



Natural Resources Conservation Service  
P.O. Box 2890  
Washington, D.C. 20013

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August 14, 2013

FRPP Entity  
123 Main Street  
North Pole, NY 12345-6789

Dear FRPP Entity,

Under the Food, Conservation, and Energy Act of 2008 (2008 Act), an option was created for entities to become certified under Farm and Ranch Lands Protection Program (FRPP) if they meet specific requirements. I am writing to notify you of the opportunity and process for applying for certification if you feel your entity meets the criteria outlined below. To become certified an entity must: hold, manage and monitor a minimum of five FRPP conservation easements; demonstrate the ability to complete easement acquisition in a timely manner (no more than 18 months); and hold, manage and monitor a minimum of 25 agricultural land conservation easements, among other criteria.

Entities may apply for certification by submitting a letter of request and application materials to the State Conservationist of the State in which the entity is seeking certification. If an entity seeks certification in multiple states, the eligible entity should submit an application to the State Conservationist of the State in which the eligible entity has the greatest number of FRPP easements, additional information may be required. The letter of request and application materials must address the following points and provide the following documentation:

1. The cover letter must request certification and outline the eligible entity's ability to meet FRPP certification requirements. This letter will acknowledge that the entity is willing to adjust its procedures to ensure the purposes of the FRPP are met and are enforceable.
2. A list of 25 agricultural conservation easements acquired, managed and held by the eligible entity. The list must include the name of the original and current fee owner, the date the easement was closed, and the date of the last monitoring event for all 25 easements. This list must include the 5 most recently completed FRPP easements. Easements funded through the FRPP or its predecessor the NRCS Farmland Protection Program (FPP) shall be identified. This information should be provided in list format only, preferably in an excel spreadsheet.
3. For the 5 most recent FRPP easements, the application package must include copies of the applicable cooperative agreements, deeds, appraisals and associated appraisal reviews, most recent monitoring reports, and related payment eligibility documents confirming the transactions meet FRPP requirements. The NRCS State Office will

randomly select 5 of the remaining 20 easements, and request the eligible entity to submit the following additional documentation:

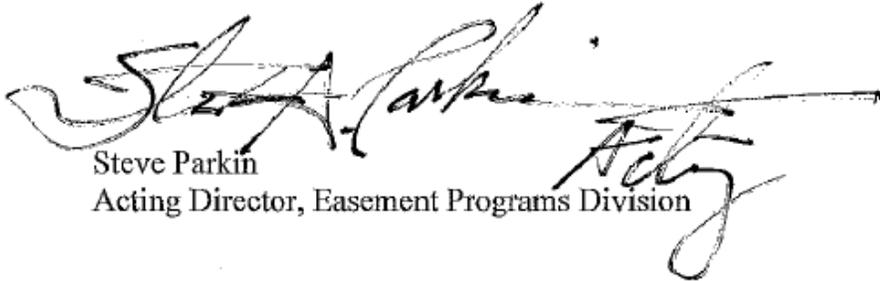
- a. Recorded deed conveying to the eligible entity each of the 5 randomly-selected easements.
  - b. Most recent monitoring report for each of the 5 randomly-selected easements.
4. A copy of the written acquisition, monitoring, and enforcement policies of the eligible entity and a description about how FRPP-funded easements are incorporated into the entity conservation easement management plan. The policy or procedure shall provide for written records of enforcement actions. In addition, the entity shall provide a summary of all enforcement actions taken over the past two years.
  5. If the entity is a non-governmental organization, documentation of the existence of a dedicated fund and the amounts set aside in the dedicated fund for monitoring and enforcement. Documentation should include the relevant portions of the eligible entity's financial statements or bank records. Documentation of a dedicated fund may include the most recent year's audited financial statement and organizational policies that require such a fund. Documentation must be considered objective and reliable. The fund shall have a minimum of \$50,000 for entities that hold 15 or fewer easements, and a minimum of an additional \$3,000 for each easement the entity holds over 15.
  6. Evidence of timely FRPP closings. Closing efficiency is the average number of months between the signing of the agreement or agreement amendment (attachment) for funding for a given fiscal year and the closing of the funded parcels. Closing efficiency will be determined based on closing data in the FRPP database.
  7. You may include a notarized certification by an authorized official that the eligible entity is currently a business in good standing and that such eligible entity is not subject to any pending suspension or debarment action by any accreditation, certification, or funding agency or organization.
  8. You may include documentation of any professional accreditation or certification from an organization that the eligible entity has received that relates to the eligible entity's ability to meet FRPP certification requirements. Accreditation is not required, but may be considered during review of the application for certification.

The NRCS State office will review the application package for completeness and then forward to the Easement Programs Division (EPD) in the NRCS National Office for review and approval. EPD will notify entities of the certification determination.

As part of certification, an entity must agree to adjust its procedures to ensure the purposes of the FRPP are met and are enforceable. This will include agreeing to acquire FRPP funded conservation easement using standard cooperative agreement and deed terms and demonstrate an ability to adhere to FRPP policies and procedures. As a result of certification under FRPP, entities can enter into longer-term cooperative agreements and conduct FRPP closings without

submission of individual appraisals, deeds, or title documents for NRCS review. If you have any questions, please contact the NRCS State FRPP program manager.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Parkin". The signature is written in black ink and is positioned above the printed name and title.

Steve Parkin  
Acting Director, Easement Programs Division

cc: State Conservationist