

Farm and Ranch Lands Protection Program
Colorado Application Guide
Fiscal Year 2014
Revised – January 2014

Proposals for the Farm and Ranch Lands Protection Program (FRPP) should be developed in accordance with the following format and guidance. You may insert information directly into this document, as is, or provide additional information in a separate attachment. Provide all the requested information including the checklist on the last page, sign the certification statement in Part B, and submit to:

David Colburn, Easements Coordinator
USDA Natural Resources Conservation Service
Denver Federal Center
Building 56, Room 2604
P.O. Box 25426
Denver, CO 80225

[Note: Do not include the PO Box if using FedEx or UPS]

Proposals must be received by 4:00 P.M. MST, March 21, 2014

If more than one property/parcel is being submitted for consideration, Parts A and B need to be completed only once. Separate submissions will be required for Parts C and D for each unique property. Refer to the *2014 Colorado FRPP Scoring System* as you work through this guide. Scoring and final ranking will rely on the information you submit in your proposal.

For more information or assistance in completing your proposal, please contact David Colburn:
Phone: (720)544-2820 / e-mail: david.colburn@co.usda.gov

A. APPLICANT INFORMATION

1. Name of applicant entity and contact information:

Entity: _____

Address: _____

Contact Person/Title: _____

Phone: _____ E-mail: _____

2. Eligible applicants: [Check the box that applies]

A unit of government or a federally recognized Indian Tribe?

An eligible non-governmental organization?

“Eligible entity” means a federally recognized Indian Tribe, a State, a unit of local government, or a qualified non-governmental organization that has a farmland protection program which purchases agricultural conservation easements for the purpose of protecting agricultural uses and

related conservation values by limiting conversion to non-agricultural uses of the land. See the Rule for specific eligibility requirements for non-governmental organizations (Federal Register Vol. 74, No. 11, January 16, 2009, Page 2818, §1491.3 Definitions

3. Provide a brief summary (below or in an attachment) of your organization's:

a. farmland protection program;

b. program accomplishments (number of easements, total acres, etc.);

c. ability/experience to acquire, hold, manage, and enforce conservation easements;

(Include a description of your staff and their roles in performing these duties.)

d. title and appraisal policies or standards;

(Describe your organization's policies regarding use and review of title information and appraisals. Provide a copy of your official policy, if available. For example: Do you secure title insurance on your easements? If so, who reviews the title commitment binder? Do you perform reviews of appraisals? What percentage undergoes a technical review (by another qualified appraiser versus an administrative review by someone else)?

e. if you are a non-governmental entity, do you have a dedicated fund to support ongoing easement management, monitoring, and enforcement? Please describe.

B. OTHER REQUIREMENTS

1. A copy of the draft conservation easement(s) you intend to use. (Please, insert the "FRPP required language"—provided in a separate document in the cut-off date notice package.)

2. Indicate the priority of the offers if you are submitting proposals for more than one project.

3. Completed proposal checklist (see page 8).

4. **New!**  A completed form **SF-424 "Application for Federal Assistance"**

5. **New!**  A completed form **SF-424A "Budget Information for Non-Construction Programs"**

6. **New!**  Review and sign form **SF-424B "Assurances Non-Construction Programs"**

7. **New!**  Provide us with your organization's "DUNS Number" (Dun & Bradstreet "Data Universal Numbering System") and evidence of registering your organization in the System for Award Management Site (SAM).

For DUNS information: <http://fedgov.dnb.com/webform/displayHomePage.do>

For SAM information: www.SAM.gov

Note: This is a new requirement for all federal awards beginning October 1, 2010. When registering online, ignore any pop up messages that may appear offering assistance with the process. The registration for both is free. Note, too, that the SAM registration must be updated at least annually.

I certify that, to the best of my knowledge and belief, the information in this application for federal assistance and in the supporting materials is true, correct, and complete. I further understand that if any information is missing or if the format, prescribed herein, has not been observed, this proposal may be discounted or declared ineligible for consideration.

Name (*print*): _____ Title: _____

Signature: _____ Date: _____

C. PARCEL INFORMATION

Your proposal must include:

1. Name(s) and address(es) of each landowner of record (Provide copy of deed)
2. Local parcel or tax identification number
3. Size (in acres) of the offered parcel(s)
 - If this application is part of a phased easement acquisition, provide us the total acreage of the property and the number of acres already, or planned to be, placed under easement.
4. Legal description of the offered parcel(s) (section, township, range)
5. Describe the agricultural operation (products, marketing, labor, water, etc.)
6. Local zoning for the property (if applicable)
7. Project Funding Summary (complete the table – include only amounts for easement purchase—no transaction costs)

A. Estimated Fair Market Value of the Easement	\$	
B. Estimated Purchase Price	\$	_____ % of A
C. Entity Contribution	\$	_____ % of B
D. Estimated Landowner Donation	\$	_____ % of A
E. FRPP Contribution (Requested)	\$	_____ % of A
F. Total of C, D, &E	\$	n/a

- Note: “Entity Contribution” means cash that is either “in hand” or “committed”—as with an award from another funding source. Attached a copy of the award letter, if applicable.

FRPP Cash Requirements

FRPP funds may be used to pay for no more than one-half of the appraised fair market value (AFMV) of the conservation easement.

The entity cash contribution must equal, at a minimum, 25% of the purchase price.

Proposals that do not have non-federal match in place are not eligible to receive an FRPP award.

A landowner donation of easement value may account for the difference between the AFMV and the sum of the FRPP award and the entity cash contribution.

8. Aerial photo(s) and/or map(s) (e.g., 7.5’ USGS topographic map) that depicts the location of the offered parcel in relation to other protected lands that are at least equal in size to the county’s median farm size (refer to Table 1 of the *2007 Census of Agriculture*). This includes lands owned by federal, state, or local governments, or by an entity whose purpose is to protect agricultural use and related conservation values, or land that is already subject to an easement or deed restriction that limits the conversion of the land to nonagricultural use. *Provide enough information to allow us to complete the scoring for SA-1 B in the Scoring System (e.g., include an accurate scale).*

9. Aerial photo(s) and/or map(s) (e.g., 7.5' USGS topographic map) that depicts the location of the offered parcel in relation to other viable agricultural operations. Identify operations that are at least equal to the median farm size in the county (per the *2007 Census of Agriculture - Table 1*) **and** which are considered to be agriculturally viable for the foreseeable future. *Provide enough information to allow us to complete the scoring for SA-1 C in the Scoring System (e.g., include an accurate scale).*
10. Water availability. Summarize the extent of irrigation on the offered parcel(s) and the source and reliability of the water. **Include a map that depicts all irrigated land.** If there is grazing land in the parcel, describe how water is distributed to support effective management of livestock and sustainable use of rangeland resources. Summarize the water rights that will be conveyed with the easement to support the conservation values. *Note: To be eligible for FRPP, water rights are necessary to maintain the irrigated condition of the qualifying soils.*
11. Other Conservation Values. Describe the conservation values that this parcel supports. *This information will be used for scoring criterion SA-3 A) of the Colorado FRPP Scoring System, so the more complete your response, the better the score is likely to be. Please include photos or electronic images that depict the environmental amenities/conservation values of the property.*
12. Current total impervious surface on offered parcel: _____ % of total area. (“Impervious surface” includes surfaces that are paved, covered by concrete, or occupied by buildings, with or without floors. Conservation practices listed in the NRCS Field Office Technical Guide are exempt from the definition for FRPP purposes.)
13. Does the landowner own the subsurface/mineral estate? Yes No
If “yes,” is it subject to any outstanding lease(s)? Yes No
Provide an explanation of the potential risk to the property from exploration and development activities related to the subsurface estate.
14. Does the Grantor wish to retain any reserved building rights? Yes No
Provide a brief summary describing why these may be needed, along with a map depicting any desired building envelope. *(Note: FRPP policy affords only limited ability to negotiate on these points.)*
15. Does the landowner wish to reserve a right to subdivide the parcel? Yes No
(Note: We generally do not allow subdivision but if this is an issue, please explain.)
16. Land Use/Cover Summary. *Insert acreages relevant to the offered parcel in the table below.*

Land Use/Cover	Acres	% of Total Area
Cropland (includes irrigated hayland)		
Pastureland (introduced species)		
Rangeland (native species)		
Non-Forested Wetlands (hydric soils without forest cover) ¹		
Forested Wetlands (hydric soils with forest cover) ¹		
Non-Wetland Forest (forest without hydric soils) ¹		
Other Lands (headquarters, etc.)		
Totals:		

¹ The “Web Soil Survey” can be used to determine extent of hydric soils (see page 7)

D. LAND ELIGIBILITY

1. Is the land privately owned and used for farming or ranching? Yes No
2. Does the land satisfy at least **one** of the following (**a**, **b**, or **c**)? Yes No

Note: If the “Yes” box is not checked, the land is not eligible for this program.

a. (1) For cropland and ranchland offers: At least 50% of offered parcel is some combination of prime, unique, and farm land of statewide or local importance.

- **Even if the land qualifies for participation per “b” or “c” we will still evaluate the soils.**
- Complete the table below to allow scoring. *Obtain a custom soils report from the local NRCS office. To locate the nearest office, go to: <http://www.co.nrcs.usda.gov/about/areamap.htm>.*

You can also create your own reports (highly recommended) by using our Web Soil Survey tool at <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.

(Guidance on performing this is included on page 7 of this document.)

Soils Category	Acres	% of Parcel
Prime if.....		
Unique ¹		
Farmlands of Statewide Importance ²		
Local ³		
Other agricultural lands		
Non-agricultural Areas (e.g., headquarters, water bodies)		
Totals:		

¹ Unique – Used for production, but doesn’t meet soil criteria.

² Farmlands of Statewide Importance – Irrigated but not prime, inadequate water, high potential dry cropland.

³ Local – Has potential to be used.

-OR-

b. The farm or ranch land contains **historical or archeological resources** that have been: (1) Listed in the National Register of Historic Places, **or** (2) Formally determined to be eligible for listing in the National Register of Historic Places, **or** (3) Listed in the State or Tribal Register of Historic Places.

- *Provide appropriate documentation to support this, if it is applicable, and enough information to allow scoring in LE B) of the Scoring System.*

-OR-

c. The offered acres are agricultural lands that further a State or local policy consistent with the purposes of the program. Please describe.

3. Do you have proof of a pending offer? Yes No

(Attach the proof. At minimum, the documentation must demonstrate intent and the presence of a willing seller and willing buyer. A “pending offer” is a written bid, contract, or option extended to a landowner by an eligible entity to acquire a conservation easement for the purpose of limiting non-agricultural uses of the land. Pending offers must be for acquiring easements in perpetuity. Colorado NRCS will continue to accept “letters of intent,” provided they clearly demonstrate a

commitment by both Grantor and Grantee to work towards the conveyance of a conservation easement.)

4. Does this parcel have long-term viability for agricultural use? Yes No
Describe the operation's agricultural production, access to markets, access to infrastructure that is appropriate for supporting agricultural production, and other support services.
(Note: The State Conservationist reserves the right to determine a proposal ineligible for FRPP, if long-term agricultural viability is questionable or if circumstances appear to place an FRPP investment at risk.)
5. Does the offered parcel face development pressure? Yes No
(Provide a narrative description of the development pressure affecting the property and the region. Include one or more aerial photos or maps—with North arrow and scale—that depict development and "development pressures" within up to twenty (20) miles of the parcel's boundaries. (This is needed for scoring.) Identify urban infrastructure (water/sewer extensions), municipal boundaries, urban growth boundaries, rural subdivisions, 35-acre subdivisions, non-ag zoning, energy infrastructure development, etc. Refer to criterion SA-2 A) in the Colorado FRPP Scoring System.
6. Is the land already subject to an easement or other deed restriction that prevents its conversion to non-agricultural uses? Yes No

E. ADDITIONAL REQUIREMENTS

1. Is a form "NRCS-CPA-1200 Conservation Program Application"—completed by the landowner(s)—included in your application package? Yes No
(This is required by our national office, even though the landowner is not actually an eligible FRPP applicant.)
2. Adjusted Gross Income (AGI):
Due to the lapse in the Farm Bill, program participant's adjusted gross income (AGI) cannot be determined at this time. The AGI requirement may be reinstated at any time and may include retroactive review of applications submitted without a rule in place. Future AGI requirements will be determined with guidance from an Interim Rule or new Farm Bill.
3. Has the landowner submitted form "AD-1026, Highly Erodible Land and Wetland Conservation Certification" to the USDA Farm Service Agency? Yes No
Notes: (1) Compliance with the highly erodible land and wetland conservation provisions is required—on all land persons have an interest in, anywhere in the United States—in order to be eligible to receive USDA payments (including FRPP). (2) If the form has been submitted before and there has been no change in ownership or land use, the form doesn't need to be resubmitted. (3) If a person is determined to be out of compliance—on any land in any state—all USDA payments are in jeopardy for that crop year and all subsequent crop years the person remains out of compliance.
4. Landowners that are "entities" will also have to acquire DUNS numbers and register in the System For Award Management in order to receive a payment from the FRPP. See B.3. above.
5. Have you included a title commitment in your application package? Yes No

Web Soil Survey

Directions for obtaining the soils report required for FRPP proposals.

1. Go to <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.
If for some reason, this link doesn't work for you, go to our home page: <http://www.nrcs.usda.gov/>.
Click on "Soils" in the "Quick Access" list on the left.
Click on "Web Soil Survey" in the Quick Access list on the left.
2. Click the big green button "START WSS."
3. Select your "method of navigation" on the left.
"State and County" is probably your best bet.
4. Click the "View" button when you've made your selections.
5. Use the icons on the interactive map to identify the parcel (the "Area of Interest" or "AOI").
6. Use the "AOI" button in the toolbar (far right) to outline the "Area of Interest."
7. Close the loop by double-clicking on the beginning point. Your "Area of Interest" will be cross-hatched in blue.
8. Click the "Soil Data Viewer" tab near the top of the screen.
9. Click on "Land Classifications" on the left.
10. Click on "Farmland Classification." (For hydric soils reports, click on "Hydric Rating by Map Unit.")
11. Click on "View Rating." An interpretive soils map appears.
12. Click on the "Printable Version" button located near the top right of the screen.
13. A window appears. You may enter a custom title for the report, or you may ignore this altogether.
Click the "View" button.
14. A custom interpretive report is generated with map, list of soil mapping units with Important Farmlands interpretations and acres represented in the "AOI."
15. You may print and/or save the report at this point.
16. To make changes or to start a new report, close the report window, then click on the "Area of Interest (AOI)" tab on the top far left of the screen. You may now generate additional interpretive reports if you wish, or click the "Clear AOI" button to begin a new search.

Note: Some of the "soils" information cannot be answered with a soils report alone, since the Web Soil Survey does not track status of irrigation. A map depicting the extent (acres and percent of total offered acres) of irrigation must be provided and used in conjunction with the soils report to complete the table in D.2.a. (above).

FRPP Proposal Checklist

Attach this checklist to your proposal. If there is more than one property, submit one checklist for each individual property.

A. APPLICANT INFORMATION

- 1. Name & address
- 2. Type of entity

B. Other Information

- 1. Draft deed of conservation easement with FRPP-required language
- 2. Priority of offer
- 3. This checklist
- 4. SF-424
- 5. SF 424A
- 6. SF-424B
- 7. 1199 – Direct deposit (Land Trust)
- 8. DUNS number and SAM registration
- 9. Name and signature of person submitting proposal

C. PARCEL INFORMATION

- 1. Name(s) and address(es) of each landowner of record
 - >> Copy of deed to document ownership
- 2. Local parcel or tax identification number
- 3. Size (in acres) of the offered parcel(s)
- 4. Legal description of the offered parcel(s) (section, township, range)
- 5. Describe the agricultural operation (products, marketing, labor, water, etc.)
- 6. Local zoning for the property (if applicable)
- 7. Project Funding Summary
- 8. Aerial photo/map depicting the offered parcel in relation to other protected lands
- 9. Aerial photo/map depicting the offered parcel vis-à-vis other viable agricultural operations
- 10. Water availability
- 11. Other Conservation Values
- 12. Current total impervious surface
- 13. Subsurface/mineral estate
- 14. Reserved building rights
- 15. Reserved subdivision right

D. LAND ELIGIBILITY

- 1. Land is privately owned and used for farming or ranching
- 2. Land satisfies either **a**, **b**, or **c**
- 3. Proof of a pending offer is attached
- 4. Long-term agricultural viability
- 5. Development pressure
- 6. Already subject to an easement or other deed restriction

E. ADDITIONAL REQUIREMENTS

- 1. Form “NRCS-CPA-1200 Conservation Program Application” included
- 2. Form “AD-1026, Highly Erodible Land and Wetland Conservation Certification” filed with FSA
- 3. For landowners that are “entities”: DUNS number and SAM registration
- 4. Title commitment included (not required, but include if you have it)