



United States Department of Agriculture

**NRCS** Natural Resources  
Conservation Service

Federal Building, 2 Madbury Road, Durham, NH 03824-2043 (603) 868-7581 Fax: (603) 868-5301

[www.nh.nrcs.usda.gov](http://www.nh.nrcs.usda.gov)

## **Entity Workbook(s)**

### **2008 Farm Bill Farm and Ranch Lands Protection Program**

#### **2013 Fiscal Year**

This document is in the form of a fill-able workbook. Completing this entire document is one of required items for all parcels with applications for federal easement contributions under the Natural Resources Conservation Service (NRCS) New Hampshire Farm and Ranch Lands Protection Program (FRPP).

Applications can be mailed or hand delivered to the NRCS State Office. One original copy of all application documents is required.

FRPP applications are accepted on a continuing basis throughout each fiscal year for the life of the 2008 Farm Bill. Monthly, the eligible, cleared applications will be batched, ranked and approved based upon the availability of funds. Any unfunded ranked applications will retain their ranking score and be automatically reconsidered in next month's ranking. Applications will be ranked only once during each fiscal year. Once an application is ranked it retains that ranking score for the entire Fiscal Year. If the Landowners or Entities revise and resubmit their application within the same fiscal year in order to improve their ranking score, their revised application will not be re-ranked or reconsidered for funding until the subsequent fiscal year.

Applications may be mailed or hand-delivered to:

Attention: FRPP Easements Staff

USDA – NRCS

Federal Building

2 Madbury Road

Durham, NH 03824

(603) 868-7581

If you have any questions in regard to this entity workbook, please contact the NH NRCS Easement Programs Staff:

Ryan DuBois, FRPP Legal Instruments Examiner (603) 868-9931 ext 124

Sue Knight, Program Specialist (603) 868-9931 ext 118

Deb Weymouth, Assistant State Conservationist - Programs (603) 868-9931 ext 102

# **New Hampshire Farm and Ranch Lands Protection Program (FRPP)**

## **Fiscal Year 2013**

### **FRPP Entity Workbook(s)**

**Prepared by:**

**Primary Conservation Entity:** \_\_\_\_\_

**Date Submitted:** \_\_\_\_\_

**Total FRPP Amount Requested:** \_\_\_\_\_

**Total Number of Parcels Submitted:** \_\_\_\_\_

**Name of Secondary Entity (if applicable):** \_\_\_\_\_

In order for an application to be eligible for ranking the following must be completed, submitted and **cleared**:

Landowner Eligibility, CPA-1200, Parcel Workbook and all outlined required attachments, Entity Workbook, Written Pending Offer, Confirmation of Entity's Matching Funds and SF-1199A form (for Primary Entity).

If an application is submitted prior to the monthly ranking and any of that application's components have not cleared by the ranking date, that application's ranking will be deferred until all application components have cleared.

**\*\*** -Questions with a **three stars** indicate the questions or items that are required for program **eligibility**.

## Primary Entity Information

**Part 1: Information on the primary entity. The primary conservation entity will be the party that is responsible for accepting the federal contribution.**

A. **Name of Primary Entity:**

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B. Circle one:

- State or Local Government
- Tribal Government
- Non Governmental Organization (NGO) operated principally for one of the purposes specified in clause (i), (ii), (iii), or (iv) of section [170\(h\)\(4\)\(A\)](#) of the Internal Revenue Code of 1986. (*refer to information at end of this workbook*)
- 501-C3 Organization: NGO described in section [501\(c\)\(3\)](#) of that code that is exempt from taxation under 501(a) of that code. (*refer to information at end of this workbook*)
- NGO described in paragraph (1) and (2) of Section 509(a) of that code or is described in section 509(a)(3) of that code and is controlled by an organization described in section 509(a)(2) of that code. (*refer to the information at the end of this workbook*)

C. Tax ID #: \_\_\_\_\_

D. DUNS #: \_\_\_\_\_

**NOTE:** All cooperating entities must have a valid Dun & Bradstreet Data Universal Numbering System (DUNS) number and an active registration with the Central Contractor Registration (CCR) prior to submitting the application.

\* DUNS numbers can be obtained either on the internet or over the phone. For internet access, go to <http://fedgov.dnb.com/webform> and follow the link "Click Here to request your DUNS number via the web." To obtain a DUNS number over the phone, call the Dun & Bradstreet Government Customer Response Center at 1-866-705-5711. Once you have received your DUNS number you can then begin the SAM registration process. For a DUNS user guide, go to [www.whitehouse.gov/sites/default/files/omb/grants/duns\\_num\\_guide.pdf](http://www.whitehouse.gov/sites/default/files/omb/grants/duns_num_guide.pdf)

E. Address \_\_\_\_\_

Town, State, Zip \_\_\_\_\_

F. Contact Person \_\_\_\_\_

G. Title: \_\_\_\_\_

H. Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

I. Email address: \_\_\_\_\_

J. Please check all interest types that apply below:

- I.  Easement Enforcement
  - a.  Grantee
  - b.  Executory Interest Holder
- II.  Easement Monitoring
- III.  One of the funding sources for easement purchase price
- IV.  Certified FRPP entity (please see definition below)
- V.  Land Trust Alliance certified (if yes, provide documentation)

Certified FRPP Entity: An eligible entity that the NRCS has determined to meet the requirements for certification.

\*As of 9/29/2011 there are no certified entities in the country.

*(Please refer to the certification criteria from the part 1491.4 (d) from the Final FRPP Rule at the end of this workbook)*

### **Entity history of acquiring, managing and enforcing conservation easements**

Entities must provide the following information to be eligible for FRPP.

Please be sure that any of the attachments are well identified such as part 1. K, L, M, N, etc:

- \*\*** K. Evidence of an established farmland protection program, including easements acquired, held, managed and/or enforced by the cooperating entity.
- \*\*** L. Commitment to the long-term conservation of agricultural lands.
- \*\*** M. Voluntary easement purchase or other legal device(s) used by the entity to protect farmland.
- \*\*** N. Authority and demonstrated capability to acquire, hold, manage, or enforce conservation easements.
- \*\*** O. Ability to secure title searches and title insurance, subordinate encumbrances on titles, secure appraisals, and develop conservation easement deeds.
- \*\*** P. Availability and qualifications of staff dedicated to easement monitoring and stewardship.
- \*\*** Q. **SF-1199A form** - The primary entity is responsible for submitting the SF-1199A form. This form allows NRCS to enter the entity's banking information into the National Finance System so this project's funds can be obligated (if the parcel ranks high enough for

funding). When filling out form SF-1199A, please take care to enter the correct **Electronic Funds Transfer (EFT)** information in the banking section. For the reimbursement process, NRCS requires the use of EFT *not* wire transfers. The EFT and wire processes have completely different routing numbers. Using a wire routing number will cause the payment to be delayed. The finance department will cancel the funds transfer and start the process over with the correct routing number. To find the most updated copy of the SF-1199A form visit the following website: <http://www.nh.nrcs.usda.gov/programs/FRPPflowchart.html> under step 1

Any questions or concerns on filling out the form should be directed to:  
Margaret Newman, Accounting Technician (603) 868 9931 ext 117  
or  
Ryan DuBois, FRPP Legal Instruments Examiner (603) 868 9931 ext 124

- \* R. **Written Pending Offer** for the parcel. This could be a Purchase and Sale Agreement or a formal letter from the entity to the landowner. This Pending Offer needs to have the agreed-to-purchase-price of the easement and needs to be signed by both landowner and entity.
- \*\* S. **Matching Funds.** Documentation that confirms the entity's required matching funds (letter from the organization's treasurer, meeting minutes approving the expenditure of funds for the stated purpose, an approved budget, etc.)
- T. If entity subscribes to the land trust alliance standards and practices, provide documentation (for example: board meeting minutes).
- U. Appraisal, survey, and title policies or standards (Attach if your organization has such standards, otherwise make note that none exist).
  - NRCS standards are to be adhered to at a minimum. Please find an example of the following NRCS standards on the NH-NRCS website under FRPP:
    - Appraisal Standards
    - Survey Review Standards
    - Title Commitment Binder Review Standards
    - Baseline Documentation Review Standards
- V. Will the Conservation Entity agree to acknowledge USDA NRCS in all press releases, signage and literature regarding this easement if funded?  Y  N

# Secondary Entity Information

(Complete this section only when applicable)

## Part 2: Information on the secondary conservation entity

### A. Name of Secondary Conservation Entity:

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### B. Circle one:

- State or Local Government
- Tribal Government
- Non Governmental Organization (NGO) operated principally for one of the purposes specified in clause (i), (ii), (iii), or (iv) of section [170\(h\)\(4\)\(A\)](#) of the Internal Revenue Code of 1986. (refer to information at end of this workbook )
- 501-C3 Organization: NGO described in section [501\(c\)\(3\)](#) of that code that is exempt from taxation under 501(a) of that code. (refer to information at end of this workbook )
- NGO described in paragraph (1) and (2) of Section 509(a) of that code or is described in section 509(a)(3) of that code and is controlled by an organization described in section 509(a)(2) of that code. (refer to the information at the end of this workbook)

C. Tax ID #: \_\_\_\_\_

D. DUNS #: \_\_\_\_\_

**NOTE:** All cooperating entities must have a valid Dun & Bradstreet Data Universal Numbering System (DUNS) number and an active registration with the Central Contractor Registration (CCR) prior to submitting the application.

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E. Address \_\_\_\_\_

Town, State, Zip \_\_\_\_\_

F. Contact Person \_\_\_\_\_

G. Title: \_\_\_\_\_

H. Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

I. Email address: \_\_\_\_\_

J. Please check all interest types that apply below:

- I.  Easement Enforcement
  - a.  Grantee
  - b.  Executory Interest Holder
- II.  Easement Monitoring
- III.  One of the funding sources for easement purchase price
  - I.  Certified FRPP entity ( please see definition below)
  - IV.  Land Trust Alliance certified (if yes, provide documentation)

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### **Entity history of acquiring, managing and enforcing conservation easements**

Entities must provide the following information to be eligible for FRPP.

Please be sure that any of the attachments are well identified such as Part 2.K, L, M, N, etc:

- \*\*** K. Evidence of an established farmland protection program, including easements acquired, held, managed and/or enforced by the cooperating entity.
- \*\*** L. Commitment to the long-term conservation of agricultural lands.
- \*\*** M. Voluntary easement purchase or other legal device(s) used by the entity to protect farmland.
- \*\*** N. Authority and demonstrated capability to acquire, hold, manage, or enforce conservation easements.
- \*\*** O. Ability to secure title searches and title insurance, subordinate encumbrances on titles, secure appraisals, and develop conservation easement deeds.
- \*\*** P. Availability and qualifications of staff dedicated to easement monitoring and stewardship.
- Q. If entity subscribes to the land trust alliance standards and practices, provide documentation (for example: board meeting minutes).
- R. Appraisal, survey, and title policies or standards (Attach if your organization has such standards, otherwise make note that none exist)
  - NRCS standards are to be adhered to at a minimum. Please find an example of the following NRCS standards on the NH-NRCS website under FRPP:
    - Appraisal Standards
    - Survey Review Standards
    - Title Commitment Binder Review Standards
    - Baseline Documentation Review Standards
- S. Will the Conservation Entity agree to acknowledge USDA NRCS in all press releases, signage and literature regarding this easement if funded?  Y  N

## **Internal Revenue Service Code**

### **Section 170:**

The clauses under section 170 address the following:

- The preservation of land areas for outdoor recreation by, or the education of, the general public.
- The protection of a relatively natural habitat of fish, wildlife, plants, or similar ecosystems.
- The preservation of open space (including farmland and forest land) where such preservation is—
  - For the scenic enjoyment of the general public.
  - Pursuant to a clearly delineated Federal, State or local governmental conservation policy and will yield a significant public benefit.
- The preservation of a historically important land area or a certified historic structure.

### **Section 501**

- Section 501(c)(3) addresses corporations and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided in subsection (h)), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

### **Section 509**

- Sections 509(a) (1), (2), and (3) include churches, educational organization, and medical organizations.

### **FRPP Final Rule - § 1491.4 (d):**

(d) To be eligible as a certified entity, an Indian Tribe, State, unit of local government, or a nongovernmental organization must be qualified to be an eligible entity and must submit a written request for certification to the Chief at the same time the entity is requesting FRPP cost-share assistance. In order to be certified, an eligible entity must:

- (1) Meet the requirements identified in paragraph (c) of this section;
  - (c) To be eligible to receive FRPP funding, an Indian Tribe, State, unit of local government, or a nongovernmental organization must meet the definition of eligible entity as listed in § 1491.3. In addition, eligible entities interested in receiving FRPP funds must demonstrate:
    - (1) A commitment to long-term conservation of agricultural lands;
    - (2) A capability to acquire, manage, and enforce easements;
    - (3) Sufficient number of staff dedicated to monitoring and easement stewardship; and

(4) The availability of funds.

(2) Use or agree to use for FRPP funded acquisitions, the Uniform Standards for Professional Appraisal Practice or the Uniform Appraisal Standards for Federal Land Acquisitions in conducting appraisals;

(3) Hold, manage, and monitor a minimum of 25 agricultural land conservation easements, unless the entity requests and receives a waiver of this requirement from the Chief;

(4) Hold, manage, and monitor a minimum of five FRPP or Farmland Protection Program conservation easements;

(5) Have the demonstrated ability to complete acquisition of easements in a timely fashion;

(6) Have the capacity to enforce the provisions of easement deeds;

(7) For nongovernmental organizations, possess a dedicated fund for the purposes of easement management, monitoring, and enforcement where such fund is sufficiently capitalized in accordance with NRCS standards. The dedicated fund must be dedicated to the purposes of managing, monitoring, and enforcing each easement held by the eligible entity;

(8) Be willing to adjust procedures to ensure that the conservation easements acquired meet FRPP purposes and are enforceable; and

(9) Have a plan for administering easements enrolled under this part, as determined by the Chief.