



# Agricultural Conservation Easement Program (ACEP)

## Is ACEP Right for Me?



### Can You Answer “Yes” to the Following?

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

- ✓ I own agricultural land and I am interested in protecting the agricultural values of that 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 active production and restoring and protecting it 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. The Agricultural Land Easements component helps American Indian tribes, state and local governments and nongovernmental organizations protect working agricultural lands and limit non-agricultural uses. The Wetland Reserve Easements component focuses on restoring, protecting and enhancing enrolled wetlands.

#### Agricultural Land Easements (ALEs)

NRCS provides financial assistance to partners for purchasing ALEs 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.

NRCS may contribute up to 50 percent of the fair market value of these easements. In cases where grasslands of special environmental significance will be protected, NRCS may contribute up to 75 percent of the fair market value.

#### Wetland Reserve Easements (WREs)

NRCS provides technical and financial assistance directly to private landowners and American Indian tribes to restore, enhance and protect wetlands through the purchase of WREs. NRCS may enroll eligible land through:

- Permanent Easements. NRCS pays 100 percent of the easement value for the purchase and 75 to 100 percent of the restoration costs.
- Thirty-Year Easements. NRCS pays 50 to 75 percent of the easement value for the purchase and 50 to 75 percent of the restoration costs.
- Term Easements (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.
- Thirty-Year Contracts (**only available to enroll acreage owned by Indian tribes**). Program payment rates are commensurate with 30-year easements.

For WREs, 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.
- Produces 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 and agree to maintain a specific use of their lands.

Examples include:

- Limiting non-agricultural use of land in an ALE.
- Ceasing agricultural activity on a WRE 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.

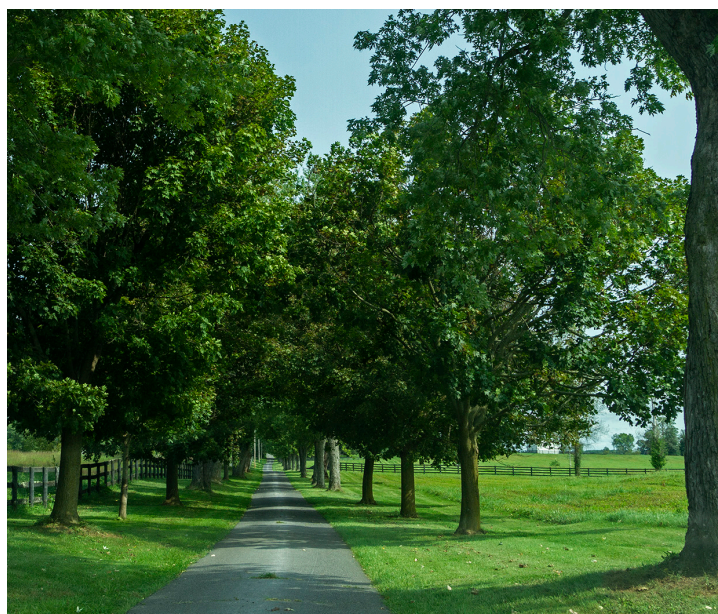
NRCS may provide landowners enrolled in easements with both financial assistance and one-on-one technical support to fit their specific land use goals. Easements are also annually monitored to ensure compliance with allowable land uses.

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. NRCS enters into agreements with eligible partners to enroll land in Agricultural Land Easements.



In FY2023, 10 percent of Virginia ACEP-ALE funds will be set aside under a new fund pool for Historically Underserved (HU) participants. The HU designation includes socially disadvantaged, beginning, limited resource and military veteran farmers and ranchers. Applicants who need to resolve ownership and succession issues on agricultural land can seek financial assistance from the Heirs' Property Relending Program (HRP). More details are available at <https://www.farmers.gov/heirs/relending>.

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. NRCS enters into purchase agreements with eligible private landowners or American Indian tribes to enroll land in Wetland Reserve Easements. NRCS and the landowner work together to develop and implement a wetland reserve plan to restore, enhance and protect the wetland's functions and values.

## 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.

Visit [farmers.gov/service-locator](https://farmers.gov/service-locator) to find the contact information for your local USDA Service Center.

