



United States Department of Agriculture

2014

Farm Bill

USDA-NRCS

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Agricultural Conservation Easement Program – Agricultural Land Easement(ACEP-ALE)

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Farm Bill 2014

- Agricultural Act of 2014, was enacted on February 7, 2014.**
- NRCS offers voluntary conservation programs that benefit both agricultural producers and the environment.**
- Created the Agricultural Conservation Easement Program (ACEP)**



Program

- ❑ Formerly known as the Farm and Ranch Lands Protection Program and Grasslands Reserve Program
- ❑ The Agricultural Land Easement (ALE) component operates like FRPP and GRP and provides financial assistance directly to entities to protect the land through the purchase of easements.



When to apply

- NRCS is currently accepting applications**
 - accepting applications on a continuous basis
- NRCS periodically sets cutoff dates for consideration and ranking of all applications received up to that point**
- Cutoff dates will be announced in February or March 2015 after the publication of the regulations for ACEP**



When to apply cutoff?

- When should NRCS have the cutoff date for consideration
- April 15?
- April 30?
- May 6?
- June 3?
- June 5?





How to apply

Materials needed to submit applications prior to NRCS publishing regulations and setting cutoff dates.

Application should contain:

1. Copy of LAEPP application package with all attachments
2. Form NRCS-CPA-41, the entity application
3. Form NRCS-CPA-41A, the parcel application
4. A written pending offer for each parcel; Must include mention of the source of matching funds
5. Local Sponsor must obtain a DUNS number and register in System for Award Management (SAM.gov)
- 7 6. Managing documents of Local Sponsor (entity).





How to apply (cont.)

Items that will have to be submitted in addition once regulations are published:

- Possible additional forms that are not yet known due to lack of policy and regulations.**





Landowner Eligibility

- Farm Records at USDA must be established certifying the following:**
- Wetland compliance**
- Adjusted Gross Income**
 - Must be less than \$1million



Land Eligibility

- ❑ **Privately owned**
- ❑ **Legal access**
- ❑ **Land that is one of the following:**
 - Has 50% prime, unique or locally important soils
 - Contains historical or archaeological resources
 - Grazing uses and related conservation values
 - Furthering a state or local policy consistent with purposes of ACEP-ALE
- ❑ **Land that is:**
 - Cropland, rangeland, grassland, pastureland, nonindustrial private forestland that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development.



Easements

□ Entities and landowners may enroll land through

- (ALE) Permanent Easements
 - NRCS pays a maximum of 50 percent of the easement value and
 - Entity matches a minimum of 50 percent of the share paid by NRCS
 - Entity may apply for match waiver reducing minimum match to 25 percent of the share paid by NRCS
- (ALE-GSS) Permanent Easements
 - NRCS pays a maximum of 75 percent of the easement value and
 - Entity matches a minimum of 16.67 percent of the share paid by NRCS
- NRCS pays all costs associated with appraisal reviews
- Entity/Landowner pays all costs for survey, title work, appraisal and closing cost





Land Valuation

- ❑ **A before and after USPAP or Yellow Book appraisal is required for ACEP-ALE**
- ❑ **Appraiser must meet criteria set by NRCS standards and specifications**
 - Which will be evaluated by the Technical Reviewer
 - There is no list NRCS maintains of approved appraisers!
- ❑ **Appraiser should have title commitment for before and the final draft easement for the after**
- ❑ **Technical Reviews are required by NRCS prior to acceptance of values**





Compatible Programs

Federal

- None at this time in Ohio

State

- ODA LAEPP
- OPWC Open Space
- Ohio EPA

Local

- County
- Township
- City

Land Trust

- Private Donors
- Acquisition Fund



Questions??



Equal Opportunity

Non-Discrimination Policy

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 apply to all programs and/or employment activities.)

To File an Employment Complaint

If you wish to file an employment complaint, you must contact your agency's EEO Counselor within 45 days of the date of the alleged discriminatory act, event, or in the case of a personnel action. Additional information can be found online at http://www.ascr.usda.gov/complaint_filing_file.html.

To File a Program Complaint

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 to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9419, by fax at (202) 690-7442, or email at program.intake@usda.gov.

Persons with Disabilities

Individuals who are deaf, hard of hearing or have speech disabilities and you 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). Persons with disabilities, who wish to file a program complaint, please see information above on how to contact us by mail or by email. 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).

Supplemental Nutrition Assistance Program

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish, or call the State Information/Hotline Numbers.

All Other Inquiries

For any other information not pertaining to civil rights, please refer to the listing of the USDA Agencies and Offices.

