount of crop base that could be impacted by the WRE. The form will ONLY be filed at the time of easement closing. Any crop base on the WRE must be retired or moved. The WRE is no longer eligible for any federal programs.
- Map of land being offered and proposed access.
- Proof from FSA that all owners and entity members on the deed have records in SCIMS and meet AGI/HEL/WC eligibility. See Landowner Eligibility Matrix.



Natural Resources Conservation Service

Texas State Office
101 S. Main Street
Temple, TX 76501
Voice 254.742.9800
Fax 254.742.9819

Overview

The Agricultural Conservation Easement Program (ACEP) provides financial and technical assistance to help conserve agricultural lands and wetlands and their related benefits.

Under the Agricultural Land Easements component, NRCS helps Indian tribes, state and local governments and non-governmental organizations protect working agricultural lands and limit non-agricultural uses of the land.

Under the Wetlands Reserve Easements component, NRCS helps to restore, protect and enhance enrolled wetlands.

March 2014

ACEP



Agricultural Conservation Easement Program



USDA's Natural Resources Conservation Service offers voluntary Farm Bill conservation programs that benefit agricultural producers and the environment.



Benefits

Agricultural Land Easements protect the long-term viability of the nation's food supply by preventing conversion of productive working lands to non-agricultural uses. Land protected by agricultural land easements provides additional public benefits, including environmental quality, historic preservation, wildlife habitat and protection of open space.

Wetland Reserve Easements provide habitat for fish and wildlife, including threatened and endangered species, improve water quality by filtering sediments and chemicals, reduce flooding, recharge groundwater, protect biological diversity and provide opportunities for educational, scientific and limited recreational activities.

Agricultural Land Easements

NRCS provides financial assistance to eligible partners for purchasing Agricultural Land Easements that protect the agricultural use and conservation values of eligible land. In the case of working farms, the program helps farmers and ranchers keep their land in agriculture. The program also protects grazing uses and related conservation values by conserving grassland, including rangeland, pastureland and shrubland. Eligible partners include Indian tribes, state and local governments and non-governmental organizations that have farmland or grassland protection programs.

Under the Agricultural Land 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 also provides technical and financial assistance directly to private landowners and Indian tribes to restore, protect, and enhance wetlands through the purchase of a wetland reserve easement. For acreage owned by an 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 between 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 value for the purchase of the easement, and between 50 to 75 percent of the restoration costs.
- *Term Easements* are easements that are for the maximum duration allowed under applicable state laws. NRCS pays 50 to 75 percent of the easement value for the purchase of the term easement 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 the easement in the local land records office, including recording fees, charges for abstracts, survey and appraisal fees, and title insurance.

Eligibility

Land eligible for agricultural easements includes cropland,

rangeland, grassland, pastureland and nonindustrial private forest land. 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.

Land eligible for wetland reserve easements includes farmed or converted wetland that can be successfully and cost-effectively restored. NRCS will prioritize applications based the easement's potential for protecting and enhancing habitat for migratory birds and other wildlife.

To enroll land through agricultural land easements, NRCS enters into cooperative agreements with eligible partners. Each easement is required to have an agricultural land easement plan that promotes the long-term viability of the land.

To enroll land through wetland reserve easements, NRCS enters into purchase agreements with eligible private landowners or Indian tribes that include the right for NRCS to develop and implement a wetland reserve restoration easement plan. This plan restores, protects, and enhances the wetland's functions and values.

How to apply

- *Agricultural land easements* - eligible partners may submit proposals to NRCS to acquire conservation easements on eligible land.
- *Wetland reserve easements* - landowners may apply at any time at a local USDA Service Center.

More Information

For more information visit your local USDA Service Center or the NRCS Farm Bill website at www.nrcs.usda.gov/farmbill.

Find your local USDA Service Center

<http://offices.usda.gov>

What's New in ACEP

The ACEP is a new program that consolidates three former programs -- the Wetlands Reserve Program, Grassland Reserve Program, and Farm and Ranch Lands Protection Program.



Historic ranchland in the Texas Hill Country is preserved through a conservation easement with NRCS.

www.tx.nrcs.usda.gov

Natural Resources Conservation Service

USDA is an equal opportunity provider and employer.

CONSERVATION PROGRAM APPLICATION

Name:	Application Number: AGENCY USE
Address:	Application Date:
	County and State:
Email:	
Telephone:	Watershed: AGENCY USE
	Subaccount: AGENCY USE
Location (Legal Description, or Farm and Tract Number):	

1. This is an application to participate in the:

<input type="checkbox"/> Agricultural Management Assistance (AMA)	<input type="checkbox"/> Environmental Quality Incentives Program (EQIP)
<input type="checkbox"/> Conservation Stewardship Program (CSP)	<input type="checkbox"/> Agriculture Conservation Easement Program (ACEP) - Wetland Reserve Easements (WRE)
<input type="checkbox"/> Regional Conservation Partnership Program (RCPP) <input type="checkbox"/> EQIP <input type="checkbox"/> CSP	<input type="checkbox"/> Regional Conservation Partnership Program (RCPP) <input type="checkbox"/> ACEP- (WRE) <input type="checkbox"/> Healthy Forest Reserve Program (HFRP)

2. Yes No Do you have farm records established with the appropriate USDA Service Center Agency?

If no, you must establish them with the appropriate USDA Service Center Agency prior to submitting this application.

3. Are you applying to participate in a conservation program as an (check one of the following):

Individual

a) Please enter your legal name and tax identification number:

Name: [Redacted] **Tax Number:** [Redacted]

Entity (Corporation, Limited Partnership, Trust, Estate, etc.)

a) Please enter entity legal name and tax identification number:

Name: [Redacted] **Tax Number:** [Redacted]

b) **Yes** **No** Do you have appropriate documents including proof to sign for the entity?

Joint Operation (General Partnership, Joint Venture)

a) Please enter joint operation legal name and tax identification number:

Name: [Redacted] **Tax Number:** [Redacted]

b) **Yes** **No** Do you have appropriate documents including proof to sign for the joint operation?

4. A Dun & Bradstreet Data Universal Numbering System (DUNS) number and current registrations in the Central Contractor Registrations (CCR) databases are required for receiving payment under an Employer Identification Number (EIN). An EIN is also known as a Federal Tax Identification Number, and is used to identify a business entity. Please note that the entity-applicants must obtain a DUNS number, register it under the legal business name which matches the Internal Revenue Service (IRS) records for the applicable EIN, and such legal business name must

match the name identified above as the applicant requesting participation in the named program. If your entity does not have a DUNS number, information is available at <http://fedgov.dnb.com/webform>
To register with CCR, go to <https://www.sam.gov/>

DUNS Number: [redacted] Registration Activation Date: [redacted]

5. Is the land being offered for enrollment used for crop (including forest-related) or livestock production?

- Crop Production Crop Type: [redacted]
 Livestock Production Livestock Type: [redacted]

6. The land offered under this application is (check all that apply):

- Private Land
 Public Land (Federal, State, or Local Government)
 Tribal, Allotted, Ceded, or Indian Land

7. Certification of control of the land offered under the application:

- Deed or other evidence of land ownership (required for all ACEP-WRE applications)
 Written lease agreement
Years of control are [redacted] through [redacted]
 Other agreement or legal conveyance (describe): [redacted]
Years of control are [redacted] through [redacted]

8. Yes No Is the land offered under this application enrolled in any other conservation program?

Program, Year, Tracts, Fields: [redacted]

9. Do you meet the criteria for any of the following categories? (mark all that apply)

- Limited Resource Farmer or Rancher
 Beginning Farmer or Rancher
 Socially Disadvantaged Farmer or Rancher
 Veteran Farmer or Rancher
 Not Applicable

If you wish to apply in any of these categories, you must meet the self certification requirements. Definitions are provided below. For more information please go to this website:
<http://www.lrftool.sc.egov.usda.gov/>

Limited Resource Farmer or Rancher – The term “Limited Resource Farmer or Rancher” means a participant: With direct or indirect gross farm sales not more than the current indexed value in each of the previous two years, and Who has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income in each of the previous two years.

A legal entity or joint operation can be a Limited Resource Farmer or Rancher only if all individual members independently qualify. A Self-Determination Tool is available to the public and may be completed on-line or printed and completed hardcopy at: <http://www.lrftool.sc.egov.usda.gov/>

Beginning Farmer or Rancher – The term “Beginning Farmer or Rancher” means a participant who:

- Has not operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years. This requirement applies to all members of a legal entity, and who
- Will materially and substantially participate in the operation of the farm or ranch.

In the case of a contract with an individual, individually or with the immediate family, material and substantial participation requires that the individual provide substantial day-to-day labor and management of the farm or ranch, consistent with the practices in the county or State where the farm is located.

In the case of a contract made with a legal entity, all members must materially and substantially participate in the operation of the farm or ranch. Material and substantial participation requires that the members provide some amount of the management, or labor and management necessary for day-to-day activities, such that if the members did not provide these inputs, operation of the farm or ranch would be seriously impaired.

Socially Disadvantaged Farmer or Rancher -- The term "Socially Disadvantaged" means an individual or entity who is a member of a socially disadvantaged group. For an entity, at least 50 percent ownership in the farm business must be held by socially disadvantaged individuals. A socially disadvantaged group is a group whose members have been subject to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. These groups consist of the following:

- American Indians or Alaskan Natives
- Asians
- Blacks or African Americans
- Native Hawaiians or other Pacific Islanders
- Hispanics.

Note: Gender alone is not a covered group for the purposes of NRCS conservation programs. The term entities reflect a broad interpretation to include partnerships, couples, legal entities, etc.

Veteran Farmer or Rancher -- The term "Veteran Farmer or Rancher" means a farmer or rancher who:

- Served in the active military, naval, or air service, and
- Who was discharged or released from the service under conditions other than dishonorable, and
- Who has not operated a farm or ranch; or has operated a farm or ranch for not more than 10 consecutive years.

A legal entity or joint operation can be a Veteran Farmer or Rancher only if all individual members independently qualify. Participants who self-certify eligibility as a Veteran Farmer or Rancher may be requested to provide records to justify their claim. It is the responsibility of the participant to provide accurate data.

On the farm(s) identified above, the Applicant agrees to participate in the identified program if the offer is accepted by the NRCS. The undersigned person shall hereafter be referred to as the "Participant." The participant understands that starting a practice prior to contract approval causes the practice to be ineligible for program financial assistance. The participant will obtain the landowner's signature on the contract or provide written authorization to install structural or vegetative practices. The Participant agrees not to start any financially assisted practice or activity or engage the reimbursable services of a certified Technical Service Provider before a Contract is executed by CCC. The Participant may request, in writing, a waiver of this requirement for financially assisted practices by the NRCS State Conservationist.

All participants that certify eligibility as a Limited Resource Farmer or Rancher, Beginning Farmer or Veteran Farmer or Rancher will provide all records necessary to justify their claim as requested by a NRCS representative. It is the responsibility of the participant to provide accurate data to support all items addressed in this application at the request of NRCS. False certifications are subject to criminal and civil fraud statutes.

The Participant acknowledges that highly erodible land conservation/wetland conservation, adjusted gross income certifications, and member information for entities and joint operations are on file with the appropriate USDA Service Center Agency.

Each participant that is a non-individual is required to be registered in the CCR on SAM.gov before submitting this application and must provide a valid DUNS number on this application. Each applicable entity must continue to maintain an active registration with current information at all times during which it has a conservation program contract/agreement or an active application under consideration. NRCS may not enter into a conservation program contract/agreement with a non-individual until the all applicable DUNS and CCR requirements have been met. If a non-individual has not fully complied with these requirements by the time NRCS is ready to award the conservation program contract/agreement, NRCS may determine that the non-individual is not qualified to receive a conservation program contract/agreement and use that determination as a basis for making an award to another applicant.

10. Yes No I have received a copy of the applicable conservation program contract appendix (Not applicable for ACEP-WRE).

Applicant Signature	Date
----------------------------	-------------

NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers. If you believe you experienced discrimination when obtaining services from USDA, participating in a USDA program, or participating in a program that receives financial assistance from USDA, you may file a complaint with USDA. Information about how to file a discrimination complaint is available from the Office of the Assistant Secretary for Civil Rights.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex (including gender identity and expression), marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, complete, sign and mail a program discrimination complaint form, available at any USDA office location or online at www.ascr.usda.gov, or write to:

USDA
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, S.W.
Washington, D.C. 20250-9410

Or call toll free at (866) 632-9992 (voice) to obtain additional information, the appropriate office or to request documents. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339 or (800) 845-6136 (in Spanish). USDA is an equal opportunity provider, employer and lender.

Persons with disabilities who require alternative means for communication of program information (e.g., Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

PRIVACY ACT STATEMENT

The following statements are made in accordance with the Privacy Act of 1974 (U.S.C. 522a). Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

This information collection is exempted from the Paperwork Reduction Act under 16 U.S.C. 3801 note and 16 U.S.C. 3846.

This form is available electronically.

CCC-505
(06-26-14)

U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation

1. STATE AND COUNTY CODE 2. FARM NO. 3. PROGRAM YEAR

VOLUNTARY PERMANENT BASE ACRE REDUCTION

4. REASON FOR REDUCTION OF BASE ACRES
 CRP Enrollment
 Other _____

NOTE: *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1412, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agriculture Act of 2014 (Pub. L. 113-79). The information will be used to process a request for a permanent reduction of the base acres established for identified crops. The information collected on the form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in an inability to process a request for a permanent reduction of the base acres established for identified crops.*

This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Agriculture Act of 2012 (Pub. L. 113-79), Title 1, Subtitle F – Administration.

The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

PART A - REQUEST

The undersigned requests a permanent reduction of the base acres established for the following crop(s) for the farm identified in Item 2 above.

5. TRACT NO.	6. COMMODITY	7. YIELD	8. BASE ACRES ON TRACT BEFORE REDUCTION	9. BASE ACRES ON TRACT TO BE REDUCED	10. BASE ACRES ON TRACT AFTER REDUCTION (Column 7 MINUS Column 9)
			-	=	
			-	=	
			-	=	
			-	=	

11. Total Base Acres to be Reduced (Total of Column 9)

12. Total Base Acres on Farm Before Reduction 13. Total Base Acres on Farm After Reduction (Item 12 minus Item 11)

14A. Requestor's Signature (By) 14B. Title/Relationship (of the individual signing in the Representative Capacity) 14C. Date (MM-DD-YYYY)

15A. Owner's Signature (By) 15B. Title/Relationship (of the individual signing in the Representative Capacity) 15C. Date (MM-DD-YYYY)

16A. Owner's Signature (By) 16B. Title/Relationship (of the individual signing in the Representative Capacity) 16C. Date (MM-DD-YYYY)

17. REMARKS (If the base acres are being reduced because of cropland enrollment into CRP, enter the CRP-1 number and the effective date of CRP-1).

PART B- APPROVAL (COUNTY OFFICE USE ONLY)

18. REDUCTION IS:
 APPROVED DISAPPROVED

19. COUNTY FSA OFFICE NAME AND ADDRESS (Including Zip Code)

 TELEPHONE NUMBER (Area Code):

20. COC'S SIGNATURE DATE (MM-DD-YYYY)

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

Agricultural Conservation Easement Program (ACEP) -
Wetland Reserve Easements (WRE) and Agricultural Land Easements (ALE)
Landowner Eligibility Matrix

Note: Adjusted gross income (AGI) requirements are not applicable to Fiscal Year (FY) 2014 ACEP enrollments, but are applicable beginning in FY 2015.

SCIMS Business Type Code	Business Type	SCIMS Tax ID Type	Individual or Entity		Entity Members		
			FTE Eligibility Required	AGI Eligibility Required	Members Required 1/	Member's AGI Affect Payment	Member FTE Eligibility must be checked and documented
00	Individual	SSN	Yes	Yes	No	No	No
02	General Partnership	EIN	Yes 2/	Exempt 3/	Yes	Yes	Yes
03	Joint Venture 4/						
04	Corporation	EIN	Yes	Yes	Yes	Yes	No
05	Limited Partnership	EIN	Yes	Yes	Yes	Yes	No
06	Estate	EIN	Yes	Yes	Yes	Yes	No
07	Trust - Revocable	SSN	Yes	Yes	No	No	No
07	Trust - Revocable	EIN	Yes	Yes	Yes	Yes	No
10	Churches, Charities, & Nonprofit Organizations	EIN	Yes	Yes	No	No	No
17	Trust - Irrevocable	EIN	Yes	Yes	Yes	Yes	No
18	Individual Operating as a Small Business	EIN	Yes	Yes	Yes	Yes	No
20	Indian Tribe	EIN	Yes	Exempt	No	No	No
20	Alaska Native Corporations	EIN	Yes	Exempt	No	No	No
22	Limited Liability Company (LLC)	EIN	Yes	Yes	Yes	Yes	No
22	Limited Liability Company (LLC)	SSN 5/	Yes	Yes	No	No	No

Farm Tract Eligibility (FTE) reflects the combined result of Highly Erodible Land (HEL), Converted Wetland (CW), and Planted Converted Wetland (PCW) determinations recorded in Farm Service Agency's (FSA) subsidiary system. Average adjusted gross income (AGI) certification is required to be filed for all business types where AGI eligibility required is "Yes" and for entity members where the member's AGI affect payment is "Yes". AGI certifications for landowners and entity members are completed using the CCC-941, "Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax information". The CCC-941 form must be supplied to FSA and the eligibility value will be available in the Subsidiary System.

1/ For business types where members required is "Yes", Forms CCC-901A or CCC-902 **must** be on file with the FSA.

2/ FTE should be documented at both the joint operation (general partnership) level **and** the member level since a member may be ineligible on another tract impacting eligibility. The joint operation at the entity level (not member level) needs to have an association with the land.

3/AGI is not evaluated at the entity level for this business type, but is checked at the member level.

4/ Joint ventures are not an eligible landowner type for easement programs.

5/ Refer to FSA CM-1 Paragraph 178.6 for additional guidance regarding single member LLC using a SSN as the tax id.