

Fiscal Year (FY) 2024 Initial Procedures for Administration of New and Prior FY Easement Applications and Enrollments for Agricultural Conservation Easement Program (ACEP) and 2014 Farm Bill Regional Conservation Partnership Program (RCPP)-Covered Easement Program Enrollments (RCPP-ACEP)

Applicability of ACEP Regulations and Policy

All existing ACEP-ALE agreements originally executed under the 2014 Farm Bill, including all parcels associated with such agreements, continue to be subject to the regulations in place at the time that the ACEP-ALE agreement was originally executed and the specific terms of such agreements. The regulatory and policy requirements applicable to ACEP-WRE and FY 2019 ACEP enrollments that existed before the effective date of the ACEP interim rule (December 30, 2019) vary based on the status of the enrollment and must be administered as instructed in the applicable regulation, policy, and national guidance.

Allocation and Authority Status

Upon receipt of the 2024 State Initial Advisory Allocation Letter and the associated funds, states have the authority to:

- Use existing allocations to undertake the activities identified in the FY 2024 State Initial Advisory Allocation letter.
- Announce fund availability and FY 2024 application consideration cutoff dates (e.g., batching periods) if not previously announced.
- Process and administer applications and enter into new enrollment agreements in FY 2024 subject to the requirements identified in this national bulletin.
- Conduct all program implementation activities on new and existing enrollments, in accordance with the applicable ACEP policy and regulation.

Repealed easement program funds (i.e., Farm and Ranch Lands Protection Program (FRPP), Grassland Reserve Program (GRP), and Wetland Reserve Program (WRP)) will be allocated, as available, by national headquarters (NHQ) based on individual state requests submitted to the appropriate national program manager and regional conservationist. States that receive repealed easement program funds may obligate and use such funds in FY 2024 in accordance with applicable allocation guidance.

States may only use RCPP funds for activities authorized through RCPP agreements, not for general ACEP activities. ACEP funds (allocated as ACEP and ACP8 funds) may not support 2018 or 2014 Farm Bill RCPP agreements or easements.

NHQ will issue separate guidance specific to 2018 Farm Bill RCPP easements, including RCPP U.S.-held easements and RCPP entity-held easements. The RCPP-related guidance in this bulletin applies only to 2014 Farm Bill RCPP enrollments under ACEP.

NHQ will provide separate guidance specific to Inflation Reduction Act (IRA) enrollments.

Mass Release of Survey Funds

Following 300 NI 310, “Procedures for Funds Reservations and Obligations for Specific Easement or Water Bank Financial Transaction Types,” NHQ will mass release the funds for all boundary surveys that were obligated in FY 2023 through the enrollment agreement supplement. For all other preliminary obligations that are not boundary surveys, the states and the Easement Acquisitions Branch (EAB) will release the preliminary obligations from these supplements on an as needed basis and use them on final contracting mechanisms (e.g., landowner contracts, cooperative/contribution agreements, government purchase card orders, or Federal contracts).

Establishment and Announcement of FY 2024 Ranking Criteria and Application Deadlines

While ACEP applications are accepted on a continuous basis, states may set application cutoff dates to establish batching periods during which complete and eligible applications received prior to the cutoff date are considered for funding. States may establish one or more application cutoff dates for FY 2024. States must announce the cutoff date on the state ACEP webpage at least 30 days prior to each cutoff date.

In establishing application cutoff dates, states must assess their workload and allow sufficient time to complete all required steps before the end of the fiscal year, including—but not limited to—due diligence, eligibility determinations, ranking, planning, state- and national-level internal controls (IC) reviews, contracting, and actions required by Farm Production and Conservation Business Center (FPAC-BC) administrative support teams. NHQ will provide additional guidance on the FY 2024 timeline of target dates for required activities.

States should make potential program participants aware of ACEP opportunities and any FY 2024 application cutoff dates. States should work with their state public affairs specialists on outreach and announcements. States must conduct outreach to historically underserved landowners regarding program opportunities and application deadlines.

The state conservationist, in consultation with the state technical committee, develops ranking criteria to identify eligible applications that address priority resource concerns and align with programmatic and national priorities. States must finalize their FY 2024 ranking criteria in accordance with 440 NI 310 and applicable program policy (see 440 CPM Part 528, Subpart E for ACEP-ALE and Subpart L for ACEP-WRE). Ranking criteria must be posted to the state ACEP website prior to the application cutoff date. See 440 NI 310, “NRCS Program Ranking through Conservation Assessment Ranking Tool (CART),” for additional guidance.

Processing Applications

ACEP Applications

Applications must be submitted on the appropriate forms, accompanied by all required supporting documentation, and signed by all required applicants. Only properly completed and executed applications submitted by the state-identified application cutoff dates or submission deadlines will be considered for funding in FY 2024. States may accept corrections to otherwise substantively complete, executed, and timely applications, so long as they do so consistently for all applicants.

Easement Business Tool Data Entry and Reporting

ACEP

Once an ACEP application is received, states must enter new application information in the appropriate business tool within 10 business days. All applications, including ineligible, cancelled, and deferred applications, must be entered in the appropriate business tool before the fiscal year-end shutdown of such tool. Existing applications that were entered into the business tool before the publication of this guidance should be assessed and acted upon as necessary; applications that are no longer valid or being considered for enrollment should be cancelled so that they are not rolled over to the next fiscal year. States must rank all eligible applications during the initial batching period in which they are considered for funding. In Conservation Desktop (CD), all eligible applications tentatively selected for funding must be identified in the Select Application Tool (SAT) as “preapproved.”

ACEP-WRE

States must enter ACEP-WRE applications into the National Easement Staging Tool (NEST). Existing unfunded ACEP-WRE applications with a status of approved, deferred, draft, eligible, ineligible, preapproved, or pending were rolled over from FY 2023 and remain available for consideration in FY 2024. For these applications, states must determine the landowner’s continued interest and update the status in NEST accordingly. Updating the application status in NEST to identify cancelled or ineligible applications helps to manage planning, assessment, and ranking workload. The appropriate national landscape initiative must be selected from the drop-down field in the NEST application page, as applicable.

ACEP-ALE

In FY 2024, new or substitute parcels may only be enrolled using ACEP-ALE parcel contracts associated with an active, valid ACEP-ALE program agreement executed in FY 2019 or later. New ACEP-ALE program agreements executed in FY 2024 must use the ACEP-ALE program agreement dated 04/2021 or later (see 300 NI 306). No new ACEP-ALE cooperative or grant agreements may be executed in FY 2024 (see the list below for more information on ALE agreements). Enter and track the ALE agreement and associated parcel information using the business tools associated with each ALE agreement type, as follows:

- **For FY 2020 and later ACEP-ALE program agreements and parcel contracts**—States will

use ProTracts and must enter applications into ProTracts as they are received. Guidance on the use of ProTracts for ACEP-ALE program agreements is provided separately. ACEP-ALE-specific ProTracts training is located at [the Mini Trainings page](#) on the Easement Program Division (EPD) SharePoint. State easement program managers must work with their ProTracts role grantor to ensure appropriate NRCS staff have the necessary roles in ProTracts.

- FY 2019 and older cooperative agreements cannot be extended and all enrollments, including new substitutions must be closed by August 31, 2024. Substitutions that cannot be closed and paid by August 31, 2024, should not be added to these cooperative agreements in FY 2024.
- **For 2014 Farm Bill RCPP ACEP-ALE program agreements and parcel contracts**—States will use NEST and must enter applications into NEST as they are received (see 2014 Farm Bill RCPP-ALE NEST guidance on the [EPD SharePoint](#)).

Assessment and Ranking

States must plan all eligible ACEP applications in CD and assess and rank applications using the Conservation Assessment Ranking Tool (CART). See 440 NI 310 and supplemental CART guidance and training materials.

States with a workload prioritization tool (WPT) approved for use in FY 2024 must use the applicable criteria and CD functionality to prioritize the planning, assessment, and ranking of eligible applications. As a reminder, all eligible ACEP-ALE applications must be ranked prior to preapproval of applications in SAT.

Note: Beginning FY 2024, all assistance requests or application prioritization or screening must use the WPT in CD. States may no longer use prioritization or screening criteria outside the WPT in the CD.

Planning Easement Practices During Assessment

In FY 2024, the “L type” long-term easement practices in the Conservation Practice Data Entry System, CD, and CART will be included in the program cost lists in CD. The cost-share type and rate of the practices will be displayed on the system-generated NRCS-CPA-1155, “Conservation Plan or Schedule of Operations.” States must plan these easement practices in CD and select them in CART during the assessment process.

In CART, acquisition practices are supporting or facilitating practices for the long-term protection of land practices. Acquisition practices with a point shape have a single planned instance on one of the planned land units (PLU) where the easement will be located. The acquisition practices with polygon shape have a practice planned on every PLU which will be merged during the agreement item development to form a single instance of the practice on NRCS-CPA-1155. NHQ added three acquisition practices in FY 2023. States must update their FY 2024 easement practice and costs lists, including the list of the easement practices, practice shape, practice unit, cost type, payment rate, and planned practice categories. Guidance for updating these lists will be provided in a forthcoming national bulletin.

ACEP financial assistance (FA) funds may only be provided for specified practices; a list of these practices is included in the FY 2024 national ranking templates in CART (see 440 NI 310). States should

only include in their ranking pools the conservation practices approved for restoration and all easement acquisition practices. Needed conservation practices or management activities that are not eligible for FA (i.e., noncontract items) must show no dollars associated on the contract or the plan associated with the contract items. For these practices and activities, do **not** select “seeking funding” in CART.

After assessing and ranking applications, states must perform the following activities:

- Identify eligible applications that rank highly enough to be considered for funding as “Preapproved” in SAT.
- Reserve funds for the identified applications
- Digitize all appropriate easement practices in CD.
- Create agreement items in CD.

All applications selected for funding in FY 2024 must have an NRCS-CPA-1155 (for ACEP-WRE) or a ProTracts-generated NRCS-CPA-1266, “Schedule of Acquisition for Easements,” developed through the cost list agreement or payment schedule agreement modules in CD.

Lesson plans and recorded trainings on using CD or CART—and, as applicable, ProTracts—for easement program management activities (e.g., creating and managing cost lists, developing and updating easement case files and practice schedules in CD, and using SAT) may be found at:

- “Training” folder on the EPD SharePoint at [Training - Home \(sharepoint.com\)](#)
- “Easement Lesson Plans and Training” link on the CD site at [NRCS State, Field & Technical Staff - Conservation Desktop \(sharepoint.com\)](#)

Eligibility Determinations ACEP

States must follow all applicable landowner eligibility, land eligibility, and, for ACEP-ALE, entity eligibility requirements in 7 CFR parts. 1400 and 1468, 440 CPM 528, and associated FY 2024-specific directives. Landowner eligibility for FY 2024 applications is subject to change depending on any new or updated legislation.

Landowner Eligibility

All applicants’ eligibility documentation must be current for FY 2024 and all current landowners of record must be determined eligible for FY 2024.

Adjusted Gross Income Determination Requirements and Statuses

Before the execution of enrollment agreements and the obligation or payment of funds, all landowners, including the required members of landowner legal-entities, must submit a CCC-941, “Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information,” and associated paperwork to the Farm Service Agency (FSA) and have an eligible adjusted gross income (AGI) subsidiary status for FY 2024 that is either—

Attachment A: FY 2024 Initial Procedures for Administration of New and Prior FY
Easement Applications and Enrollments for ACEP and 2014 Farm Bill ACEP

- An Internal Revenue Service (IRS)-determined status of:
 - Compliant-producer
 - Compliant less than 3 years
 - Mismatch verified
- An FSA state office or state executive directors determination of:
 - Compliant-review
 - Mismatch verified
 - Exempted, an AGI-exempt business type or an exemption as an Indian tribe

If FSA determines that a person or legal entity (including members of a legal entity) exceeds the AGI limit, the persons or legal entities applying for enrollment may submit to NRCS a written request for a waiver of the AGI limitation. The AGI limitation may be waived on a case-by-case basis if NRCS determines that the land is otherwise eligible for ACEP enrollment and is environmentally sensitive land of special significance, and that approving an AGI waiver would protect the land.

The request, review, and processing of the AGI waiver must be done in accordance with the regulations, policy, and procedures provided in 7 CFR pt. 1400, 440 CPM § 528.35 (for ACEP-ALE), 440 CPM § 528.103 (for ACEP-WRE), and 440 NI 314, “Adjusted Gross Income (AGI) Waiver Process.” The AGI waiver does not waive the requirement to file CCC-941; the waiver is intended for persons or legal entities who exceed the AGI limit or whose payment would be subject to an AGI-related commensurate reduction, as determined by FSA.

For ACEP-ALE only: The AGI statuses of “Filed CCC-941” or “Compliant – FSA Determined” are compliant for executing a parcel contract and obligating funds in FY 2024 because ACEP-ALE is obligated through ProTracts. These statuses are not compliant for making payments.

For parcel contracts executed with landowners, or landowner legal-entity members in a “Compliant – FSA Determined” AGI status, states must follow up with FSA to ensure the CCC-941 has been sent to the IRS for income verification. Before issuing payments, all payment eligibility requirements must be met and applicable commensurate reductions applied. This flexibility does not apply to RCPP-ALE or any program or program component that is not ACEP-ALE.

Farm Operating Plan Determination and Statuses

Each landowner of record must file with FSA a CCC-902, including all required information, and have a status of “Determined” in the FSA business file system prior to the execution, extension, or transfer of an enrollment contract or agreement and prior to the issuance of any payments in FY 2024 as set forth in 440 CPM Part 530 and subject to the applicable program and payment eligibility requirements.

Land Eligibility

States must confirm land eligibility determinations as of FY 2024; land eligibility determinations completed in a prior fiscal year must be updated and documented accordingly. Land eligibility documents

must include site-specific investigations and maps that identify eligible acres by eligible land type, including documentation of land uses and areas of eligible adjacent lands included in the proposed easement area.

ACEP-WRE Preliminary Investigations

The preliminary investigations must be completed before the execution of the enrollment agreement (i.e., agreement for the purchase of a conservation easement (APCE) or agreement to enter control for 30-year land use (AECLU)) and as set forth in 440 CPM § 528.103(E). For new enrollments in FY 2024, preliminary title search or environmental database record search reports completed during FY 2023 or later are valid for use; however, those completed prior to FY 2023 (i.e., dated prior to October 1, 2022) are not valid for use.

If the title search or environmental database record search reports are dated prior to October 1, 2022, then, before execution of an FY 2024 enrollment agreement, a new or updated report must be obtained and reviewed and its findings documented in FY 2024. FY 2023 due diligence activities are also not applicable if the land area or conditions previously assessed have changed.

ACEP-WRE, Reserved Grazing Rights Option

Before any new enrollment agreements are executed under this option, states must have an Exhibit E to the ACEP-WRE warranty easement deed that has been approved by EPD and is appropriate for the wetland ecosystems on the subject property (see 440 CPM § 528.162 and associated national directives). For FY 2024, states may only use an Exhibit E approved by EPD in FY 2020 or later.

States interested in offering this enrollment option that do not have an approved Exhibit E (FY 2020 or later) applicable to the enrollment area must submit their draft Exhibit E for EPD review and approval through the [Program Activity Management Solution \(PAMS\)](#).

The EPD-approved Exhibit E and the documentation of EPD approval must be uploaded to NEST for each FY 2024 ACEP-WRE reservation of grazing rights enrollment.

Consistent with prior fiscal years, states must calculate the easement compensation values for ACEP-WRE reservation of grazing rights enrollments for FY 2024. To calculate this, first determine the easement compensation value that would be applicable to a regular ACEP-WRE enrollment for the same term (easement duration) on the same land, then reduce that value by 25 percent.

Easement Valuation

ACEP

Easement valuation and compensation policy, specifications, and scopes of work to be used for ACEP are provided in the ACEP manual, the Easement Common Provisions manual, exhibits to these manuals, and other national directives.

For ACEP, see 440 CPM Part 527, Subparts E and F, and supplemental valuation guidance issued in FY

2024. For ACEP-ALE, see also 440 CPM § 528.53 and NB 300-23-26, “Change to National Appraisal Review Threshold for Agricultural Conservation Easement Program – Agricultural Land Easements.”

For ACEP-WRE, see also 440 CPM § 528.122 and 300 NI 303, “Instruction and Guidance for national review and approval of Areawide Market Analysis (AWMAs), Geographic Area Rate Cap (GARC), and Uniform Standard for Professional Appraisal Practices (USPAP).

ACEP-WRE

States must receive EPD approval of their FY 2024 easement compensation package, including the geographic area rate caps (GARC) to be used in FY 2024 and, as applicable, the areawide market analysis (AWMA) report, before executing enrollment agreements in FY 2024.

In addition to the applicable policy and national directives, states must follow the guidance provided by EPD in the state’s easement compensation package approval documentation, including stipulations related to the use, applicability, and limitations of AWMAs and the circumstances in which the fair market value must be determined by an individual appraisal.

For projects that use individual appraisals for enrollment, it is critical to ensure both the appraiser and the appraisal technical reviewer are engaged at the same time through the appropriate procurement mechanisms. States may contact an NRCS national appraiser at nrcs.nationalappraisers@usda.gov for guidance on finding qualified appraisers. States that work through the FPAC-BC Acquisitions Division (AD) to procure their appraisals should not rely on FPAC-BC AD to identify qualified local appraisers.

ACEP-ALE Non-Federal Share Requirements

ACEP-ALE program agreements executed FY 2020 and later

For each parcel, the Federal and non-Federal share must be documented on the appropriate NRCS-CPA-230, “Statement to Confirm Matching Funds Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE),” as follows:

- For all general ALE parcel contracts: NRCS-CPA-230E, “Statement to Confirm Matching Funds Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE) For General ACEP-ALE Enrollments 2018 Farm Bill.”
- For all ACEP-ALE-GSS parcel contracts: NRCS-CPA-230F, “Statement to Confirm Matching Funds Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE) For General ACEP-ALE Grassland of Special Environmental Significance (GSS) Enrollments 2018 Farm Bill.”
- For buy-protect-sell transaction parcel contracts only: NRCS-CPA-230G, “Statement to Confirm Matching Funds Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE) For ACEP-ALE Enrollments through a Buy-Protect-Sell Transaction* 2018 Farm Bill.”

For ACEP-ALE program agreements executed in FY 2024, the most current version of the appropriate NRCS-CPA-230 (dated 10/2021 or later) must be provided as part of the sample parcel contract

documents attached as Exhibit 3 to the ALE program agreement.

Note: For payment requests submitted in FY 2024 for parcel contracts associated with an ACEP-ALE program agreement executed in FY 2020 or 2021, any version of the appropriate NRCS-CPA-230 (dated 02/2020 or 10/2021 and later) is acceptable.

ACEP-WRE Agreements and Deed Requirements

The ACEP-WRE purchase agreements that must be used for all FY 2024 ACEP-WRE enrollments are as follows:

- Easements: NRCS-LTP-31, “Agreement for the Purchase of Conservation Easement” (dated 10/2023), has been updated and is posted to eForms.
- 30-year contracts on acreage owned by Indian tribes: The NRCS-LTP-40, “Agreement to Enter Contract for 30-Year Land Use” (dated 12/2016) is posted to eForms and may continue to be used. States must enter the expiration years as identified below.

All APCEs and AECLUs executed in FY 2024 will expire February 15, 2026, with the optional extension date of February 15, 2027.

FY 2024 ACEP-WRE easement enrollments will use the appropriate version of the ACEP-WRE warranty easement deed (dated 10/2017 or later) posted on eForms, selecting either the NRCS-LTP-30, “Warranty Easement Deed in Perpetuity,” NRCS-LTP-32, “Warranty Easement Deed for a Period of 30-years”, or for states with Exhibit Es approved for FY 2024, NRCS-LTP-33, “Warranty Easement Deed with Reservation of Grazing Rights.” For ACEP-WRE 30-year contract with tribes’ enrollments in FY 2024, contact the national ACEP-WRE program manager for an updated version of the applicable 30-year contract based on the specific ownership type.

ACEP-ALE Agreement Requirements

ACEP-ALE program agreement and parcel contracts

ACEP-ALE program agreements and associated parcel contracts will be used for all new enrollments in FY 2024. (See 440 CPM § 527.80, 300 NI 306, and 440 CPM 528).

Execution of parcel contracts associated with ACEP-ALE program agreements

States may enroll eligible parcels through the execution of ACEP-ALE parcel contracts associated with a fully executed ACEP-ALE program agreement. All ACEP-ALE program agreements may have associated parcel contracts for standard ALE transactions. Only ACEP-ALE program agreements executed using the version dated 04/2021 or later may have associated ACEP-ALE parcel contracts for either standard ALE transactions or ALE buy-protect-sell transactions. All ACEP-ALE parcel contracts are subject to the terms of the ACEP-ALE program agreement with which they are associated. Any eligible entity may submit an entity application (NRCS-CPA-41) to enter in a new ACEP-ALE program agreement with the updated terms in the 04/2021 version.

Note: For buy-protect-sell transactions, the eligible entity must also submit an NRCS-CPA-41A-BPS

supplement to the parcel contract application. For buy-protect-sell transaction applications that states determine to be potentially eligible and rank highly enough to be selected for funding, the state conservationist must submit the application package to EAB for a final eligibility determination (see 300 NI 308). If the application is determined eligible and selected for funding, the buy-protect-sell versions of the parcel contract forms must be used and EAB will administer the enrollment and acquisition of the easement in coordination with the state. (See 300 NI 308 for buy-protect-sell policy and forms, and the applicable policy provisions in 440 CPM Parts 528 and 527).

New ACEP-ALE program agreements (Executed in FY 2024)

Eligible entities may submit and NRCS may process an NRCS-CPA-41, “Entity Application for an Agricultural Land Easement Agreement” at any time. All ACEP-ALE program agreements executed in FY 2024, must use the most current version of the ACEP-ALE program agreement available (dated 04/2021 or later).

All ACEP-ALE program agreements and associated parcel contracts must be entered into and managed through ProTracts, and required documents must be uploaded to the document management system (DMS). Guidance on processing and managing of ACEP-ALE program agreements and associated parcel contracts in ProTracts is available on the EPD SharePoint in the [ACEP-ALE Program Agreement Training](#) folder. NHQ will issue further national guidance specific to the use of ProTracts and DMS for ACEP-ALE program agreements and parcel contracts as needed.

States may submit questions about ACEP-ALE program agreements and parcel contracts to NRCS.ProgramAgreements@usda.gov.

ACEP-ALE Deed Terms and Requirements

ACEP-ALE Deed Terms and Requirements for Parcels Enrolled in FY 2024

ACEP-ALE regulatory deed requirements are found in the ACEP regulation (7 CFR § 1468.25) and the ACEP policy manual (440 CPM § 528.60).

For parcel contracts subject to the noncertified eligible entity provisions, either the most current version of the “Minimum Deed Terms for the Protection of Agricultural Use” (ALE minimum deed terms addendum dated 02/2020 or later) or an EPD-approved entity-specific deed template must be attached to the parcel contract at the time it is originally executed.

Eligible entities that request an entity-specific deed template must have it reviewed first by the state and then reviewed and approved by EPD in accordance with 440 CPM § 528.61 before using it. States must submit the draft deed template to EPD using the Deed Review Tool (DRT) (see [DRT User Guide](#)). EPD review will ensure that the deed template appropriately addresses the applicable ACEP regulatory deed requirements and minimum deed terms in place at the time of the review.

Note: 2018 Farm Bill RCPP entity-held easements use the RCPP entity-held easement minimum deed terms and do not use the ACEP-ALE minimum deed terms (see 440 CPM Part 531).

ACEP-ALE Deed Terms and Requirements for FY 2019 ALE-Agreements

FY 2019 was a Farm Bill transition year, and as a result, ALE-agreements originally executed in FY 2019 may have no-cost amendments or modifications executed to use certain provisions of the ACEP rule and policy in effect as of the date the amendment or modification is executed and as described below.

FY 2019 ACEP-ALE Cooperative Agreements

Eligible entities with ACEP-ALE cooperative agreements originally executed in FY 2019 that were extended for a second time before August 31, 2023, and have remaining, unclosed parcels have the option on an individual parcel basis to:

- Continue to use the version of the minimum deed terms addendum (dated 02/2019) originally attached to the agreement,
- Amend the agreement with the most current version of the minimum deed terms available (ALE minimum deed terms addendum dated 02/2020 or later), or
- Use an NRCS NHQ-approved entity-specific deed template (approved FY 2020 or later).

Before closing an agricultural land easement using option 2 or 3 above, the no-cost amendment to the FY 2019 ACEP-ALE cooperative agreement must first be completed. This no-cost amendment will attach the ALE minimum deed terms addendum (dated 02/2020 or later) or NRCS NHQ-approved entity-specific deed template (approved FY 2020 or later) to the ACEP-ALE cooperative agreement. Such deed terms addendum or deed template may only be used for parcels that are unclosed as of the date an ACEP-ALE cooperative agreement amendment to include such attachments is fully executed by all required parties. FY 2019 and older cooperative agreements cannot be extended and all enrollments, including new substitutions, must be closed by August 31, 2024. Substitutions that cannot be closed and paid by August 31, 2024, should not be added to these cooperative agreements in FY 2024.

State-specific Wetland Restoration Criteria and Guidelines (WRCG) Development

ACEP-WRE

All required elements of the WRCG, whether newly added or updated in FY 2024, must be completed before finalizing assessment and ranking of applications in FY 2024. Ranked applications that need adjustment prior to enrollment based on the technical criteria and guidelines of the WRCG may need to be reranked depending on the nature of the change.

ACEP Preobligation IC Reviews in FY 2024

ACEP

States must complete FY 2024 ACEP IC reviews in compliance with this bulletin, 300 NI 300, and any supplemental IC policy and guidance for preobligation or prepayment reviews published in FY 2024.

[PAMS](#) will be used for all IC review documentation and communication in FY 2024. Direct all IC-related

questions to the IC support box (nrcs.internalcontrols@usda.gov).

Administration of Existing 2014 and 2018 Farm Bill Enrollments and Easements

ACEP

ACEP enrollment agreements (including ACEP-WRE agreements to purchase and ACEP-ALE cooperative and grant agreements) and the easement deeds and deed terms (including ACEP-WRE warranty easement deeds and 30-year contracts, and ACEP-ALE regulatory deed requirements and associated minimum deed terms) are Farm Bill-specific. Therefore, enrollments under the 2014 Farm Bill must use the versions of the enrollment and easement documents approved for use under the 2014 Farm Bill. Similarly, enrollments under the 2018 Farm Bill must use the versions of the enrollments and easement documents approved for use under the 2018 Farm Bill. Minimum deed terms and template deeds approved for use under the 2014 Farm Bill are not approved for use on parcels identified on ALE-agreements entered into under the 2018 Farm Bill.

RCPP Agreements Entered into Under the 2014 Farm Bill

For RCPP partnership agreements entered into under the 2014 Farm Bill (including extensions but not renewals of such agreements), administration of the associated easement enrollment agreements (including ALE- agreements, and ACEP-WRE or purchase agreements) will follow applicable covered program policy (ACEP-ALE, ACEP-WRE) in place during the fiscal year the easement enrollment agreement is executed.

For FY 2024, all ACEP applications received under existing 2014 Farm Bill RCPP agreements must be entered into NEST through the new program activity tracking inbox. Users must first select a NEST project number for the RCPP agreement when initially creating a new application record under that agreement. States should reference the document “1-30-19 - RCPP PROJECT LIST,” available in the NEST help tracking inbox, to cross-reference the RCPP project ID and name with the associated NEST project number. Contact the NEST support box for help with finding the RCPP project number.

Note: NHQ will publish separate guidance for administering 2018 Farm Bill RCPP U.S.-held easement enrollments in FY 2024. States may find guidance for the administration of 2018 Farm Bill RCPP entity-held easements in 440 CPM § 527.80, 440 CPM Part 531, and supplemental guidance.