



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

December 12, 2011

FRPP Entity
123 Main Street
North Pole, NY 12345

Dear FRPP Entity,

Under the Food, Conservation, and Energy Act of 2008 (2008 Act), a new option was created for entities to become certified under FRPP if they meet specific requirements. 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. I am writing to notify you of the of the criteria for certification and the process for applying for certification if you feel your entity meets the criteria outlined below.

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. Documentation of any professional accreditation or certification from an organization that the eligible entity has received, if any, that relates to the eligible entity's ability to meet FRPP certification requirements. Accreditation is not required, but may facilitate review of the application for certification.
3. A list of 25 agricultural conservation easements acquired, managed and held by the eligible entity. This list must include the 5 most recent completed FRPP easements. The application shall include a list only, preferably in a spreadsheet format, that includes the name of the original and current fee owner, the date the easement was closed, and the date of the last monitoring event. Easements funded through the FRPP or Farmland Protection Program (FPP) shall be identified.
4. For the 5 most recent FRPP easements, include in the application package copies of the applicable cooperative agreement, deed, appraisal and associated appraisal review, most recent monitoring report, 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 easements.
5. 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.
 6. 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 either 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.
 7. 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. 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.

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.

Once certified, an entity is considered familiar enough with FRPP policies and procedures to allow the entity to conduct FRPP closings without prior submission of appraisals or deeds for NRCS review. If you have any questions, please contact the NRCS State FRPP program manager.

Sincerely,



Laurie Ristino
Acting Director, Easement Programs Division

cc: State Conservationist