



News Release

**Natural Resources
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Updates to Conservation Easements Strengthens Protection for Farmland, Grasslands and Wetlands

Athens, GA, February 8, 2021 – The U.S. Department of Agriculture (USDA) recently released the [final rule](#) for its [Agricultural Conservation Easement Program](#) (ACEP), which enables agricultural producers and private landowners to protect farmlands, grasslands, and wetlands with conservation easements. The rule updates ACEP as directed by the 2018 Farm Bill and incorporates public comments made on an interim rule.

“Conservation easements are a critical conservation tool helping landowners sustain Georgia’s vital working landscapes and wetland ecosystems,” said Terrance O. Rudolph, Georgia state conservationist for USDA’s Natural Resources Conservation Service (NRCS). “These minor updates to the ACEP final rule are intended to improve processes that will help strengthen the impacts of our investments and continue to elevate protection of ecologically important lands in Georgia through voluntary conservation.”

ACEP is USDA’s premier conservation easement program, offering financial and technical assistance to help protect productive farm and ranch lands from conversion to other uses and to restore and protect the nation’s critical wetlands. It uses innovative conservation systems to support the restoration of wetland ecosystems and to protect working lands, helping to sequester carbon, trap sediment, and filter pollutants for clean water.

ACEP’s Agricultural Land Easements (ALE) component assists state and local governments, non-governmental organizations and American Indian tribes that have farmland or grassland protection programs purchase conservation easements from eligible landowners. This helps protect the long-term viability of the nation’s food supply by preventing conversion of productive working farmland and grassland to non-agricultural uses or non-grassland uses.

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The Wetland Reserve Easements (WRE) component helps landowners restore and protect wetlands in agricultural landscapes that provide benefits, including increased wildlife habitat, improved water quality, reduced impacts from flooding, groundwater recharge, and more outdoor recreation and educational opportunities. NRCS provides technical and financial assistance directly to private and tribal landowners to restore, protect and enhance wetlands through the purchase of these easements.

NRCS received more than 570 comments on the ACEP interim rule, which was published on January 6, 2020. Overall, comments expressed support for the changes made in the interim rule but requested some clarifications and additional changes. View the final rule on the Federal Register. The final rule responds to these comments and adopts the interim rule with minor changes, including:

Updates to ACEP:

- Revised the definitions for beginning farmer or rancher, eligible land, farm or ranch succession plan, future viability, and maintenance to provide additional clarity, especially around succession planning.

Updates to ACEP Agricultural Land Easements:

- Incorporated priority into the ACEP-ALE ranking criteria for lands enrolled in the Transition Incentives Program under the Conservation Reserve Program (CRP-TIP).
- Clarified the non-federal match requirements and added new types of costs that may be used to satisfy the non-federal match requirements.
- Modified one of the regulatory deed requirements to clarify the types of changes to the easement deed or easement area that must be approved in advance by NRCS.
- Updated the regulatory language describing the United States' inspection authority to reflect the existing right of enforcement language used in ACEP-ALE conservation easements, wherein NRCS provides the agricultural land easement holder and the landowner notice and a reasonable opportunity to participate in an inspection of the easement area.
- Revised the regulatory language to specify the minimum and maximum durations for ACEP-ALE agreements based on an eligible entity's certification status under ACEP-ALE.

Updates to ACEP Wetland Reserve Easements:

- Incorporated priority into the ACEP-WRE ranking criteria for lands enrolled in the CRP-TIP that are farmed wetland and adjoining land that has the highest wetland functions and values and is likely to return to production after the land leaves CRP.

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NRCS accepts ACEP applications year-round, but applications are ranked and funded during enrollment periods that are set locally. For more information, visit your state website from nrcs.usda.gov, or contact your local [NRCS field office](#).

[View the final rule on the *Federal Register*](#). For more information on how to sign up for ACEP in your state, visit your state website from nrcs.usda.gov or contact your local [NRCS field office](#).

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