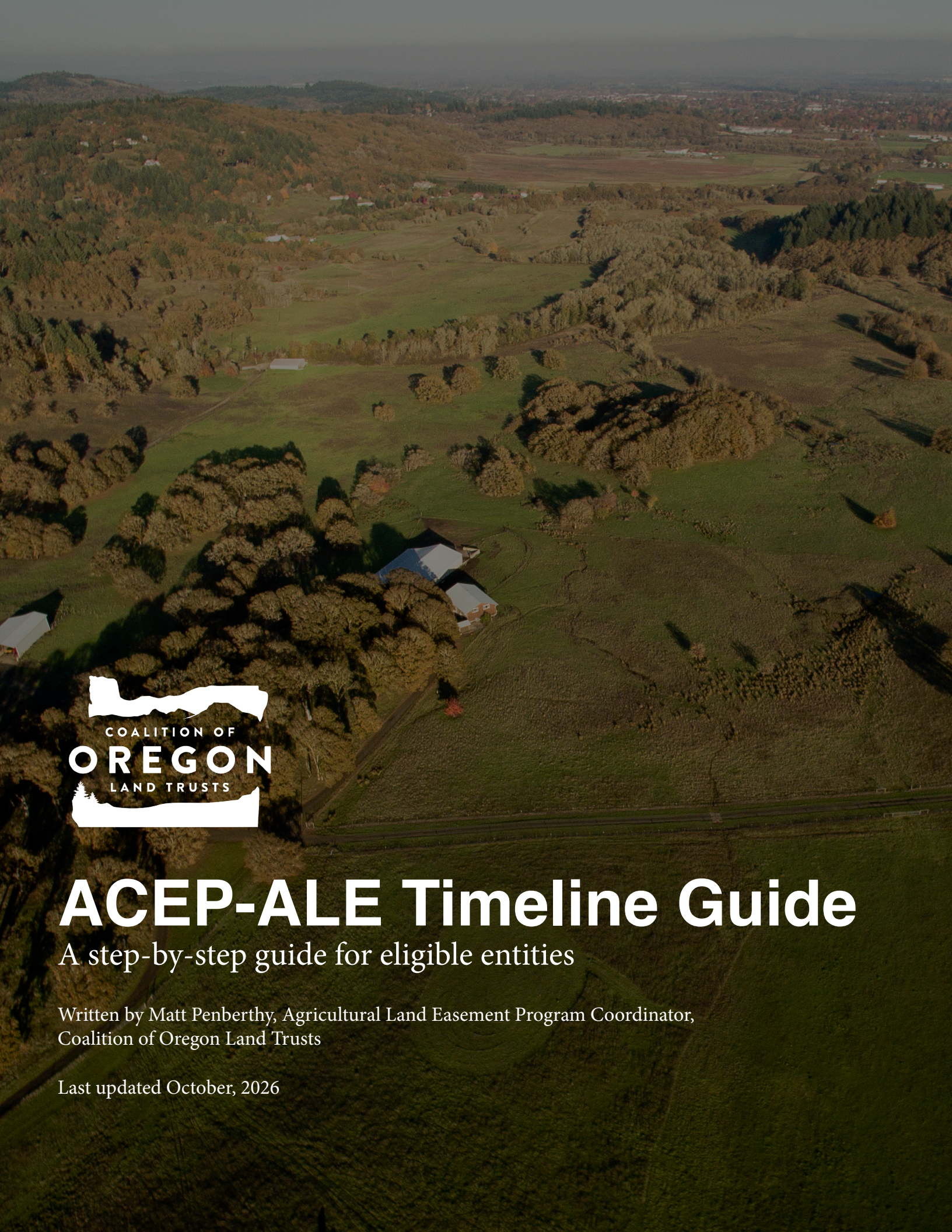


COALITION OF OREGON LAND TRUSTS

ACEP-ALE Timeline Guide

A step-by-step guide for eligible entities

Written by Matt Penberthy, Agricultural Land Easement Program Coordinator,
Coalition of Oregon Land Trusts

Last updated October, 2026

Who is this guide for?

This guide is intended for Oregon entity applicants (Tribes, Land Trusts, SWCDs, etc) of the ACEP-ALE Program. Awarded RCPP Projects with an executed Programmatic Partnership Agreement that have an easement component may also use this Guide as a resource.
If you are a landowner interested in the ACEP-ALE Program, please contact your local NRCS Service Center or NRCS.OR.Easements@usda.gov for assistance with the ACEP-ALE program.



Photo Courtesy of Alder Creek Farms

About This Guide

The USDA's Natural Resources Conservation Service offers cost-share assistance to Eligible Entities (e.g. Tribes, Land Trusts, SWCDS, etc.) for the purchase of agricultural land easements through the Agricultural Conservation Easement Program - Agricultural Land Easements (ACEP-ALE).

Funding is typically available on an annual basis. This guide is intended to provide chronological guidance from pre-application to obligation of ACEP-ALE funding. The ACEP-ALE pre-application to obligation timeline can span roughly 18 months. It may be useful for the Entity to align their outreach and acquisition timeline with the timeline below. Doing so can help streamline the application process.

This guide does not cover the ACEP-ALE timeline from obligation to closing the easement. That timeline varies by project complexity; once obligated, the National average to close on ACEP-ALE funded easements is currently 24 months. The timeline is also not intended to be followed strictly. Each easement and associated landowner(s) may have unique needs and corresponding steps.

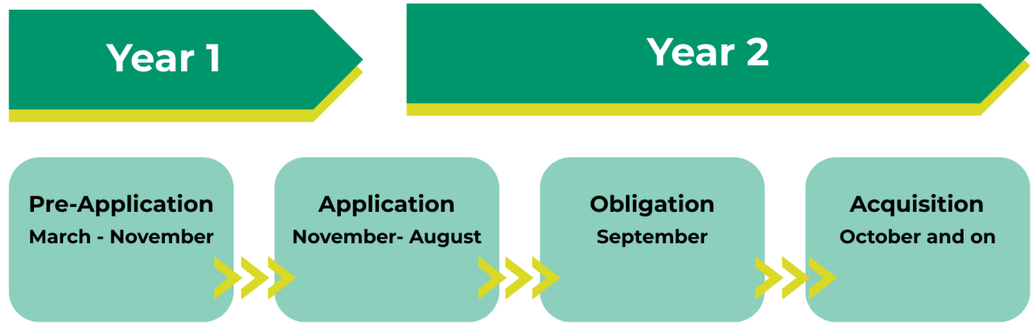
About the Coalition of Oregon Land Trusts (COLT)

The Coalition of Oregon Land Trusts (COLT) is a statewide coalition that works to serve and strengthen the land trust community of Oregon. Our coalition is composed of more than 30 organizations that work with local communities to protect water quality and wildlife habitat, preserve open lands, maintain working farms, and retain social and economic values that make Oregon special.

Collectively, COLT's member land trusts have permanently conserved more than 980,000 acres of land.

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Cover photo: Bald Hill Farm, Nick Wagner
- *Benj Drummond*
Written by Matt Penberthy
Designed by Kelcie Smolin Grega

Application Timeline



Overview of process segments and corresponding activities:

1. **March - November - Pre-Application:**

   Entity works with landowner(s) to understand their goals. Entity works with NRCS to understand entity, land, and landowner eligibility requirements. Entity prepares all application forms and documentation.

2. **November- August - Application**:

   Entity submits application to NRCS State Office. State Office Easement staff reviews application for eligibility, conducts onsite eligibility visit, and ranks eligible applications. State Office Easement Staff begins working with Easement Acquisitions Branch (EAB) to prepare application for National Pre-Obligation Internal Controls Review.

3. **September- Obligation**:

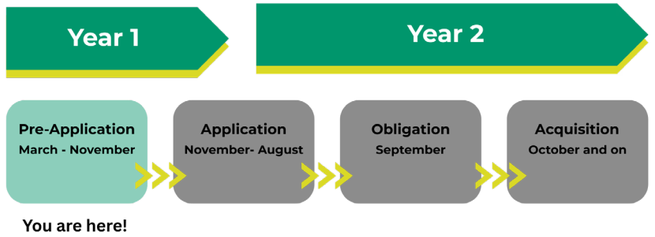
   Once approved by National after the Pre-Obligation Internal Controls Review, EAB will facilitate signatures of the Parcel Contract with Entity and State Office.

4. **October and on - Acquisition:**

   Entity works with landowner, NRCS, and other funders/contractors to finalize due diligence items and easement deed to eventually close the easement.



Roberta Eaglehorse-Ortiz. Photo by K. Smolin



Year 1:

Pre-Application

January - March

- **Entity learns about ACEP-ALE Program: Program Policy - Title 440 Part 528 ACEP-ALE Program Manual, NRCS-OR ACEP-ALE webpage, American Farmland Trust's ACEP-ALE Toolkit for Entities, and Land Trust Alliance's ACEP-ALE Toolkit.**
- **Entity conducts landowner outreach, project solicitation, onsite visits**
- **Entity due diligence: Order title search (ownership & encumbrance report), confirm legal description, other steps the Entity deems necessary.**

April

Initial meeting with NRCS-OR State Office Easement staff. The purpose of this meeting will help identify if the project is eligible, what is needed to be eligible, and how the project may score in ranking. Entities should be prepared to answer questions about: land use and cover, access, title exceptions, landownership, infrastructure and hazardous materials.

Entities should also contact the local NRCS field office (typically the District Conservationist and/or the Basin Team Leader) to inform them of the potential easement.



Wallowa Valley, Photo by Leon Werdinger



Bennett Ranch. Photo courtesy of Blue Mountain Land Trust

May

Entity begins to address various eligibility needs

Every project is unique and therefore, after your initial meeting with NRCS, different eligibility items may be applicable. The notes below describe ideal steps to meet specific eligibility requirements if applicable to your project. If the Entity Eligibility, Landowner Eligibility, and GSS notes below do not apply to the project, prepare an application as needed using the NRCS-OR Parcel Application Packet available on the NRCS-OR ACEP-ALE webpage to develop maps and collect required documentation.

NOTE: The Parcel Application Packet and Ranking Criteria may change each fiscal year. The updated versions of each will be posted to the NRCS-OR ACEP-ALE webpage at least 30 days before the application cutoff. They are typically posted in September.

Entity Eligibility:
If Entity does not yet have a Program Agreement established with NRCS-OR, or if Entity's Program Agreement expires on September 30th of this year, it is ideal to prepare and submit an application for a Program Agreement at this time. NRCS-OR State Office Easement staff can help identify application items needed for a new Program Agreement. External resources include AFT ACEP-ALE Toolkit for Entities (specifically the Entity Eligibility Checklist) and the Alliance ACEP-ALE Toolkit.

Landowner Eligibility:
After collecting information about land ownership at the initial meeting, NRCS-OR State Office Easement staff can review the Farm Service Agency (FSA) records for eligibility information. Based on this review, the Entity may need to work with the landowner to establish or update records with FSA. See the NRCS-OR Parcel Application Packet available on the NRCS-OR ACEP-ALE webpage (typically page 2) for more information about FSA Landowner Eligibility.

Land Eligibility:
Access:
If the parcel(s) is/are entirely landlocked by lands owned by the United States (e.g. USFS, BLM), alternative legal access approval is required. Begin to work with NRCS-OR State Office Easement staff to identify the items needed to receive alternative legal access approval from the State Conservationist. Access is an eligibility item and must be deemed eligible prior to obligation. See Title 440 M Part 528.62B and 527 Subpart U for more information about physical and legal access requirements.

Grasslands of Special Environmental Significance:
Grasslands of Special Environmental Significance (GSS) is an enrollment option that has specific eligibility requirements (Title 440 M Part 528.33B(3)(a)(3). Because GSS eligibility and associated deed terms are more stringent compared to a general application, NRCS can provide up to a 75% cost-share for eligible applications.
At this time, contact the NRCS-OR State Office Easement staff to discuss scheduling an onsite GSS determination prior to application submission.


Photo by Leon Werdinger

June-August

- **Entity Eligibility:** If applicable, NRCS-OR State Office Easement staff will review the application to establish a Program Agreement. If deemed eligible, NRCS-OR will facilitate signatures of the Program Agreement and the Exhibit 1 by the Entity's authorized signatory and by the NRCS-OR State Conservationist. Program Agreements are typically active for 5 fiscal years and cannot be extended. See the sample ACEP-ALE Program Agreement.
- **Landowner Eligibility:** If applicable, Entity continues to work with FSA and landowners as needed. NRCS-OR State Office Easement staff can review and confirm if landowners are eligible at anytime
- **Land Eligibility:** Access: If applicable, Entity continues to work with NRCS-OR State Office Easement staff and landowner regarding alternative legal access.
- **Grasslands of Special Environmental Significance:** If applicable, Entity continues to work with NRCS-OR State Office Easement staff to schedule a site visit.

September-October

- **General Note:** Entity prepares application as needed using the NRCS-OR Parcel Application Packet to develop maps and collect required documentation. The new fiscal year packet may be published at this time.
- Entity meets with NRCS-OR State Office Easement staff as needed.
- Entity attends Fiscal Year ACEP-ALE Application Workshop (if scheduled for October).
- **Landowner Eligibility:** All landowners must file CCC-941, the Adjusted Gross Income verification, with FSA after October 1st. FSA may not be authorized to accept on or right after October 1st some fiscal years for various reasons. Please consult FSA for the most current information.



November-December

Entity submits application to NRCS-OR State Office. Easement Staff begin reviewing application.

Depending on timing of submission and weather, NRCS-OR State Office Easement staff may schedule an onsite eligibility visit, including the Limited Phase-1 Environmental Review ("HazMat") in these months.


Wallowa County, Photo by Leon Werdinger

Year 2

NRCS-OR State Office Easement Staff finish eligibility review, onsite visits, and rank eligible applications. NRCS works with National to obligate eligible applications identified for funding.

January-March

- If NRCS-OR State Office Easement Staff communicate there are eligibility needs, work with NRCS and landowner to resolve.
- NRC-OR State Office Easement Staff rank eligible applications.
- Once eligible applications are identified for funding based on ranking, NRCS-OR State Office Easement staff will submit a Full-Service Request to the Easement Acquisitions Branch (EAB).

April-August

- EAB will conduct a full review of the application. NRCS-OR State Office Easement staff will work with EAB to address eligibility items as needed. If there are comments that NRCS-OR State Office Easement staff cannot address without additional information from the Entity, NRCS-OR State Office Easement staff may reach out at any point for information.
- Once items are addressed, EAB can submit the application to National Headquarters to complete the Pre-Obligation Internal Controls Review. National Instruction (NI) 300-300 describes more about the Internal Controls Review process. Typically, the internal deadline for EAB to submit to National Headquarters falls in mid-August. Once approved by National Headquarters, Parcel Contracts are generated and signed by the entity's authorized signatory and the State Conservationist.

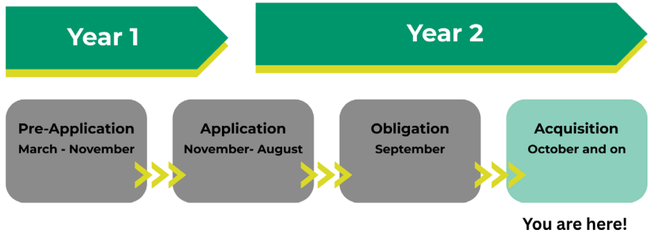


Seely Farm, Photo Courtesy of Nellie McAdams



Application may be obligated any time after Pre-Obligation Internal Controls Review approval.

Late September is the latest deadline for NRCS to obligate funding to applications and execute Parcel Contracts.



October
EAB will assign staff, specifically a Realty Specialist, to work with on easement acquisition. EAB may hold an introductory meeting with Entity to review easement acquisition process, timelines, and closing requirements.

November and on
On-going easement acquisition until closing.

Supplemental Resources

Questions about this guide

Thank you for your interest in the ACEP-ALE Program! COLT may update this guide periodically to align with new federal regulation and policy. If you have questions or comments about this guide, please contact: **Matthew Penberthy,** Agricultural Land Easement Program Coordinator, COLT and NRCS-OR, matt@oregonlandtrusts.org.

If you are an eligible entity and you have questions about the ACEP-ALE or RCPP-Entity Held Easements Program, please direct them to:

- **NRCS.OR.Easements@usda.gov**
- **Matthew Penberthy**, Agricultural Land Easement Program Coordinator, COLT and NRCS-OR, **matthew.penberthy@usda.gov**
- **Eric Moeggenberg**, Easement Programs Manager, NRCS-OR, eric.moeggenberg@usda.gov.

Resources

Several resources are linked throughout the Guide that provide information about ACEP-ALE or NRCS. These links are included below.

COLT's website, also retains a recorded webinar from August 2025 about this Guide specifically.

NRCS Resources:

- **Title 440 M Part 528 ACEP Manual**
- **NRCS-OR ACEP-ALE webpage**
- **NRCS-OR Staff Directory**
- **USDA Service Center Locator**

Partner Resources:

- **American Farmland Trust ACEP-ALE Toolkits**
- **Land Trust Alliance ACEP-ALE Toolkit**



Bald Hill Farm. Photo by Nick Wagner



Wahl Ranch. Photo by Max Beeken

Acronyms and Descriptions

ACEP-ALE – Agricultural Conservation Easement Program-Agricultural Land Easements. An NRCS program that protects working lands by providing funding for the purchase of agricultural land easements.

COLT – Coalition of Oregon Land Trusts. A non-profit dedicated to serving and strengthening the land trust community in Oregon.

EAB – Easement Acquisitions Branch. NRCS National level staff that assist with easement application review and lead easement acquisition.

FSA – Farm Service Agency. A branch of the US Department of Agriculture encompassing various programs including farm loans, commodity operations, conservation and disaster relief, and more.

NRCS – Natural Resources Conservation Service. A branch of the US Department of Agriculture providing technical and financial assistance to landowners and managers to conserve soil, water, air, plants, and animals on private farms, ranches, and forests.

NRCS-OR – Natural Resources Conservation Service in Oregon.

RCPP – Regional Conservation Partnership Program. An NRCS program that is a partner-driven approach to conservation that funds solutions to natural resource challenges on agricultural land.

SWCD – Soil and Water Conservation District. A local, governmental unit formed under state law to address local resource concerns, primarily through voluntary conservation practices on private lands.

USDA – United States Department of Agriculture.