

## **Part 528 – Agricultural Conservation Easement Program (ACEP)**

### **ACEP Joint Provisions**

#### **Subpart A – ACEP General Information**

- 528.0 Purpose
- 528.1 Background
- 528.2 Public Access to Data

#### **Subpart B – ACEP Responsibilities**

- 528.10 Responsibilities
- 528.11 Other Agency Involvement
- 528.12 Role of the State Technical Committee

#### **Subpart C – ACEP Appeals**

- 528.20 Appeals

### **ACEP-ALE Provisions**

#### **Subpart D – ACEP-ALE General Information and Eligibility Requirements**

- 528.30 Overview of the Agricultural Land Easement (ALE) Component
- 528.31 ACEP-ALE Application Process and Eligibility Overview
- 528.32 Entity Eligibility Requirements and Responsibilities
- 528.33 Land Eligibility
- 528.34 Ineligible Lands
- 528.35 Payment Eligibility Criteria Applied to Landowners as Beneficiary
- 528.36 Participation in Other USDA Programs

#### **Subpart E – ACEP-ALE Application, Ranking, and Selection**

- 528.40 ACEP-ALE Application, Ranking, and Selection Overview
- 528.41 ACEP-ALE Ranking Process
- 528.42 Applications for ACEP-ALE Cost-Share Assistance
- 528.43 ACEP-ALE Cost-Share Assistance and Match Requirements

#### **Subpart F – ACEP-ALE Cooperative Agreements and Grant Agreements**

- 528.50 Overview of ACEP-ALE Agreements

- 528.51 ACEP-ALE Cooperative and Grant Agreements: Fund Obligation and Adjustments
- 528.52 ACEP-ALE Program Agreements and ACEP-ALE Cost-Share Contracts: Fund Obligation and Adjustments
- 528.53 Determining Fair Market Value of the Agricultural Land Easement

### **Subpart G – ACEP-ALE Deed, Title, and Plan Requirements**

- 528.60 Agricultural Land Easements Deed Requirements
- 528.61 Guidelines for Agricultural Land Easement Deed Review
- 528.62 Title Review and Clearance
- 528.63 The Agricultural Land Easement Plan

### **Subpart H – ACEP-ALE Eligible Entity Certification**

- 528.70 Overview of the Entity Certification Process
- 528.71 Certification Prerequisites
- 528.72 Certification Request Package
- 528.73 Reviewing the Certification Request Package
- 528.74 Certification and Administrative Flexibility Provided to Certified Eligible Entities
- 528.75 Quality Assurance Review and Decertification

### **Subpart I – ACEP-ALE Financial Management Procedures**

- 528.80 Overview
- 528.81 Calculating Final Easement Payment Amounts
- 528.82 Easement Closing and Payment Procedures

### **Subpart J – ACEP-ALE Easement Records, Monitoring, Enforcement**

- 528.90 Maintaining Official Case Files and Official Electronic Records in the Easement Business Tools
- 528.91 Agricultural Land Easement Monitoring and Review
- 528.92 Agricultural Land Easement Enforcement
- 528.93 Other Considerations

## **ACEP-WRE Provisions**

### **Subpart K – ACEP-WRE Application Process and Eligibility Requirements**

- 528.100 Overview of the Wetland Reserve Easement (WRE) Component
- 528.101 ACEP-WRE Application Process and Eligibility Overview
- 528.102 Landowner Information

- 528.103 Landowner Eligibility Determination
- 528.104 Ineligible Landowners
- 528.105 Land Eligibility
- 528.106 Ineligible Land
- 528.107 Notification of Ineligibility

### **Subpart L – ACEP-WRE Ranking**

- 528.110 Overview
- 528.111 Establishing ACEP-WRE Ranking Criteria
- 528.112 Ranking Process
- 528.113 Ranking and Selection

### **Subpart M – ACEP-WRE Enrollment and Acquisition**

- 528.120 Overview
- 528.121 Selection for Enrollment
- 528.122 Determining Easement or 30-Year Contract Compensation
- 528.123 Easement Boundary Survey
- 528.124 Finalizing Preliminary Investigations for Easements and 30-Year Contracts
- 528.125 Easement Closing Process
- 528.126 Thirty-Year Contract Execution Process
- 528.127 Records Management

### **Subpart N – ACEP-WRE Restoration**

- 528.130 Overview
- 528.131 General
- 528.132 Restoration Requirements
- 528.133 Restoration Practices
- 528.134 Preliminary and Final Wetland Reserve Plan of Operations (WRPO)
- 528.135 Compliance With Other Requirements
- 528.136 Design and Implementation

### **Subpart O – ACEP-WRE Contract Administration**

- 528.140 Overview
- 528.141 Contracts to Implement the WRPO
- 528.142 Contract Development for WRPO Implementation

- 528.143 Payments
- 528.144 Modifications to the Easement Restoration Agreement
- 528.145 Contract Status Review
- 528.146 Cancellation and Termination of Conservation Program Contracts
- 528.147 Thirty-Year Contract Modification, Cancellation, and Termination Policy
- 528.148 Converting an Existing 30-Year Easement to a Permanent Easement

### **Subpart P – ACEP-WRE Maintenance, Management, Monitoring, and Enforcement**

- 528.150 Overview
- 528.151 Management
- 528.152 Compatible Uses
- 528.153 Prohibited and Noncompatible Uses
- 528.154 Reserved Rights
- 528.155 Operation and Maintenance (O&M)
- 528.156 Monitoring
- 528.157 Violations and Enforcement
- 528.158 Other Considerations

### **Subpart Q – ACEP-WRE Special Enrollment Options**

- 528.160 Overview
- 528.161 Wetland Reserve Enhancement Partnerships (WREP) Enrollment
- 528.162 Reservation of Grazing Rights Option

## **ACEP Long-Term Easement Administration**

### **Subpart R – ACEP Easement Subordination, Modification, Exchange, and Termination**

- 528.170 Overview of Easement Administration Action Authority
- 528.171 Easement Administration Action Procedural Requirements
- 528.172 Infrastructure Project Requests
- 528.173 Title Corrections and Legal Adjustments

### **Subpart S – Reserved**

### **Subpart T – ACEP Definitions and Acronyms**

- 528.190 Definitions

528.191 Acronyms

**Subpart U – ACEP Exhibits**