ALE APPLICATION CHECKLIST

This checklist provides a summary of materials necessary to support an ALE easement application.

Use the FY24 ACEP Application and File Name Checklist.

A. The NRCS Easement Application Review Process

(440-528-M, 1st Ed., Amend. 131, Feb 2020) 528.31 ACEP-ALE Application Process and Eligibility Overview

1) The NRCS State Office reviews each application to determine entity eligibility, land eligibility, and landowner eligibility. *Only complete eligible applications received prior to the cutoff date will be reviewed, ranked, and considered for funding.*

2) The NRCS State Office will conduct an onsite land eligibility and ranking determination.

3) NRCS State Office makes parcel selections for funding based on fund availability, eligibility, ranking priority, and waiver determinations, preliminary reviews of title and access sufficiency, and evaluations of onsite or offsite conditions that would preclude or interfere with achieving program purposes.

B. Entity WITHOUT a Program Agreement

1. NRCS CPA-41: "Entity Application for an Agricultural Land Easement (ALE) Agreement"
2. Entity's authority to purchase and hold agricultural conservation easements.
   - Cite the appropriate state statue providing this authority.
3. Document of entity's commitment to conservation of agricultural lands.
   - Using voluntary conservation easements that protect farm or ranch lands from conversion to nonagricultural uses.
4. Document of entity's Authority, capability to acquire, manage and enforce.
   - Document history of acquiring, holding, managing, and enforcing conservation easements.
5. Documentation of the entity's staff capacity
   - Document how easement monitoring and enforcement are addressed.
6. Copies of current entity, operating or trust establishment documents
   a. Examples: Articles of Incorporation on file with the NC Secretary of State, bylaws governing the entity. Ensure each entity is legal, valid, and in "good standing" with the North Carolina Secretary of State.

7. Proof of Entity signature authority.

8. Document SAM.gov showing active, current registration.
    - Registration in SAM (DUNS) must be maintained for the duration of the agreement and through easement closing.
9. Direct deposit form (AD-1199) for entity

C. Entity WITH a Program Agreement

10. Proof of Entity signature authority.

11. Current SAM.gov showing active, current registration.
    - Registration in SAM (DUNS) must be maintained for the duration of the agreement and through easement closing.
12. Direct deposit form (AD-1199) for entity

D. Landowners

VERY IMPORTANT - Eligible entities must work with landowners to assure landowners meet qualifying criteria.

Under ACEP-ALE, the landowners of record for the offered easement are considered the beneficiaries of payment. Therefore, landowners of record must meet the payment eligibility criteria required to participate in USDA programs for the land trust or other eligible entity to submit an ALE application on their behalf. All individual landowners of record must be United States citizens or resident aliens with a valid social security number (exceptions may apply – contact NRCS immediately).

All landowners, as listed on the current property deed(s) or equivalent evidence of ownership must be established in the Farm Service Agency's (FSA) Service Center Information Management System (SCIMS) and have a copy of the current property deed or other evidence of ownership (e.g., will) including a breakdown of ownership shares, if applicable, when a landowner is an entity.

All individual landowners or members of an entity of record as listed on the deed(s) are United States citizens or resident aliens with a valid social security number. (Exceptions may apply – contact NRCS immediately).

13. CCC-902 Farm Operating Plan

    There are FSA Forms: 1) CCC-902I (Individual) or 2) CCC-902E (Entity). A Members Information form (CCC-901) may need to be completed for entities. Persons and legal

entities applying for and participating in NRCS programs must complete a CCC-902, "Farm Operating Plan".

14. CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information

    For each landowner of record for the fiscal year in which the ALE application will be submitted (no exceptions).

15. AD-1026, Highly Erodible Land Conservation and Wetland Conservation

    for each landowner of record, unless all the following are true:

    An AD-1026 is currently on file that accurately reflects the current status of the operation.

    i. The landowner has not acquired any more land (owned or operating)

    ii. There have not been any changes to the land or operation; and

    iii. A new determination has not been requested.

16. Proof of Landowner Signature Authority

17. FSA Subsidiary Print for Entity, All Entity Members, and Individuals

E. Land Eligibility

18. NRCS CPA-41A: "Parcel Application for an Agricultural Land Easement (ALE) Agreement"
    a. Be sure to check "Program Agreement" in Section 2 - Agreement Type.
    b. Only the most current version of the form will be accepted (02/2020)
19. Written pending offer.
    a. The written pending offer may be extended by the eligible entity to the landowner to acquire the conservation easement or may be from the landowner to the eligible entity to sell the conservation easement.
20. Copies of all deeds
    a. If the easement covers parcels with more than one deed, submit each deed separately as an individual file. Deed files can be numbered.
    b. Ownership must be proven; a title commitment could be useful when there

is ambiguity in ownership.

c. Deeds must contain a description of the boundaries (e.g., metes and bounds)

Highlight deed with boundaries of land being offered.

D. Mapping

Maps are an essential component of the application. The NRCS Easement Acquisition Branch (EAB) utilizes the State supplied conservation maps as Exhibits to EAB's contracting documents, Due Diligence Contracts, and submittal of support documentation for Internal Controls. It is important the maps are consistent, clear, and professional to provide quality service.

The map elements listed[1] are things to consider for mapping.

- Assess Route showing the entire route from the public road to the easement boundary.
- Indicate Point of Access from the public road on the map
- Map symbol legend, clearly labeled with easement program boundary.
- Scale of the map
- Information needed to locate the planning area (e.g. geographic coordinates, public land survey coordinates, address, etc.)
- North arrow
- Appropriate map symbols as needed
- Map symbol legend on the map or as an attachment include appropriate interpretations, such as roads, streams, boundary, or recorded access.

All maps that state a value for size (acres) should have that value as close as possible to the value listed on the CPA-41A form (Section C, Item 4)

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[1] These elements are consistent with policy criteria (Section 600.31) located in Title 180 – National Planning Procedures Handbook (180-VI-NPPH, Amend. 8, Nov. 2020).

21. Map – Location

    a. Map depicting location at a scale that is for anyone driving to the can find the site.

    b. Map should show named roads and location of nearest community.

    c. It is optional but preferred to have latitude and longitude of the easement location.

22. Map - Easement Offer and Parcel Boundary

    a. Map must depict:

        i. the easement boundary and size (acres)

        ii. planned and/or existing farmstead or homestead.

iii. Road names or Secondary Road (SR) numbers must be provided.

iv. Ingress/egress to the easement must be shown. This can be shown with a symbol - include symbol in the legend.

v. Any excluded areas within the easement boundary and area (acres).

23. Map-Deed and tax parcel

a. Tax parcel and associated deeds must be identified on the map or using a table.

b. See example – page 6.

24. Map – Impervious Surface

a. Map should include: 1) location of the impervious surfaces, and 2) proportion (%) of the impervious surfaces to the area of the easement.

25. Map – Soils

a. The soils map and associated text of the Farmland Classification report in Web Soil Survey (WSS) is preferred. You can use the shape file of the easement in WSS.

26. Map – Land use

a. Map depicting cropland, rangeland, grassland, pastureland, forestland and proportions (percentages).

27. Map -GIS Shape file of easement boundary

Upload shapefile to Box or email to:
RA.NRCS.NCRAL.EasementMonitoring@usda.gov

28. Narrative Statements

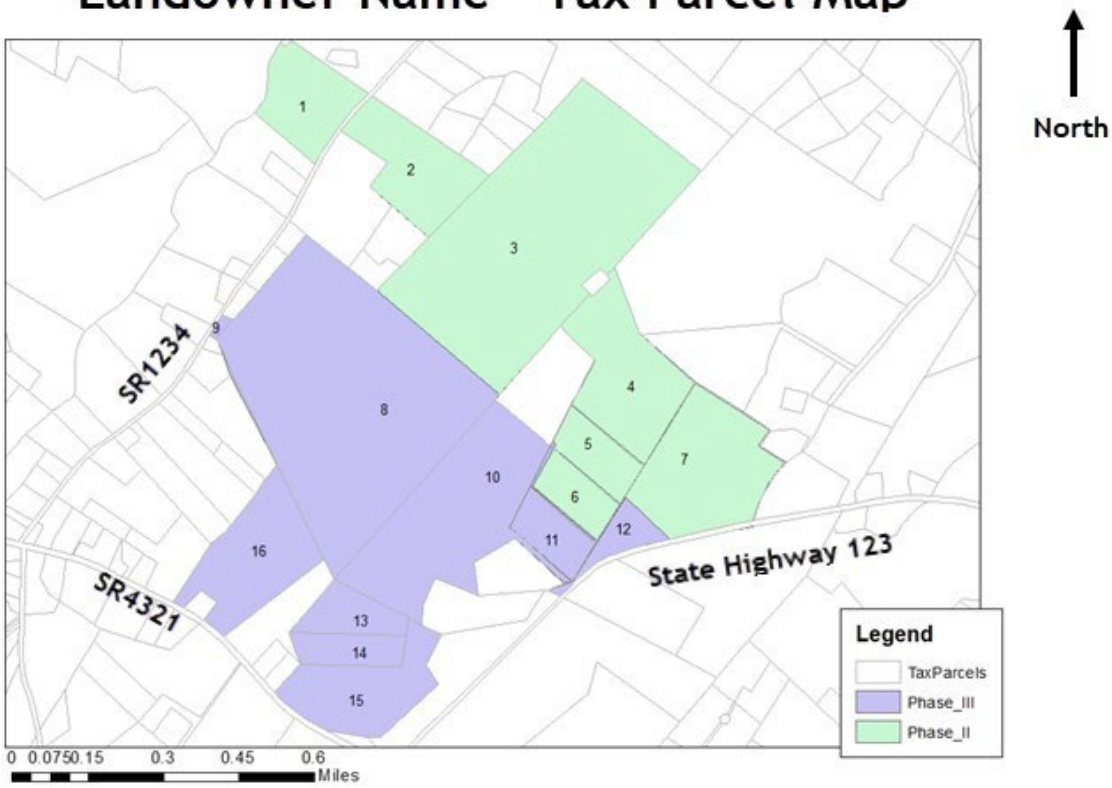
a. A statement that describes the parcel's accessibility to agricultural markets, access to existing agricultural infrastructure and other support systems, and the treat of conversion or fragmentation or development.

b. If the "Land Eligibility Category for Parcel" (Section C-5 on the CPA-41A) is checked for either 1) Contains historical or archaeological resources, 2) Furthers a State or local policy with the purposes of ACEP, then a narrative statement must be provided supporting how the easement meets either of these choices. The State or local policy must be cited if this option was selected.

29. Map – Exclusion and Building Envelopes

a. Map depicting any Building Envelopes or land Exclusions.

Landowner Name - Tax Parcel Map



Map No.	Deed Book and Page	PIN	Acres
Phase II			
1	Bk 12345, Pg 245	3368633100	19.28
2	Bk 12345, Pg 245	6000473830	24
3	Bk 1234, Pg 318	4078015864	245.47 total in parcel, approx. 116 in phase 2
4	Bk 1234, Pg 318	3025300733	31.07
5	Bk 12539, Pg 231	7546191213	9.96
6	Bk 98765, Pg 231	4216550839	10
7	Bk 98765, Pg 231	1956034612	45 total in parcel, approx. 37 in phase 2
Phase III			
8	BK 1234 Pg 318	1994457870	245.47 total in parcel, approx. 129 in phase 3
9	BK 1234, Pg 318	4730120898	69
10	BK 11111, Pg 179	4614345480	50.43
11	Bk 98765, Pg 231	4060180787	9.52
12	Bk 98765, Pg 231	9636745780	45 total in parcel, approx. 5.5 acres in phase 3
13	Bk 98765, Pg 231	8536815602	9.83
14	Bk 98765, Pg 231	3482024759	9.37
15	Bk 98765, Pg 231	11223344550	23.75
16	BK 1234 Pg 318	4592023849	30.54

Example of map and table depicting tax parcels and associated deeds. Simpler easements/maps can include parcel IDs on the map.