

ACEP – WRE

Answers to general questions.

ACEP – WRE payments

ACEP-WRE for FY2016 will have payment options as identified on the Agreement to Purchase Conservation Easement. The landowners can identify how many payments they would like to receive on the Agreement to Purchase. The program manual indicates the landowner can choose up to 30 installment payments. If this item is left blank on the Agreement to Purchase then NRCS, working through the closing agent, will issue a single payment after the easement is recorded. Please note the installment payments for the second and subsequent payments will be made as soon as possible after October 1 (beginning of new federal fiscal year). That means it is most likely that the initial payment and second installment payment will be made during the same calendar year. If landowner is trying to soften tax burden, it might not happen as they would think. Once the easement payment is made whether it's the first installment payment or full amount, the landowner will get a 1099-S for the entire easement amount, whether they have received the entire funds or the funds will be forthcoming in future installment payments. Landowner will have to work with their accountant to address the tax implications.

Fencing

In order to promote free movement of wildlife, NRCS discourages permanent fence. If livestock will be grazed on land adjacent to a WRE easement, NRCS recommends the use of an electrified fence with a minimum of two wires.

Noxious Weeds

Control of noxious weeds is a Kansas law and the land owner's responsibility. If noxious weeds do occur on a WRE easement, contact the local NRCS office for assistance with herbicide selection and application procedures which will minimize any problems on the easement acres.

Broadleaf Weed Control

While wildlife utilize weed seeds as a food source, too much of a good thing can be a bad thing. Control of broadleaf weeds may be needed to promote the health of the plant community on the easement. On the permanent easements, NRCS is establishing protocols where control can be made either thru land owner agreements (NRCS pays the land owner) or the use of a contract agent. In each case, NRCS works with the individual land owner to choose the best option which addresses the problem. On 30-year easements, the land owner is responsible for control.

Volunteer Tree Control

All volunteer trees must be controlled. On the permanent easements, NRCS is establishing protocols where control can be made either thru land owner agreements (NRCS pays the land owner) or the use of a contract agent. In each case, NRCS works with the individual land owner

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Mineral Extraction

In order to preserve and protect the wetland resource, any current mineral leases must be released on the easement acres. The land owner retains mineral rights. NRCS has a surface easement only. Minerals may still be extracted, but no surface disturbance i.e. drilling, roads, pipelines, etc. would be allowed on the easement acres. With the advancements made in directional and horizontal drilling, mineral extraction is rarely a problem.

Land owner use of easement acres

You as the land owner, retain ownership. The land is not public hunting unless you enroll the land in a program like the Kansas Walk-In Hunting Area program. Vehicle access would be restricted. NRCS has developed compatible uses for haying, trail mowing, food plots, prescribed burning, temporary structures for wildlife viewing and feeding, vegetation management and water level management.