

**NRCS**  
**Agricultural Conservation Easement Program – Agricultural Land Easement**

Entity Name \_\_\_\_\_

Landowner Name \_\_\_\_\_ County \_\_\_\_\_

NEST Number: \_\_\_\_\_ NEST Parcel Number: \_\_\_\_\_

NRCS State Office Contact \_\_\_\_\_

- Application type:  ACEP-ALE  
 ACEP-ALE Grassland of Special Environmental Significance  
 ACEP-ALE RCPP

Agreement Expiration Date: \_\_\_\_\_

Attachment: \_\_\_\_\_ Attachment Expiration Date: \_\_\_\_\_

**MATERIALS IN THE STATE OFFICE ACEP-ALE FOLDER**

**SECTION 1 Cooperating Entity Application and Supporting Documents (needed at time of application)**

- Signed entity application (Form NRCS-CPA-41)
- Entity certification that they have the required funds available for each parcel at the time of application (NRCS may rely on certification in NRCS-CPA-41 at the State Conservationist's discretion)
- Documentation of entity's commitment to long-term conservation of agricultural lands through the use of voluntary conservation easements that protect farm or ranch lands from conversion to nonagricultural uses
- Documentation of the entity's capability and record of acquiring, holding, managing, and enforcing conservation easements; this must include—
  - Citation to the State conservation easement enabling statute that the entity will rely on to acquire the agricultural land easements.
  - If the entity is a State, local, or Tribal government, then this must include a citation to the entity's statutory authority to acquire conservation easements consistent with the purposes of ACEP-ALE.
  - Description of policy for real estate due diligence (e.g. title, appraisal, etc.)
- Documentation of the entity's capacity to monitor and enforce the agricultural land easements
- Standard Form (SF) 424, "Application for Federal Assistance"
- SF-424A, "Budget Information for Non-Construction Programs"
- SF-424B, "Assurances Non-Construction Programs"
- Request for a waiver of the Eligible Entity Cash Contribution Requirement for projects of special significance, if applicable
- Entity are registered with Farm Service Agency (FSA)

For Cooperating Entities:

- DUNS number
- Screen-print from SAM.gov showing active registration

Eligibility Determination: \_\_\_\_\_

**Section 2 Parcel Application and Supporting Documents (needed at time of application)**

- Signed parcel sheet (Form NRCS-CPA-41A) for each parcel in the application
- Copy of the evidence of the landowner's current legal ownership, such as a recorded deed of ownership or a fully executed purchase agreement
- FSA subsidiary print showing that *all landowners* listed on the deed are in compliance with AGI and HELC/WC
- Provide copy of FSA Form CCC-901 Member's Information or CCC-902 Farm Operating Plan for an Entity, if applicable
- Signature authority documents for individuals or entities as needed (power of attorney, articles of incorporation, LLC papers, trust documents, etc.)
- For landowner business entities:  DUNS number  
 Screen-print from SAM.gov showing active registration
- Written pending offer to acquire agricultural land easements for the parcel

- Supporting documentation for Land Eligibility determination (only one of the following required):
  - A map showing each of the following that are applicable to support eligibility determination:
    - The location and acres of the prime, unique, or statewide and locally important soil in each parcel
    - The location and acres of lands where grazing uses and related conservation values would be protected
    - Narrative description and location of the site's significance and documentation of the site's formal listing on the national, Tribal, or State register or eligibility for listing in the national register if the presence of historical or archeological sites if this is the basis for land eligibility
    - Narrative description and location of how the protection of the parcel will further a State or local policy consistent with ACEP, if this is the basis for the parcel's land eligibility
  - Documentation of Grasslands of Special Significance, as applicable
  - Narrative statement or map showing the—
    - parcel's accessibility to agricultural markets
    - parcel's access to existing agricultural infrastructure, on- and off-farm, and other support systems
    - threat of conversion or fragmentation (either from non-agricultural development or cropland conversion of grassland) for each parcel
  - Narrative description of the ownership of subsurface mineral rights and any required water rights for each parcel
  - Landowner disclosure worksheet (to be completed by NRCS)
  - Hazardous materials field inspection worksheet (to be completed by NRCS)
  - Hazardous materials landowner interview (to be completed by NRCS)
  - Ranking worksheet (to be completed by NRCS)

Eligibility Determination: \_\_\_\_\_

**SECTION 3 Maps (needed at time of application)**

- Map showing the location of the parcel. (must include acres amount and Section, Township, and Range description on the Map)
- Evidence and map of legal and physical access to the parcel
- Map or aerial image showing the proposed parcel boundaries and larger property boundaries if different than the parcel boundaries
- A map showing the location of other protected land in relation to parcel, if applicable

**SECTION 4 Environmental Information**

- Environmental evaluation (Form NRCS-CPA-52); include any necessary associated documentation to comply with NEPA requirements, including date partners' technical assistance requested and comments received
- Phase I environmental site assessments (if available or required)
- Environmental Records Search

**SECTION 5 Plan Documents**

- Agricultural land easement plan
- Baseline documentation report

**SECTION 6 Appraisal Documents and Deed Review**

- Appraisal report (dated within 12 months of closing)
- Technical Review of Appraisal
- Deed Review Checklist
- Approved Agricultural Land Easement Deed

**SECTION 7 Title Review and Clearance Documents**

- Preliminary Certification of Inspection and Possession
- Title commitment and supporting documents
- Certificate of Use and Consent
- Subordination Agreement and Limited Lien Waiver
- Final Certificate of Inspection and Possession

**Section 8 Closing Documents**

- Request for Advance from Eligible Entity
- Direct deposit form (If applicable)
- Form 230 C or 230 D (General ALE or ALE-GSS)
- Letter to Eligible Entity Regarding NRCS Closing Agent Requirements for Advance Payments
- Closing Agent Certification
- Closing Protection Letter
- Closing Agent banking or wire transfer info and escrow information
- Evidence of Liability Insurance (cover at least federal funds)
- SF-270
- Supplement to the SF-270 (certified entity or non-certified entity as appropriate)
- NRCS Approval Letter for non-certified Eligible Entities to Process with Easement Acquisition
- STC Acceptance document for Conservation Easement Deed

**SECTION 9 Correspondence and Letters**

- Correspondence
- Letters
- Previous applications (deferred, ineligible, cancelled, etc)

**SECTION 10 Monitoring**

- Annual Monitoring Reports

\*Cooperative Agreement and associated documents are kept in a separate file

**Notes:**

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ASTC-P Signature

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Date