

Part 527 – Easement Common Provisions

Subpart P – Monitoring

527.170 General

A. Purpose.—This part provides policy for monitoring of easements and 30-year contracts which have been enrolled or acquired through the NRCS easement programs and under other USDA program authorities. This subpart describes monitoring, and identifies the enrollment types and the monitoring that must be conducted based on those enrollment types. This subpart also describes the monitoring roles and responsibilities for accountability monitoring activities, along with the monitoring methods, schedules, reporting, and other requirements.

B. Background

- (1) Since NRCS began administering easement programs, monitoring of easements has been required. In general, monitoring is conducted to ensure that the integrity of the easement is being maintained, that the goals and objectives for which the easement was purchased are being met, to identify actions needed, and to maintain a relationship with the landowner, and where applicable, other easement holders.
- (2) The objective of conducting monitoring as described in this subpart on land enrolled under NRCS easement programs and other USDA authorities is to provide the instruction and policy for completing accountability monitoring. Accountability monitoring is to ensure the terms and conditions of the easement deeds are being met and program objectives are being achieved in accordance with statutory and regulatory authorities and requirements. Additionally, the annual completion and reporting of the outcomes of accountability monitoring allows the easement condition status to be determined in the Easement Business Tool and reported as appropriate in the agency's annual financial accountability reporting. Policy regarding easement condition status is addressed in Title 440, Conservation Programs Manual, Part 527, Subpart Q, "Condition" (440-CPM-527-Q). Ecological monitoring is a system of regular long observations in space and time, informing the agency about environmental conditions with the purpose to estimate the past, the present, and future forecast of environmental parameters important to the easement program purposes. Accountability monitoring, hereinafter called "monitoring" in this subpart, is separate from ecological monitoring that may also occur on NRCS easements and 30-year contracts and is covered in other NRCS guidance (Title 190, National Biology Manual; Title 190, National Forestry Manual; or Title 430, National Soil Survey Handbook).
- (3) In general, our most successful easements and 30-year contracts occur when NRCS has an active and engaged relationship with the landowner. There is no substitute for frequent and direct interaction with the landowner to ensure the easement or 30-year contract is functioning at its full potential, it also allows NRCS the opportunity to answer questions as they arise, address issues in a timely manner, and reinforce the provisions of the easement or 30-year contract. Communication with the landowner, or eligible entity, is also a key to minimizing violations, and States are encouraged to continue to prioritize this aspect of the monitoring protocol. In addition, monitoring easements and 30-year contracts at regular intervals provides NRCS the opportunity to ensure that every acre enrolled achieves maximum conservation value.

527.171 Terms, Applicability, Roles and Responsibilities

A. Terms.—Stewardship land is land and land rights owned by the Federal government but not acquired for or in connection with items of general property, plant, and equipment (PP&E). Under this definition, for NRCS, stewardship lands technically include easements that the agency (as NRCS, the Soil Conservation Service (SCS), or the Commodity Credit Corporation (CCC)), acquired on behalf of the United States, and is identified in the easement deed as a grantee or holder of the easement, or has other real property interests identified in the easement deed. (see fig. 527-P1). Nonstewardship lands include easements held by eligible entities, where the United States is not identified as a grantee in the easement deed but does have a third-party or contingent right of enforcement. Nonstewardship lands also include lands enrolled under 30-year contracts. (see fig. 527-P2)

Figure 527-P1: NRCS Stewardship Lands

Program	Enrollment Type
Agricultural Conservation Easement Program – Wetland Reserve Easement (ACEP-WRE)	All easements (including RCPP)
Emergency Wetlands Reserve Program (EWRP)	All easements
Emergency Watershed Protection Program – Floodplain Easements (EWPP-FPE)	All easements
Farm and Ranch Lands Protection Program (FRPP)	All easements enrolled in fiscal years 2006-2008 and any easements with United States as grantee
Grassland Reserve Program (GRP)	All easements held by the United States
Healthy Forests Reserve Program (HFRP)	All easements (including RCPP)
Other Stewardship Lands (OSL)	All easements – Any easements or real property interests held by the United States (by and through NRCS, SCS, CCC, etc.) acquired outside of easement program authorities listed above and under the management or authority of NRCS. May includes but is not limited to wetland conservation compliance easements, wetland mitigation easements, Public Law 566 easements, and flowage easements, as identified in the individual deed.
Wetlands Reserve Program (WRP)	All easements

Figure 527-P2: NRCS Nonstewardship Lands

Program	Enrollment Type
Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE)	All easements (including RCPP)
Agricultural Conservation Easement Program – Wetland Reserve Easement (ACEP-WRE)	30-year contracts ** (including RCPP)
Farm and Ranch Lands Protection Program (FRPP)*	All easements held by eligible entities where the United States is not a grantee (except those enrolled in 2006-2008, which are considered stewardship lands)
Grassland Reserve Program (GRP)	All easements held by the eligible entities
Healthy Forests Reserve Program (HFRP)	30-year contracts** (including RCPP)

Wetlands Reserve Program (WRP)	30-year contracts **
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*Note – FRPP also includes the predecessor program Farmland Protection Program (FPP)

**Note – Nonstewardship lands to be monitored in accordance with the stewardship land requirements as identified below.

B. Applicability.—In general, the monitoring requirements, methods, and schedules outlined in this policy are to be applied based on the enrollment type and whether the land is stewardship land or nonstewardship land as identified in the figures above. The only exception is that the monitoring of 30-year contracts must follow the monitoring schedule and policy as if it was stewardship land due to the NRCS responsibilities under the terms of the 30-year contract, the length of the contract, and the significance to NRCS in ensuring that maximum conservation value is achieved.

C. Monitoring Roles and Responsibilities

- (1) Easement Programs Division (EPD).—Provides monitoring policy, guidance, oversight, coordination, support, and training to States, acquires and makes available nationwide stewardship land imagery (SLI), conducts quality assurance reviews, and ensures the availability of the Easement Business tools for reporting and tracking monitoring data.
- (2) Regional Conservationists.—Responsible for reviewing cooperative or grant agreements that exceed the State conservationist’s approval authority or the prescribed dollar amount and providing delegations of authority for approved agreements. Responsible for providing oversight to ensure adequate staff levels with State or provide cross-State coordination to monitor easements annually. They review periodic summary reports from States on various program implementation matters, including, but not limited to easement monitoring.
- (3) State Conservationists.—Responsible to assign, train, and manage appropriately qualified staff resources to conduct monitoring pursuant to this and other applicable easement monitoring policies. State conservationists are responsible to ensure agreements or contracts contain all required provisions to ensure monitoring meets applicable policy, that non-NRCS personnel have appropriate training and access to needed materials to conduct such monitoring, and that all provided deliverables are compliant. State conservationists ensure the State quality assurance plan includes an easement monitoring component, which also includes provisions for monitoring conducted by non-NRCS personnel through agreements or contracts. They assign and manage NRCS staff resources to conduct the easement component of the State quality assurance plan. State conservationist will follow up with the eligible entity regarding noncompliance actions in accordance with the applicable violations and enforcement policy.
- (4) Eligible Entities.—Holders and grantees of easements acquired through FRPP (including FPP), GRP, ACEP-ALE, or Wetland Mitigation Banking Program (WMBP) are responsible for conducting annual monitoring activities as set forth in their the executed cooperative or grant agreements under the specific program and in the individual easement deeds. Eligible entities must conduct monitoring at their own expense and provide a copy of their annual monitoring report to NRCS.

527.172 Monitoring Requirements and Methods

A. Monitoring Requirements

- (1) Monitoring must be conducted every year after an easement closes or 30-year contract is executed. The findings of the monitoring must be documented and reported once each fiscal year for every closed easement and executed 30-year contract. The method, schedule, and specific monitoring questions to be asked and answered are based upon the enrollment type,

- whether the land being monitored is stewardship or nonstewardship land, and other specific requirements outlined in this subpart.
- (2) The “Annual Monitoring Worksheet” must be completed every fiscal year (see Subpart Y, “Exhibits,” for the “Annual Monitoring Worksheet”). The annual monitoring worksheet identifies the specific questions that must be answered based on the monitoring method being used.
 - (3) In order to determine compliance with terms and conditions, and to determine if program and site-specific objectives are being met, the person conducting the monitoring must first review the relevant documents governing that easement or 30-year contract. This includes but is not limited to the individual easement deed, active easement plans (conservation, management, restoration, etc.), restoration designs or contracts, active or recently expired compatible use authorizations, easement violation remediation plans, applicable monitoring agreements or contracts, cooperative or grant agreements with eligible entities, correspondence, and any other documents that will aid the person conducting the monitoring in answering the required monitoring questions.
 - (4) Annual verification of ownership is a required component of all monitoring methods. Documentation of current landownership is required in each easement case file and on the annual monitoring worksheet. The party responsible for verification of the current landownership is based on whether the land is stewardship or nonstewardship lands.
 - (i) Allowable verification methods include but are not limited to onsite visit, phone call, email, letter, or obtaining a public record (see Subpart Y, “Exhibits,” for a sample annual landowner reminder letter).
 - (ii) Documentation of the verification may include but is not limited to conservation assistance notes of the in-person contact or phone call, or a copy of email, letter, or public record documents.
 - (5) Stewardship Lands.—States may use any methods listed in paragraph (4)(i) for ownership verification. Every 1 in 5 years, States must affirmatively verify current ownership through a search of the public records and retain a copy of the public record document in the official easement case file. For stewardship lands, States may procure services of a third party to conduct a search of the public record through a contract or agreement, or as part of a larger monitoring agreement.
 - (6) Nonstewardship Lands.—States may rely on the entity monitoring reports to document ownership 4 out of 5 years. During NRCS monitoring, States may use any method listed in paragraph (4)(i) for ownership verification.
 - (i) For ACEP-ALE and FRPP, the entity monitoring report may be used for ownership verification annually.
 - (ii) When NRCS must exercise its contingent right of enforcement, the stewardship lands ownership verification methods must be followed until enforcement is resumed by a qualified entity.

B. Monitoring Methods

- (1) Offsite.—Offsite monitoring requires a review of the governing documents (i.e., conservation easement deed, conservation plans, easement plans, or CUAs), an inspection of the most recent stewardship land imagery (SLI) or a surrogate high resolution equivalent (as outlined below) of the property, and verification of the current landownership. The most recent SLI may be from the prior year due to the imagery acquisition cycle. When SLI is unavailable, most recent, best available, high-resolution imagery (e.g. less than 1-meter spatial resolution) must be used as an alternative source. The imagery used for the current monitoring must not have been used on a previous offsite monitoring. The offsite monitoring questions as identified on the “Annual Monitoring Worksheet” must be answered.

When completing offsite monitoring—

- Compare previous year SLIs or other high-resolution imagery for change detection in vegetation, structures, trails, boundary encroachment, etc.
 - Maps or images should be stored electronically in the Easement Business Tool for use during investigations of potential violations.
 - Review of the prior year annual monitoring worksheet.
 - Review of the conservation assistance notes and correspondence since the last monitoring.
 - Obtain information and input from other NRCS employees or partners that have been on the easement or 30-year contract area or in contact with the landowner since the last monitoring.
- (2) Onsite.—Onsite monitoring requires review of the governing documents (i.e., conservation easement deed, conservation plans, easement plans, or CUAs), an inspection of the most recent SLI or a surrogate high resolution equivalent (as outlined below) of the property, contact with the current landowner, and an onsite inspection. The most recent SLI will be from the prior year due to the imagery acquisition cycle. When SLI is unavailable, most recent, best available, high-resolution imagery (e.g. less than 1-meter spatial resolution) must be used as an alternative source. NRCS will notify the landowner prior to the onsite inspection of the enrollment area and provide the landowner an opportunity to participate (see Subpart Y, “Exhibits,” for a sample landowner notification of onsite monitoring). If the landowner cannot be reached or is not available, the onsite monitoring must still be conducted. When onsite monitoring is conducted, all questions on the “Annual Monitoring Worksheet” must be answered as applicable. Onsite monitoring is the only method used during the initial restoration phase of the easement.

Note: For the WMBP, entities and partners must follow the monitoring procedures identified in the “Mitigation Banking Instrument” for each individual wetland mitigation bank.

(i) Prior to onsite monitoring:

- Contact the landowner at least 1 month prior to the scheduled visit. Contact the landowner 1 week prior to confirm visit.
- If unable to contact landowner by phone, send the landowner an email or letter asking him or her to contact your office and schedule the visit.
- Contact the entity to schedule the onsite monitoring visit with the landowner and coordinate the visit with the entity monitoring.
- Complete the ownership verification section of the “Annual Monitoring Worksheet” when the landowner is contacted.

(ii) When completing onsite monitoring—

- Walk the easement perimeter.
- Verify boundary signage.
- Walk the interior of the easement property, focusing on roads, trails, or other easily accessed areas or other areas of concern.
- Verify physical and legal access.
- Inspect any conservation practices, such as water control structures or other restoration infrastructure to determine if management, repairs, or replacement are needed.
- Confirm compliance with any existing CUAs.
- Review easement, restoration, and landowner objectives to determine if other CUAs.
- Determine if potential violations exist.

- Delineate ownership on a map.
- Take photographs and GPS locations of items documented on worksheet.

Note: Photographs, GPS locations, and GPS track should be stored in the Easement Business Tool.

(iii) Employee Safety

- If landowner or landowner representative prohibits NRCS from conducting an onsite visit or threatens an NRCS employee or contractor before, during, or after the onsite visit, the NRCS employee or contractor must take the following actions:
 - Remove themselves from the situation.
 - Report the threat to their supervisor, and, for contractors, to the designated NRCS contact.
 - Thoroughly document the threat on the monitoring form and in the conservation assistance notes.
 - Retain any recorded messages, emails, or written correspondence from the landowner or landowner representative in the official easement case file.
 - Retain any a copy of all pertinent information listed above, as well as any photographs, maps, or other documents in the official easement case file.
 - Follow the steps outlined in Subpart Y, “Exhibits,” for employee safety protocols.
- The prohibition or threat from a landowner or his or her representative does not prevent monitoring from being conducted. The monitoring schedule may need to be adjusted to an offsite monitoring type until the situation is resolved. The adjustment to the schedule must also be documented in the conservation assistance notes and the Easement Business Tool.

(3) Eligible Entity Monitoring

- (i) Eligible entities who have entered into a cooperative or grant agreement with NRCS for the acquisition of conservation easements through ACEP-ALE, FPP, FRPP, or GRP are responsible for conducting the monitoring of the easement to ensure compliance with the terms and conditions of the easement deeds. The specific monitoring requirements are set forth in the cooperative or grant agreements and in the terms of the individual easement deeds. At a minimum, eligible entities must conduct monitoring annually and must submit a monitoring report to NRCS annually (see Subpart Y, “Exhibits,” for a sample annual entity reminder letter).
- (ii) NRCS will review the annual monitoring reports submitted by the eligible entities. Every fiscal year, NRCS will enter the applicable information and answer the required questions in the “Entity Monitoring” section of the Easement Business Tool based on the information provided in the entity’s annual monitoring report. A copy of the entity’s annual monitoring report must be uploaded into the Easement Business Tool. In addition, other notes or observations from the entity report should be recorded in the space provided in the Easement Business Tool. NRCS will document any noncompliance or needed action items and follow up with the eligible entity in accordance with applicable program or violations and enforcement policy.

C. Observations.—An observation entails documenting something reported or seen related to the easement area. NRCS will document the observations in the conservation assistance notes. The observation can be a precursor to a required onsite monitoring, beginning violation documentation, or a note regarding the current condition. If the observation requires further action, NRCS should contact the current landowner to schedule an onsite field inspection or an onsite monitoring of the enrollment area. An observation does not replace the annual monitoring methods.

- D. Based on the outcome and findings of the monitoring event, States must conduct any needed next steps in accordance with the appropriate policy. If next steps include the updating of conservation or management plans, or actions needed to address resource issues identified during the monitoring event, refer to the applicable individual program policy. In the event that a potential or confirmed violation is identified during the monitoring, States must also follow the applicable program policy and 440-CPM-527-S, “Violations and Enforcement”, to notify landowners in a timely manner. After landowners are notified of the potential or confirmed violation, the landowner will work with NRCS to plan steps towards a timely resolution of the identified violation. Policy related to the impact of monitoring on the determining the easement condition status is provided in 440-CPM-527-Q, “Condition.”

527.173 Monitoring Schedules

A. In general, a monitoring must occur at least once every fiscal year for every stewardship easement and 30-year contract. For monitoring conducted by eligible entities, monitoring must occur annually, and a monitoring report submitted to NRCS. The following sections provide the standard monitoring schedules and identify circumstances that may require adjustments to the standard monitoring schedule (see Subpart Y, “Exhibits,” for an example standard monitoring schedule chart).

B. Standard Stewardship Lands Monitoring Schedule

Onsite monitoring can occur every fiscal year; however, the following schedule provides the minimum requirements for monitoring stewardship lands:

- (i) Monitoring is not required in the fiscal year that the easement is closed or 30-year contract is executed as long as the final certificate of use and consent visit has been conducted that fiscal year.
- (ii) Onsite monitoring must be conducted during the fiscal year immediately following easement closing and each fiscal year thereafter until restoration is reported as complete in the Easement Business Tool.
- (iii) Onsite monitoring must also be conducted for three (3) fiscal years following the fiscal year that restoration is reported as complete in the Easement Business Tool. If restoration was not required, the restoration completion date entered into the Easement Business Tool should be the date of easement closing or 30-year contract execution, and onsite monitoring must be performed for three (3) fiscal years following easement closing or 30-year contract execution.
- (iv) In the fourth fiscal year after the completion of restoration or, if no restoration is scheduled, the fiscal year following easement closing, a repeating five (5) year monitoring cycle begins. The five-year cycle consists of four (4) consecutive fiscal years of offsite monitoring followed by a fifth fiscal year of onsite monitoring.

C. Adjustments to the Standard Stewardship Land Monitoring Schedule

- (1) In general, onsite monitoring is the best tool for maintaining relationships with landowner, ensuring compliance with the terms and conditions of the easement or 30-year contract, and achieving best possible conservation outcomes. Therefore, at any time during the five-year cycle described above, the State may elect to conduct an onsite monitoring instead of an offsite monitoring.
- (2) Because onsite monitoring is also a critical tool for managing the risk to the agency and preventing more serious issues, the following circumstances require onsite monitoring to be conducted more frequently than the one-in-five-year cycle, as follows:
 - (i) If there is an ownership change and the new owner was not a part of the original easement or 30-year contract transaction, then onsite monitoring is required for two consecutive

fiscal years following the ownership change, after which the State may resume the five-year cycle.

- (ii) If an easement is actively managed and requires oversight, then onsite monitoring is required for two consecutive fiscal years after new management recommendations are prescribed. If the prescribed management is followed during the two years of onsite monitoring, the State may resume the five-year cycle.
- (iii) If a CUA is issued for an activity that requires oversight (grazing, haying, or food plots, or for a new activity that has not been previously authorized through a CUA), then onsite monitoring is required for two consecutive fiscal years after the CUA is approved. If the landowner is implementing the activities in accordance with the CUA, the State may resume the five-year cycle.
- (iv) If a CUA is issued for an activity that had been previously authorized through another CUA, but the prescription for conducting the activity has changed, then onsite monitoring is required in the fiscal year following the authorization.
- (v) Onsite monitoring is required during the fiscal years when there is an unresolved violation and for the two fiscal years following a cured violation. If there are no issues found during the two years of onsite monitoring following the cured violation, the State may resume the five-year cycle described above.
- (vi) Onsite monitoring is required in the fiscal year of a potentially damaging event (e.g., severe storm, hurricane, dam breach, etc.) to document the change in the baseline condition or to update the easement management plan.
- (vii) A documented observation may have further action by NRCS and require an onsite monitoring.

D. Standard Nonstewardship Lands Monitoring Schedule

For all nonstewardship lands, the eligible entity is required to submit an annual monitoring report to NRCS every fiscal year.

- (i) For all nonstewardship GRP easements, NRCS is required to complete an onsite monitoring every 1 in 5 fiscal years, beginning the fiscal year following easement acquisition, with the eligible entity.
- (ii) For all nonstewardship lands enrolled through ACEP-ALE and FRPP, all annual monitoring will be conducted by the eligible entity. NRCS may accompany the eligible entity at their request during an onsite monitoring. NRCS does not conduct its own monitoring of these easements unless NRCS determines it must exercise the United States right of enforcement or to review highly erodible cropland plans. States must contact the national program manager for additional guidance prior to NRCS conducting independent monitoring on an ACEP-ALE easement.

527.174 Business Tools, Reporting, and Document Management Requirements

A. All stewardship land monitoring must be documented in the Easement Business Tool within the same fiscal year the monitoring was performed to be in compliance with this policy. All nonstewardship land monitoring must be documented in the Easement Business Tool. The monitoring date is considered to be the date monitoring is completed. The monitoring methods are described in section 527.172B.

B. Easement Business Tool

(1) Timelines for Data Entry

- (i) For stewardship land monitoring performed by NRCS or contractor, the monitoring must be documented by NRCS in the Easement Business Tool within 60 days of the m

completion or by September 30 of the fiscal year or the prior to the last date of Easement Business Tool access at the end of the fiscal year.

- (ii) For nonstewardship land monitoring performed by entity, the monitoring must be documented by NRCS in the Easement Business Tool within 60 days of receipt of the report.
- (2) Documentation in Easement Business Tool includes the creation and completion of a monitoring and record, including answering the questions required based on the monitoring method, and the upload of “Annual Monitoring Worksheet” or eligible entity monitoring report.
- (3) Upon entry of the monitoring data into Easement Business Tool, the condition status of the stewardship land easement will be automatically generated according to 440-CPM-527-Q, “Condition,” where applicable.

B. Reporting

- (1) For stewardship lands, the monitoring information entered into the Easement Business Tool and the resultant system-generated easement condition status will be used as the basis for complying with the financial reporting requirements under the Statement of Federal Financial Accounting Standards 29 (SFFAS 29).
- (2) The agency relies solely on the monitoring data entered by States in the Easement Business Tool as the official source of data from which it queries and submits the required annual financial reports. If data is not entered in the Easement Business Tool by the established timeline the monitoring is not completed. Each fiscal year the State conservationist, regional conservationist, and Chief are provided a list of the incomplete monitoring.

C. Document Management

- (1) All entity monitoring reports and annual monitoring worksheets must be uploaded into Easement Business Tools.
- (2) States may keep a hard copy of the “Annual Monitoring Worksheet” and entity monitoring reports in their State office easement files in addition to the electronic copy uploaded to the Easement Business Tool. Hard copies of the monitoring documentation should be stored in fireproof safes during remediation of violations, appeals, and potential litigation.

527.175 Quality Assurance

A. Annual Monitoring Worksheets, eligible entity monitoring reports, and accompanying photos, maps, notes, or other documents, must be reviewed annually by an NRCS employee according to the State quality assurance plan. The information in the monitoring documents should be compared with the data reported in the Easement Business Tool for accuracy. Based on the State quality assurance plan, this review may be conducted on all or a subset of the monitoring documents completed for the fiscal year being reviewed.

B. Monitoring for which NRCS is responsible may be conducted by non-NRCS personnel through agreements, contracts, or, under ACEP-WRE only, through formal delegations. These formal delegations are detailed in 440 CPM_528.100 D. Monitoring completed for NRCS by a third party, through a contract or agreement, the monitoring documents, including the “Annual Monitoring Worksheet,” must be reviewed by an NRCS employee as required in the terms of the contract or agreement and in addition to reviews conducting in accordance with the State quality assurance plan.

C. NRCS employees must ensure potential or confirmed noncompliance activities identified in any annual monitoring worksheets or cooperating entity monitoring reports are acted upon in a timely manner. Timeliness for notifying landowners of noncompliance with deed terms are detailed in 440-CPM-527-S, “Violations and Enforcement.”

D. States must ensure that an NRCS employee completes monitoring at least once in the five-year cycle, with the exception of nonstewardship FRPP and ACEP-ALE easements, which are monitored by the eligible entity. It is recommended that States utilize Easement Business Tool monitoring reports to assist in tracking the completion of a monitoring by an NRCS employee if monitoring is otherwise being done by a third party on NRCS' behalf.

E. As part of the State quality assurance plan, NRCS must review the monitoring schedule to ensure the proper monitoring method is completed.

- (i) If the monitoring schedule is adjusted due to employee safety (sec. 527.1B(iii)) or other valid reason, the adjustment must be documented in the official file.
- (ii) If the monitoring schedule is not followed due to choosing the wrong monitoring method or failure to complete a monitoring method, then a corrective action plan (CAP) is required for the State. Failure to follow the CAP may result in a State losing its authority to acquire new easements until compliance is achieved.

F. Oversight and quality assurance of State monitoring activities will be completed by the EPD through on-site and off-site reviews both standalone and as part of other EPD reviews. Data from the Easement Business Tools will be utilized as part of these activities and may be periodically spot checked.