

National Bulletin: 300-24-4

Date: 10/16/2023

LTP– Fiscal Year 2024 Initial Implementation and
New Enrollment Guidance for the Agricultural
Subject: Conservation Easement Program and 2014 Farm
Bill Regional Conservation Partnership Program-
Covered Easement Programs

Purpose: This national bulletin provides states with initial guidance for administering new and prior year easement applications and enrollments in Agricultural Conservation Easement Program (ACEP) in fiscal year (FY) 2024, and as applicable to 2014 Farm Bill Regional Conservation Partnership Program (RCPP)-covered program applications and enrollments under ACEP in FY 2024.

Expiration Date: September 30, 2024.

Background: This guidance supplements the ACEP regulation (7 CFR Part 1468), policy manuals (440 CPM Parts 527 and 528), and other national directives that set forth requirements that must be followed in the implementation of ACEP. The guidance provided in this bulletin is applicable to ACEP as a whole unless specified that the provision only applies to the agricultural land easement component (ACEP-ALE) or wetland reserve easement component (ACEP-WRE).

In addition to providing funds to address greenhouse mitigation goals, the Inflation Reduction Act (IRA) of 2022 extended the use of mandatory ACEP funds under the Commodity Credit Corporation through FY 2031 for general program enrollment purposes and these funds are subject to all current statutory, regulatory, and policy requirements. Additionally, NRCS has continued authority to continue to implement and administer existing contracts, agreements, and easements under the Farm and Ranch Lands Protection Program, Grassland Reserve Program, and Wetlands Reserve Program.

When a new Farm Bill is enacted or the current Farm Bill is extended, this guidance will be updated to incorporate any needed program changes.

Explanation: This national bulletin and its attachments provide FY 2024 guidance for:

- Application review, ranking, preapproval, and selection for funding.
- Enrollment agreement submission, review, execution, and obligation.
- Administration of prior year enrollments.

The guidance must be followed in conjunction with applicable statute, regulation, policy, and other national directives, including but not limited to that provided in—

- National Instruction (NI) Title 300 Part 300, “Instruction and Guidance for State Implementation of Easement Internal Controls Prior to Obligation, Payment, and Closing”

- 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)”
- 440 CPM 527, Subpart I, “Program Agreements and Parcel Contracts for Entity-Held Easements”
- 300 NI 308, “Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE) Buy-Protect-Sell Transactions”
- 300 NI 310, “Procedures for Funds Reservations and Obligations for Specific Easement or Water Bank Financial Transaction Types”
- 300 NI 311, “Guidance for the Workload Prioritization Tool”
- 440 NI 310, “NRCS Program Ranking through Conservation Assessment Ranking Tool (CART)”
- Related national directives and supplemental guidance specific to the implementation of ACEP in FY 2024

The Easement Programs Division will provide training as needed through net conferences and webinars. Based on questions received, regularly scheduled net conferences may be supplemented with topic-specific net conferences to address specific questions.

Contact: After reading the ACEP regulation, policy, and FY 2024 ACEP guidance, NRCS staff may submit general questions regarding the regulation, policy, or guidance to the Easement Policy Branch by email at EasementSupport@usda.gov.

Specific questions about individual projects, allocations, or specific FY 2024 implementation issues should be directed to Danielle Balduff, Implementation and Stewardship Branch Chief, by email at danielle.balduff@usda.gov.

For questions regarding the National Easement Staging Tool, contact Nestsupport@usda.gov.

For questions regarding easement internal controls, contact nrcs.internalcontrols@usda.gov.

For questions concerning easement valuation, contact nrcs.nationalappraisers@usda.gov.

Attachments: Attachment A: FY 2024 Procedures for Administration of New and Prior Fiscal Year Easement Applications and Enrollments for ACEP and 2014 Farm Bill RCPP covered program enrollments (RCPP-ACEP)

Attachment B: FY 2024 Work Breakdown Structure (WBS) Elements for Easement Programs