

FRPP 2014 Funding Announcement and Application Information

General Program Description

The Farm and Ranchland Protection Program (FRPP) is a voluntary program of the Natural Resources Conservation Service (NRCS) whose purpose is to protect agricultural lands by limiting non-agricultural uses. NRCS partners with approved state, local, and nongovernmental organizations who arrange for the purchase of development rights through conservation easements on private lands. The entity holds and manages these conservation easements in perpetuity.

NRCS does not accept applications directly from individual landowners for this program. Landowners must work through an approved entity to participate in FRPP.

Established in 1996, the 2008 Farm Bill and the Final Rule changed how the program works. Please read all application materials carefully.

Deadline for 2014 proposals is February 21, 2014. Applications submitted after this date will be held for the next funding consideration and ranking, likely in federal fiscal year 2015.

Notice of 2014 Program Funding

Kentucky NRCS will accept applications of entities and parcels through February 21, 2014, for federal fiscal year 2014 funding. The entity must be deemed eligible before any parcels submitted by that entity will be considered. All required parcel data must be included or the parcel will be rejected.

The amount available for this program in Kentucky for 2014 is approximately 1.7 million dollars. Funds will be used to reimburse the entities for up to 50 percent of the current appraised fair market value of the conservation easement on approved parcels. All parcels are ranked individually on their own merit. Funds will be awarded to the highest ranked eligible parcels through a statewide competitive process. Conservation easements on funded parcels must close by March 31, 2016. Entities must bear the cost of appraisals, surveys when needed, title search, legal and closing costs, monitoring and enforcement of the easement, and any other associated costs.

Entity Eligibility Criteria

Any state or local unit of government, or qualified nongovernmental organization can apply for FRPP funds by demonstrating:

- A commitment to long-term conservation of agricultural lands
- A capability to acquire, manage, and enforce easements
- Sufficient staff dedicated to monitoring and easement stewardship
- The availability of matching funds

Eligible entities who have parcels selected to receive FRPP funding will sign an agreement with NRCS. Within 30 days of agreement signing, the entity will be required to submit a draft easement deed for NRCS approval.

Parcel and Landowner Eligibility

The eligibility of the land and the landowner for each parcel must be established at the time the parcel is submitted for potential funding.

Parcel Eligibility:

Eligible land must:

- Be privately owned
- Meet at least one of the three following eligibility requirements:
 - Contain at least 50 percent prime, unique, statewide, or locally important farmland
 - Contain historical or archaeological resources
 - Further a State or local policy consistent with the purposes of the program
- Be subject of a pending offer from the applying entity
- Contain cropland, grassland, pasture land, or forest land that contributes to the economic viability of an agricultural operation
- Not include forest land of greater than two-thirds of the easement
- Possess on-site and off-site conditions which will allow the easement to be effective in achieving the purposes of the program

Landowner Eligibility:

For each parcel, the landowner's legal name and contact information must be provided. A Conservation Program Application ([NRCS-CPA-1200](#)) must be completed by the landowner and included in the entity's application package.

A [CCC-901](#) Members Information form or a [CCC-902E](#), Farm Operating Plan for an entity must be signed by the landowner and on file with the Farm Service Agency (FSA).

The landowner must be compliant with Highly Erodible and Wetland Conservation provisions of the 1985 Farm Bill, as amended. A current Highly Erodible Land Conservation and Wetland Conservation Certification form ([AD-1026](#)) must be on file with FSA.

As of December 19, 2013 no Adjusted Gross Income (AGI) self certifications are currently required for Fiscal Year (FY) 2014. In past years landowners were required to meet the adjusted gross income limitation, earning less than \$1 million in income for each of the past three years, unless more than 66 percent of the total gross income was from farm income. While FRPP applications may currently be evaluated and selected for funding with no regard to AGI, legislation may be enacted that would prohibit NRCS from making any program payments for any parcel if parcel landowners exceed a specific AGI. Additionally, future legislation may not include the flexibility to waive AGI payment eligibility requirements.

Forest management plans are required on all parcels with forest cover on greater than 10 acres or 10 percent of the easement area (whichever is greater). If the parcel requires a forest management plan, a certification by the landowner that such a plan will be completed prior to closing is needed.

Note: The CCC-901/902 and the AD-1026 must be completed and returned to the USDA - Farm Service Agency. NRCS will electronically access the FSA system to ensure the forms have been filed and that eligibility has been met. The NRCS-CPA-1200 must be completed by the landowner and included as part of the entity's application package. The forms may be acquired from any USDA Service Center office or found online on the Kentucky [FRPP webpage](#).

Application Submissions

Entities wishing to apply for FY 2014 Kentucky FRPP funding are to complete and/or provide the information as requested in the Farm and Ranch Lands Protection Program Application 2014. Each entity is to complete the "Primary Entity Information" page only once (unless they have a secondary entity as defined on the attachment). The "Parcel (Farm) Information" sheets are to be completed for each parcel being submitted for funding.

Requests for funding must include a cover letter including the number of dollars being requested and the number of parcels being submitted for consideration. It is to be signed by a person who has

signatory authority for the entity requesting the funds. All applications for 2014 funding must be received by 4:30 PM on Friday, February 21, 2014. Due to the inclusion of personal and private information, no electronic submittals will be accepted.

Applications should be marked "**PRIVATE**" and addressed to:

Deena M. Wheby
Assistant State Conservationist
USDA-NRCS
771 Corporate Drive, Suite 210
Lexington, KY 40503

NRCS Parcel Ranking Process

Kentucky will use a very similar ranking process for 2014 as was used in 2013.

As part of the ranking and eligibility process, NRCS will complete a pre-acquisition database search for hazardous materials on or near the parcel for the highest ranking parcels. In addition, NRCS will conduct an on-site visit to determine the condition of the land. NRCS will also interview the landowner to ensure that all FRPP requirements are understood and that any information collected is accurate and complete.

As a condition for participation, NRCS will develop a conservation plan for all Highly Erodible Land. To ensure compliance with the plan, the easement shall grant to the U.S., through NRCS and its successor or assigns, a right of access to the easement area.

Entities will be notified of parcel funding decisions as soon as possible after the end of the ranking period. All funds will be obligated by April 1, 2014.

Please address any questions to:

Deena Wheby, Assistant State Conservationist - Programs, 859-224-7403, e-mail:
Deena.Wheby@ky.usda.gov .