

**Agricultural Conservation Easement Program (ACEP) –  
Agricultural Land Easements (ALE)**

**FY 2023 Oregon NRCS Parcel Application Packet for:**

**ACEP-ALE Classic**

**ACEP-ALE Buy-Protect-Sell**

**2014 Farm Bill RCPP-ALE**

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Parcel applications for ACEP-ALE should be developed in accordance with the following format and guidance. A completed parcel application includes all requested information detailed in this packet. Please submit completed applications to:

USPS, UPS, or FedEx:

Attention: Easement Programs  
United States Dept of Agriculture  
Natural Resources Conservation Service  
1201 Lloyd Blvd, Suite 900  
Portland, Oregon 97232

EMAIL:

\*\*\*PREFERRED\*\*\*

To: [eric.moeggenberg@usda.gov](mailto:eric.moeggenberg@usda.gov)

Cc: [erin.kaczmarczk@usda.gov](mailto:erin.kaczmarczk@usda.gov)

Subject: Entity Name\_FY23 Parcel Application\_1 of X

**Parcel applications must be received by 5:00 PM PST on the application batching date to be considered for funding in FY 2023.**

The following application packet collects required information on proposed parcels from eligible entities interested in applying for easement funding under **ACEP-ALE Classic, ACEP-ALE Buy-Protect-Sell, and 2014 Farm Bill RCPP-ALE**. If you are interested in applying for ACEP-ALE GSS/GSS-SGI funding, **please complete the ACEP-ALE GSS Parcel Application**. If you are applying for a 2018 Farm Bill RCPP easement, please contact the State Easement Program Manager for application materials.

Entities submitting parcel applications must be eligible themselves. Entities must submit an Entity Application to establish eligibility with NRCS. Entity eligibility requirements are detailed in the NRCS Conservation Program Manual 440.528.32, which may be accessed through the NRCS e-Directives website at <https://directives.sc.egov.usda.gov/Default.aspx>. Please review the Oregon ACEP-ALE Entity Application for more information on entity eligibility requirements.

Applicants should answer all questions contained within this document and provide all supporting documentation requested to ensure the application packet is complete (unless otherwise noted). The narratives and supporting documentation may be inserted under the applicable question or provided as an exhibit or attachment to the application packet. NRCS strongly suggests that the order and format of this packet is followed to ensure consistency and equality among all applicants. The appendices to this application packet should not be included in the application submission.

**An incomplete or ineligible application will be marked accordingly by NRCS per the Oregon NRCS screening tool – “OR Statewide ACEP-ALE Screening Worksheet” - and the NRCS Conservation Application Ranking Tool (CART). Incomplete or ineligible applications may be marked as low priority**



**or may not be considered for funding at all.** The screening worksheet is available on the Oregon NRCS ACEP-ALE web-page for reference. Entities are encouraged to use the screening worksheet to determine entity and parcel eligibility, but the screening worksheet **is not** a required component of the application.

Eligible and complete applications received by the advertised application batching date are considered for funding through a competitive process. It is the responsibility of the applying entity to ensure the application is complete and accurate. Identification of eligibility within the questionnaire is only to be used as a guide; NRCS determines eligibility at its discretion upon review of a complete and accurate application. If a question is answered that indicates parcel ineligibility, contact NRCS before continuing with the application. If the issue cannot be rectified, the application may not be considered for funding.

Entities interested in applying for ACEP-ALE Buy-Protect-Sell (ACEP-ALE BPS) may be asked to submit additional information at the time of application. Please contact the Oregon State Easement Program Manager if you are interested in applying for ACEP-ALE BPS for further guidance on completing a comprehensive parcel application.

To be eligible for USDA-NRCS program funds, everyone involved in the application and listed on the deed must have records with USDA's Farm Service Agency (FSA) and meet ACEP program eligibility requirements. This includes the applicant organization, landowners, and landowner entity members. Establishing USDA records with FSA may take a significant amount of time (>120 days). Therefore, applicants are encouraged to begin this process as soon as possible. USDA records may be established at any time, except for Adjusted Gross Income (AGI) compliance. AGI compliance documents may be established as early as October 1 for the following fiscal year (e.g., AGI compliance documents for 2023 may be executed as early as October 1, 2022). All individuals or entities on the deed must be compliant per Internal Revenue Service (IRS) when obligating federal funds to the easement acquisition and at least 90 days prior to closing of the easement. USDA records may be established at the local USDA-FSA Service Center. **NRCS is not responsible for USDA-FSA forms and recording of forms for eligibility requirements.**

Instructions for application packet submission are found on page 25. Please adhere to all instructions. Failure to comply may result in an ineligible application.

For more information or assistance on completing the Parcel Application, please contact the OR NRCS State Easement Program Manager – Eric Moeggenberg – at [eric.moeggenberg@usda.gov](mailto:eric.moeggenberg@usda.gov) or the OR NRCS Assistant State Conservationist for Programs – Erin Kaczmarczyk – at [erin.kaczmarczyk@usda.gov](mailto:erin.kaczmarczyk@usda.gov). For assistance on completing the Parcel Application for RCPP ALE, please contact the Oregon Regional Conservation Partnership Program Coordinator – Tom Miewald – at [tom.miewald@usda.gov](mailto:tom.miewald@usda.gov).

Thank you for your interest in applying for NRCS conservation easement programs!



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## PART I – PARCEL APPLICATION CHECKLIST

Use this checklist and the following steps to guide you through the application process:

- ☐ Step 1: Download and complete all required forms. Forms may be downloaded from the [Oregon NRCS ACEP-ALE webpage](#).
- ☐ Step 2: Provide supplemental information for all items as applicable.
- ☐ Step 3: Submit completed forms and supplemental information with application packet.

<p><b><u>Application Requirements</u></b></p> <p>Items listed are required for all parcel applications. Omission of these items may result in an ineligible application. Insert or append supporting documentation, as necessary.</p>	<p><b><u>Supplemental Information - Required</u></b></p> <p>Items listed are required, if applicable to the parcel. Omission of these items, if applicable to the parcel, may result in an ineligible application. Insert or append supporting documentation, as necessary.</p>
<p><input type="checkbox"/> FY 2023 OR NRCS Parcel Application Packet. A complete application packet includes the following:</p> <p><b><u>FORMS:</u></b></p> <p><input type="checkbox"/> Parcel Questionnaire (pp 6-24) of this packet</p> <p><input type="checkbox"/> NRCS CPA-41A dated 2/2020 or later</p> <p><b><u>INFORMATION:</u></b></p> <p><input type="checkbox"/> Recorded vesting deed(s) covering the entire offered area</p> <p><input type="checkbox"/> Evidence of active DUNS/SAM registration for each entity applicant and/or co-holder (if registration will expire before 9/30/2023, update accordingly)</p> <p><input type="checkbox"/> Title Commitment &amp; exception documents</p> <p><input type="checkbox"/> Draft deed of conservation easement</p> <p><input type="checkbox"/> Written pending offer for the ALE or equivalent</p> <p><input type="checkbox"/> County tax maps and assessor's information covering entire offered area</p> <p><input type="checkbox"/> GIS shapefiles or CAD files of proposed easement boundary. Ensure that shapefile data is defined in ESRI GIS software.</p> <p><input type="checkbox"/> Maps (aerial/topographic) with an accurate and appropriate scale, North</p>	<p><b><u>FORMS:</u></b></p> <p><input type="checkbox"/> <b><i>COPY</i></b> - FSA-211 Power of Attorney</p> <p><input type="checkbox"/> NRCS CPA-41A BPS Supplement(dated 4/2021)</p> <p><b><u>INFORMATION:</u></b></p> <p><input type="checkbox"/> Legal access easements over private or Federal land to the offered easement area</p> <p><input type="checkbox"/> Waiver request letter(s)</p> <p><input type="checkbox"/> <b><i>COPY</i></b> – Existing easement or deed restriction that prevents conversion to non-agricultural and/or non-grassland/grazing uses</p> <p><input type="checkbox"/> Evidence of matching funds OR evidence of entity ability to steward and monitor parcel if entity match is &lt;10% of FMV (attach to CPA-41A)</p> <p><input type="checkbox"/> Water rights</p> <p><input type="checkbox"/> <b><i>COPY</i></b> – Mineral lease(s)</p> <p><input type="checkbox"/> Excerpts from state/local policies highlighting supporting passages (e.g., state/local policy land eligibility category). DO NOT submit entire document.</p> <p><input type="checkbox"/> Evidence of capital investments for agricultural viability</p> <p><input type="checkbox"/> Evidence of farm sales within the last two calendar years demonstrating sales to local markets</p>



<p>arrow, and heading. Maps must show the proposed easement boundary and acreage. Supporting GIS shapefiles are appreciated for each map submitted.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Location showing Township, Range, and Section</li> <li><input type="checkbox"/> Legal/physical access points and route to all parts of the easement (ingress, egress), public road location(s) and name(s), and notation where third-party lands are crossed</li> <li><input type="checkbox"/> Farmland classification with legend and % acres table (Web Soil Survey)</li> <li><input type="checkbox"/> Total acreage of the parcel, including the acreage of each noncontiguous parcel and each subdivision, if applicable</li> <li><input type="checkbox"/> Land use/cover type location with % acres of each land use and identified grazing areas</li> <li><input type="checkbox"/> Viable agricultural operations including access to markets and infrastructure</li> <li><input type="checkbox"/> Nearby agricultural and/or protected lands</li> <li><input type="checkbox"/> Development pressure (approx. 1:24,000)</li> <li><input type="checkbox"/> At-risk species</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Buy-Protect-Sell Transaction Addendum</li> <li><input type="checkbox"/> Maps (aerial/topographic) with an accurate and appropriate scale, North arrow, and heading. Maps must show the proposed easement boundary and acreage. Supporting GIS shapefiles are appreciated for each map submitted. <ul style="list-style-type: none"> <li><input type="checkbox"/> Proposed building envelopes showing existing or proposed access to each</li> <li><input type="checkbox"/> Allowable subdivision</li> <li><input type="checkbox"/> Irrigated land footprint with location of source</li> <li><input type="checkbox"/> Location, number, and acres of historical/archaeological sites</li> </ul> </li> </ul>
	<p style="text-align: center;"><b><u>Supplemental Information - Optional</u></b></p> <p>Items listed are optional, if available, but recommended. Submission of these items will streamline the acquisition process if application is funded.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> NRCS CPA-1270</li> <li><input type="checkbox"/> Legal Boundary Survey</li> <li><input type="checkbox"/> Phase I Environmental Assessment</li> <li><input type="checkbox"/> Minerals Assessment</li> <li><input type="checkbox"/> Appraisal Report</li> </ul>

Refer to Appendix 3 on page 38 of this document for the description and purpose of each form.



## PART II – PARCEL QUESTIONNAIRE

All questions in this section must be answered with adequate detail and supporting documentation as required. If any questions are left unanswered, the application may be considered ineligible.

### Eligible Entity Information

1. Please indicate the transaction type for the offered parcel:

- ☐ ALE Classic
- ☐ ALE Buy-Protect-Sell
- ☐ ALE GSS/GSS-SGI [**STOP! Please complete the GSS Parcel Application**]
- ☐ RCPP-ALE. Please provide RCPP project name and number:

2. Name of Eligible Entity applying for parcel funding:

3. Eligible Entity Point of Contact [Name, Phone Number, Email]:

4. Does the Eligible Entity meet one of the following:

- ☐ Has an active, executed Program Agreement covering ACEP-ALE [must match the program selected on CPA-41A].
- ☐ Has a current Fiscal Year (10/1 – 9/30) Entity Application packet already on file with NRCS.
- ☐ Will submit an Entity Application packet with this Parcel Application.
- ☐ Does not meet any of the above. [**INELIGIBLE**]

5. Do all eligible entity applicants and all prospective co-holders have an active DUNS/SAM registration?

- ☐ YES.
- ☐ NO. Please specify and describe in 1-2 sentences [*NOTE: any entity without an active DUNS/SAM registration is **ineligible** for this program*]:

### Landowner Applicant Information

#### Basic Information

1. Provide the following information for each landowner of record (i.e., individual or legal entity subject to the deed and title). All landowners must match landowners included on the CPA-41A form.



Full Legal Name	Farm/Ranch or Property Common Name	Farm Number	Tract Number(s)	County of Property Location	Is a limited-resource, beginning, socially disadvantaged, or veteran farmer/rancher?

#### Farm Service Agency (FSA) Eligibility

1. Does the landowner(s) appearing on the vesting deed and title commitment have Farm & Tract Eligibility (FTE) established for the offered parcel? [NOTE: FTE means that an established farm and tract generally covers the easement area and that all landowners of record are associated with the established farm and tract. Consult with FSA to ensure that records exist and are current].

☐ YES ☐ NO [INELIGIBLE]

2. Have all landowners of record filed Form CCC-941 "Adjusted Gross Income" with FSA? [NOTE: Landowners must complete CCC-941 with the exact name, address, and tax ID on file with the IRS. If an AGI limitation waiver or AGI applicability waiver have been approved, you may skip this question].

☐ YES ☐ NO [INELIGIBLE] ☐ Other: \_\_\_\_\_

3. Have all landowners of record filed or updated Form AD-1026 "Highly Erodible Land Conservation and Wetland Conservation Certification" with FSA?

☐ YES ☐ NO [INELIGIBLE] ☐ Other: \_\_\_\_\_

4. Do the landowners and eligible entity understand that FSA and NRCS together will determine a) the status of highly erodible land (HEL) on the Farm and Tract(s) associated with the offered easement area, and b) the necessity of an HEL Conservation Plan as a condition of funding?

☐ YES ☐ NO

5. Have all individuals, entities or trust landowners of record filed Form CCC-902-E or CCC-902-I (and Form CCC-901 as required) with FSA?

☐ YES ☐ NO [INELIGIBLE]



If any answers under the "Farm Service Agency (FSA) Eligibility" section are marked "NO [ineligible]" OR if NRCS finds upon review of the application that the answers should be marked "NO [ineligible]" OR if any other required FSA payment eligibility criteria for any landowner of record has not been met, the application will be considered ineligible for program funding. Do not apply for funding until all FSA eligibility criteria are met. All entities on the deed must be compliant per IRS when obligating federal funds to the easement acquisition and at least 90 days prior to closing the easement. Consult the Oregon Easement Specialist before you apply if you are unsure who and what should establish eligibility with FSA.



## Parcel Information

### Ownership & Parcel Accuracy

1. Do the landowners of record **and** the offered easement acres of the parcel match across application documentation (i.e., landowners of record and acreage match CPA-41A, FSA records, information on the vesting deed, county tax records, title commitment, written pending offer, and all supporting documentation)?

☐ YES

☐ NO

If No, please specify and describe in 1-2 sentences:

2. Did an authorized signatory for at least one landowner of record sign CPA-41A and the written pending offer? [*NOTE: obtaining all landowner signatures is preferred*].

☐ YES

☐ NO [**INELIGIBLE**]

☐ N/A – this is a buy-protect-sell transaction

3. Is the legal description of the parcel and the physical description on CPA-41A, Section C, Questions 1 and 2 accurate as reflected in the title commitment and other supporting documentation?

☐ YES

☐ NO [**INELIGIBLE**]

### Agricultural Operation

1. In 1-2 paragraphs, describe the current agricultural operation. Please include information on the types of products produced/grown/raised, accessibility to markets, labor/staffing needs, on-site infrastructure, water use, proximity to other agricultural land, proximity to protected land, and other important or pertinent information to the operation.

2. In 4-5 sentences, describe the parcel's long-term viability for agricultural use. Describe if there has been recent significant capital investment(s) that enhance the long-term agricultural viability of the parcel and if the conservation easement will further the investment. [*NOTE: Submit documentation of investments with application*].

3. Does the landowner currently work with, or have they previously worked with, NRCS for the parcel being offered?



☐ YES

☐ NO

If yes, describe in 1-2 sentences, if known:

4. Is the parcel, or any portion of the parcel, currently enrolled in the Conservation Reserve Program (CRP) or Conservation Reserve Enhancement Program (CREP)?

☐ YES – CRP

☐ YES – CREP

☐ NO

5. If the parcel, or any portion of the parcel, is currently enrolled in CRP or CREP, will the contract expire within one year of the application submittal date?

☐ YES

☐ NO

☐ N/A. Does not apply.

6. If the CRP or CREP contract will expire within one year, describe in 2-3 sentences how the easement will assist in the protection of the land coming out of CRP or CREP enrollment. If not applicable, write “N/A” in the space provided.

7. Indicate the type and number of grazing animals, if present on the parcel. If not applicable, write “N/A” in the space provided.

8. In 5-6 sentences, describe the development pressure from non-agricultural use and/or the conversion threats affecting the parcel and region.

9. Select the percentage range that describes the decrease in the percentage of acreage of farm and ranch land in the county for which the parcel is located between the 2012 and 2017 USDA Censuses of Agriculture. [NOTE: Use USDA NASS Data on Appendix 8 to answer question or access data online at: [https://www.nass.usda.gov/Publications/AgCensus/2017/Online\\_Resources/County\\_Profiles/Oregon/index.php](https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Oregon/index.php)].

☐ Decrease of 0% or less

☐ Decrease of 0-5%

☐ Decrease of 6-10%

☐ Decrease of 11-15%

☐ Decrease of 16% or more

10. Select the percentage range that describes the decrease in the percentage of acreage of permanent grassland, pasture, and rangeland, other than cropland and woodland pasture, in the county for which the parcel is located between the 2012 and 2017 USDA Censuses of Agriculture. [NOTE: Use USDA NASS



Data in Appendix 8 to answer question or access data online at:

[https://www.nass.usda.gov/Publications/AgCensus/2017/Full\\_Report/Volume\\_1,\\_Chapter\\_2\\_County\\_Level/Oregon/st41\\_2\\_0008\\_0008.pdf](https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_County_Level/Oregon/st41_2_0008_0008.pdf)].

☐ Decrease of 0% or less

☐ Decrease of 0-5%

☐ Decrease of 6-10%

☐ Decrease of 11-15%

☐ Decrease of 16% or more

11. Select the ratio that best describes the ratio of total parcel acres to be protected to the average farm size in the county for which the parcel is located according to the 2017 USDA Census of Agriculture.

[NOTE: Use USDA NASS Data in Appendix 8 to answer question or access data online at:

[https://www.nass.usda.gov/Publications/AgCensus/2017/Online\\_Resources/County\\_Profiles/Oregon/index.php](https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Oregon/index.php)].

☐ Ratio of 1.0 or less

☐ Ratio of 1.1-2.0

☐ Ratio of 2.1 or more

12. Select the population growth rate that best describes the percent of population growth in the county for which the parcel is located according to the 2020 U.S. Census Bureau Census for Oregon.

[NOTE: Use U.S. 2020 Census Data to answer question: <https://www.census.gov/library/stories/state-by-state/oregon-population-change-between-census-decade.html>].

☐ Less than 1x the state growth rate

☐ Between 1 and 2x the state growth rate

☐ Between 2 and 3x the state growth rate

☐ More than 3x the state growth rate

13. Select the population density that best describes the population density (population per square mile) in the county for which the parcel is located according to the 2020 U.S. Census Bureau Census for Oregon.

[NOTE: Use U.S. 2020 Census Data to answer question: <https://www.census.gov/library/stories/state-by-state/oregon-population-change-between-census-decade.html>].

☐ Less than 1x the state pop density

☐ Between 1 and 2x the state pop density

☐ Between 2 and 3x the state pop density

☐ More than 3x the state pop density

14. Does the protection of the parcel have an impact on local markets and what is the proximity of the parcel to access to markets and infrastructure? [NOTE: Attach documentation of farm sales within the last two calendar years demonstrating sales to local markets].

☐ YES - Sales are within 10 miles of parcel

☐ YES – Sales are within 11-50 miles of parcel

☐ YES - Sales are within 50-100 miles of parcel

☐ NO – Sales occur 100+ miles from parcel

☐ N/A. Does not apply.

15. Does the farm or ranch have an established succession plan, or similar plan, that addresses farm viability for the parcel of interest?

☐ YES

☐ NO

16. If there is an established succession plan, please indicate whether the plan is formal or informal.

[NOTE: A succession plan often consists of legal documents, written agreements, and/or financial statements that meet [planning standards outlined by the American Farmland Trust](#) (AFT). A formal plan



*is written by an industry professional (e.g., Cooperative Extension) that compiles such documentation. An informal plan compiles such documentation but is not written by an industry professional].*

☐ Formal                      ☐ Informal                      ☐ N/A. Does not apply.

17. If there is an established succession plan, select and briefly describe how the plan meets the following AFT standards:

- ☐ Clear set of responsibilities for next generation operator:
- ☐ Financial transparency and information sharing:
- ☐ Operational accountability:
- ☐ Transfer of operating assets:
- ☐ Plan to transfer assets:
- ☐ Valuation of assets:
- ☐ Analysis of farm's capacity to support multiple generations:
- ☐ Assets to cover senior generation's retirement:
- ☐ Plan to address non-farm heirs or siblings:
- ☐ N/A. Does not apply.

18. If there is not an established succession plan, or similar plan, will a plan be developed prior to closing the conservation easement?

☐ YES                      ☐ NO                      ☐ N/A. Does not apply.

19. Will the landowner and eligible entity elect to complete any of the following plans for the parcel if funded? Select all that apply.

- ☐ Basic Agricultural Land Easement Plan (ALEP)                      ☐ Grassland Management Plan
- ☐ Forest Management Plan                      ☐ Other: \_\_\_\_\_
- ☐ None

20. Select the most appropriate item that describes the parcel's ability to enhance the protection of contiguous or proximal agricultural lands.

- ☐ Parcel increases acreage of protected agricultural land.
- ☐ Parcel is a contiguous or proximal expansion of protected agricultural land.
- ☐ Parcel links two non-contiguous corridors of protected agricultural land.



## Land Eligibility

### Land Eligibility Categories

To be eligible for ACEP-ALE, the offered land must meet one of the four following land eligibility categories: 1) Prime, Unique, or Other Productive Soil; 2) Historical or Archaeological Resources; 3) Protection of Grazing Uses and Related Conservation Values; 4) Land that Furthers a State or Local Policy. For application purposes, an applicant must select the category for the parcel of interest that best meets the goals of the landowner and applying entity applicant(s). The category selected on this application must match the category selected on CPA-41A. **Only complete the sub-section below for the selected category.**

#### *Prime, Unique, or Other Productive Soils*

Only complete this sub-section if you selected “Has Prime, Unique, or Other Productive Soils” on CPA-41A. To be eligible for this category, at least 50% of the parcel must contain “prime,” “prime if,” “unique,” or “statewide or locally important” soil on the Web Soil Survey’s Farmland Classification report. Refer to Appendix 4 for instructions on how to use the Web Soil Survey. Once complete, skip to the Land Use section on page 15.

1. Does the parcel contain at least 50% prime, unique, or other productive soil type?

☐ YES ☐ NO. Select a different land eligibility category.

2. Select the eligible farmland classification for the parcel:

☐ Prime ☐ Prime if irrigated ☐ Prime if drained  
☐ Unique ☐ Statewide or locally important

3. If the farmland classification is “Prime if irrigated” OR “Prime if drained” describe in 1-2 sentences how the soils are actively irrigated/drained as demonstrated in the *Water Availability* section of the Web Soil Survey. Please submit a map with the application showing where irrigation/drainage occurs. If not applicable, write “N/A” in the space provided.

#### *Historical or Archaeological Resources*

Only complete this sub-section if you selected “Contains Historical or Archaeological Resources” on CPA-41A. To be eligible for this category, the parcel must be recognized as containing historical or archaeological resources by either the National Register of Historic Places or the State or Tribal register. Once complete, skip to the Land Use section on page 15.

1. The parcel meets one or more of the following:

☐ Currently listed or formally determined eligible for listing in the National Register of Historic places.  
☐ Formally listed in a State or Tribal register of historic places.



☐ Included in the State historic preservation officer (SHPO) or Tribal historic preservation officer (THPO) inventory with written justification as to why it is eligible for the National Register of Historic Places.

☐ None of the above. Select a different land eligibility category.

2. What evidence supports the criterion/ia selected for question #1 above? Please submit a copy of the supporting evidence with the application.

3. In 3-4 sentences, describe the site's significance.

4. In 3-4 sentences, describe how the easement deed will address the protection of the historical and/or archaeological resource(s).

5. Identify at least one grantee or third-party to the deed that will have designated monitoring responsibilities that has experience in managing, monitoring, and enforcing historical or archaeological resources.

#### *Protects Grazing Uses and Related Conservation Values*

Only complete this sub-section if you selected "Protects Grazing Uses and Related Conservation Values" on CPA-41A. To be eligible for this category, upon enrollment the parcel must result in the protection of grazing uses and the related conservation values by restoring or conserving grassland, rangeland, pastureland, forb/shrubland land, or land located in an area historically dominated by grassland, forbs, or shrubland. Once complete, skip to the Land Use section on page 15. *[NOTE: Technical and financial assistance funding for restoration is not available under ACEP-ALE. If the parcel contains grassland of special environmental significance, please complete the Parcel Application for ACEP-ALE GSS].*

1. What type of qualifying land use(s) does the parcel contain? Select all that apply.

☐ Grassland

☐ Rangeland

☐ Pastureland

☐ Land that contains forbs

☐ Shrubland for which grazing is the predominant use

☐ Land located in an area historically dominated by grassland, forbs, or shrubs



☐ Non-industrial private forestland

☐ None. Select a different land eligibility category.

2. Does at least 90% of the qualifying land use(s) selected for question #1 above cover the parcel?

☐ YES

☐ NO. Select a different land eligibility category or submit a request for a waiver to this rule with the application.

3. Is the land use(s) selected in question #1 considered the “highest and best use” as defined by the landowner? [NOTE: “Highest and best use” is defined as the land use the landowner considers to be the most critical to the success of the agricultural operation].

☐ YES

☐ NO

If no, describe in 1-2 sentences:

4. A parcel enrolled under the “Protects Grazing Uses and Related Conservation Values” land eligibility category is considered a grassland enrollment for the purposes of the NRCS Minimum Deed Terms. This applies to grassland parcels enrolled in ALE Classic (i.e., non-GSS grassland enrollments). Are the eligible entity and landowner(s) prepared to accept the restrictions and limitations of a grassland enrollment as described in the February 2020 Minimum Deed Terms or applicable RCPP Minimum Deed Terms?

☐ YES

☐ NO. Select a different land eligibility category.

5. In 4-5 sentences, describe how the easement deed will address the protection of the grazing uses and associated conservation values.

6. In 4-5 sentences, describe how the current and planned activities of the agricultural operation further the protection of the grazing uses and related conservation values.

#### *Further a State or Local Government Policy*

Only complete this sub-section if you selected “Further a State or Local Government Policy consistent with the purposes of the ACEP” on CPA-41A. To be eligible for this category, the State or local policy



must be consistent with the purposes of ACEP-ALE and the protection of such land must further the State or local policy. Once complete, skip to the Land Use section on page 15.

1. Is there a State or local government policy applicable to the parcel that aligns with the purposes of ACEP-ALE? [NOTE: the purposes of ACEP-ALE are to protect the agricultural viability and related conservation values of eligible land by limiting nonagricultural uses of that land and/or to protect grazing uses and related conservation values by restoring and conserving eligible land].

☐ YES

☐ NO. Select a different land eligibility category.

2. What State or local policy does enrollment of the parcel further? Please submit a copy of the applicable pages of the policy with the application.

3. Please indicate the applicable policy citation(s).

4. Describe how each policy citation is consistent with the purposes of ACEP-ALE.

5. In 2-3 sentences, describe how preservation of the parcel furthers the policy identified in question #2 above.

6. In 4-5 sentences, describe how the easement deed will address the policies of the identified plan.

## Land Use

1. What eligible land use(s) pertain to the offered parcel? Select all that apply. [NOTE: Selected land use(s) must match the land use(s) selected on CPA-41A].

☐ Cropland

☐ Rangeland

☐ Pastureland

☐ Grassland or land that contains forbs

☐ Shrubland for which grazing is the predominant use

☐ Land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value



- ☐ Non-industrial private forest land that contributes to the economic viability of the offered parcel or serves as a buffer to protect such land from development

2. If “non-industrial private forest land” was selected as a land use type, describe in 3-4 sentences how that land contributes to the economic viability of the offered easement area or serves as a buffer to protect such land from development. If this land use type was not selected, write “N/A” in the space provided.

3. If “non-industrial private forest land” was selected as a land use type, indicate the percent of non-industrial private forest land that covers the parcel. If this land use type was not selected, write “N/A” in the space provided. *[NOTE: If the non-industrial private forest land exceeds two-thirds of contiguous portions of the offered easement area, the parcel is ineligible without a waiver request. A waiver request must be submitted with the application].*

\_\_\_\_\_ %

4. If “land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value” was selected as a land use type, describe in 3-4 sentences how the land is compatible with grazing uses and related conservation values. If this land type was not selected, write “N/A” in the space provided.

5. If “land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value” was selected as a land use type, describe in 3-4 sentences whether the vegetative communities historically found on the site have been restored OR if the applicant has a plan for restoration that occurs prior to the easement closing. If this land type was not selected, write “N/A” in the space provided.

6. If “land located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value” was selected as a land use type, please indicate if any of the following apply:

- ☐ The land could or does provide habitat for animal or plant populations of significant ecological value if the land is retained in grazing uses and related conservation values.
- ☐ The land enrolled would address State, regional, or national conservation priorities.



☐ Neither apply.

Describe your answer in 1-2 sentences:

7. Select the applicable land type classification(s) that pertain to the parcel:

- |   |  |
|---|--|
| <input type="checkbox"/> Natural grasslands     | <input type="checkbox"/> Wet meadows                     |
| <input type="checkbox"/> Moist deserts          | <input type="checkbox"/> Pastures of cool season grasses |
| <input type="checkbox"/> Alpine plant community | <input type="checkbox"/> Pastures of warm season grasses |
| <input type="checkbox"/> Unknown                | <input type="checkbox"/> Other: _____                    |

8. Is the parcel zoned for agricultural use or is the land consistent with agriculture for counties without zoning?

☐ YES ☐ NO

Describe your answer in 1-2 sentences (if applicable, include zoning classification and evidence to support zoning classification):

9. Is the parcel already subject to an easement or other deed restriction that prevents land conversion to non-agricultural uses?

☐ YES ☐ NO

If yes, describe in 1-2 sentences and submit a copy of the restriction document with the application:

10. Is the parcel located in a region where enrollment achieves landscape, regional, or other agricultural or conservation goals and objectives identified in a state plan?

☐ YES ☐ NO

If yes, reference/cite the plan and describe the goals and objectives being met:

#### Access

1. Is there legal and physical access to all parts of the parcel? Select all that apply.

- ☐ YES. Direct access from public roadway.
- ☐ YES. Over and across private lands.
- ☐ NO. However, the land is accessible by Forest Service Road(s) or Bureau of Land Management Road(s). *[NOTE: If selected, please include supporting documentation describing how such roads may be used in perpetuity. If roads are not accessible in perpetuity, the parcel is **ineligible**.]*



☐ NO. There is no current legal or physical access to the land but both legal and physical access will be obtained prior to closing the easement.

☐ NO. There is no legal or physical access to the land, nor will such access be obtained prior to closing the easement. [INELIGIBLE]

2. In 1-2 sentences, describe the physical and legal access to the parcel, or the lack thereof:

#### Water Availability

1. Does the landowner hold water rights associated with the parcel?

☐ YES - total cfs: \_\_\_\_\_ ☐ NO

2. Will water rights be conveyed with the conservation easement?

☐ YES - cfs conveyed: \_\_\_\_\_ ☐ NO

3. If water rights will be conveyed, are they sufficient to support the related conservation values?

☐ YES ☐ NO ☐ N/A. Does not apply.

4. In 2-3 sentences, describe how the conveyance or lack of conveyance of water rights with the conservation easement will affect the conservation values of the parcel.

5. Is the parcel irrigated?

☐ YES ☐ NO

6. Is there an adequate water distribution system on the parcel to support effective and sustainable grazing uses?

☐ YES ☐ NO ☐ N/A. Does not apply.

7. If the land is grazed or will be grazed, in 2-3 sentences describe the water distribution system supporting grazing. If not applicable, write "N/A" in the space provided.



### At-Risk Species

In Oregon, parcels may receive ranking points for at-risk species or habitat presence. At-risk species include Federal or State-listed Threatened species, Federal or State-listed Endangered species, or Federal or State candidate species. At-risk habitat includes any USFWS or NMFS designated critical habitat. Such species or habitat must be located on, or within ¼ mile of, the parcel. The on-site agricultural operation may not have a negative effect on the species or habitat as determined by NRCS. If the conservation easement and planned activities will not directly benefit the species/habitat, or if such activities negatively affect the species/habitat, ranking points will not be granted, and the parcel will not qualify for at-risk species ranking pools.

1. Provide the following information for each identified at-risk species or habitat located on, or within ¼ of, the parcel. Include a reference to supporting documentation for the species/habitat of interest in the *reference citation* column.

Name of species/habitat	Onsite or within ¼ mile of site?	Listing status	Reference citation

2. If the parcel contains a Federal or state-listed species/habitat, describe in 3-4 sentences how the conservation easement and the activities of the agricultural operation will directly support the species/habitat. If not applicable, write “N/A” in the space provided.



### Sub-surface/Mineral Rights

1. Does the landowner own the entire sub-surface/mineral estate?

☐ YES

☐ NO

2. Will the landowner's discretion with respect to third-party mineral rights be limited as described in the February 2020 NRCS Minimum Deed Terms or applicable RCPP Minimum Deed Terms?

☐ YES

☐ NO

☐ N/A. Does not apply.

3. In 1-2 sentences, describe any sub-surface/mineral rights subject to recorded or unrecorded leases. If not applicable, write "N/A" in the space provided.

4. Will a mineral remoteness assessment or equivalent be developed for the parcel?

☐ YES

☐ NO

☐ N/A. Does not apply.

5. Describe the circumstances of the mineral estate. Include any past or current activity and whether there is risk to the parcel from exploration and development activities under the subsurface estate.

### Title and On- or Off-site Conditions

1. Describe any identified exceptions to title coverage. If not applicable, write "N/A" in the space provided.

2. Describe any unrecorded exceptions to title coverage, leases, or other unrecorded use of the parcel. This includes written and verbal leases. If not applicable, write "N/A" in the space provided.



3. Describe any hazardous material present on or nearby the parcel. If not applicable, write "N/A" in the space provided.

4. Describe existing or permitted rights-of-way for utilities or other infrastructure on the parcel. If not applicable, write "N/A" in the space provided.

5. Will the applicant complete a limited or full phase-I environmental assessment of the parcel before closing the easement?

☐ YES

☐ NO

#### Impervious Surface

1. How much impervious surface is present on the parcel? [NOTE: An estimate of the percent impervious surface may be obtained through measuring the surface area on an aerial photo or other mapping means].

☐ 2% or less of the total acres.

☐ Greater than 2% of the total acres. Parcels with more than 2% impervious surface are **ineligible unless a waiver is granted**. Submit a waiver request with the application.

#### Building Envelopes

1. Will the landowner reserve any building rights on the parcel?

☐ YES

☐ NO

If yes, briefly describe why the building rights and associated building envelope are necessary to support the conservation values:

2. Does the landowner understand that any changes to the building envelope after obligation of funds are subject to NRCS approval?

☐ YES

☐ NO

☐ N/A. Does not apply.

#### Subdivision

Applicants are advised to submit individual parcel applications for each proposed subdivision if the landowner would like to retain subdivision rights. Applying in this manner is advisable if the entity and landowner wish to guarantee subdivision approval during the application process rather than wait for the outcome of subdivision approval pre-closing for funded parcels. Approved parcels will be treated as separate easements. If the applicant elects to submit one parcel application that includes subdivision rights, **approval of subdivisions or changes to subdivisions after obligation is not guaranteed**.



1. Will the landowner reserve the right to subdivide the parcel? [NOTE: If yes, a farmland classification map, land use/land type map, proposed subdivision map with acreage of each division, soils map, and an impervious surface map with percentage must be submitted for each division].

☐ YES. Additional maps that are required are included with the application as stated above.

☐ NO

2. If the right to subdivide is retained, describe how each division will meet the selected land eligibility category (pp 12-15). If not applicable, write "N/A" in the space provided.

### Minimum Deed Terms (MDT)

1. Does the eligible entity accept the NRCS Minimum Deed Terms for the transaction type? [NOTE: ACEP-ALE Classic applicants refer to 2018 Farm Bill MDT on OR ACEP-ALE webpage.]

☐ YES

☐ NO [INELIGIBLE]

2. Does the landowner accept the NRCS Minimum Deed Terms for the transaction type? [NOTE: ACEP-ALE Classic applicants refer to 2018 Farm Bill MDT on OR ACEP-ALE webpage].

☐ YES

☐ NO [INELIGIBLE]

3. Please indicate how the applicant entity plans to address NRCS MDTs for the parcel in the easement deed. [NOTE: An applicant will score higher by opting to append the MDT. If the MDT is incorporated, the document is subject to additional review at the national level].

☐ The applicable MDT version will be appended to the easement deed. [PREFERRED]

☐ The applicable MDT version will be incorporated verbatim into the easement deed.

☐ The eligible entity will use its own NRCS-approved deed template that incorporates the appropriate MDT version.

☐ The eligible entity will use another entity's NRCS-approved deed template that incorporates the appropriate MDT version.

☐ Other: \_\_\_\_\_

### Resource Concerns, Multifunctional Benefits, and Conservation Values

1. Select and briefly describe the ACEP-ALE resource concern(s) that will be addressed through the protection of the parcel? Select all that apply. [NOTE: Use appendix 5 to help answer this question. Attach supporting photographs, maps, and supplemental documentation as appropriate].

☐ Soil – erosion, reduction, deposition:



- ☐ Soil – condition improvement:
- ☐ Soil – protection of rare, unique, or endangered soils:
- ☐ Water – quantity improvement:
- ☐ Water – quality improvement:
- ☐ Air – quality improvement:
- ☐ Plant – species composition:
- ☐ Plant – suitability enhancement:
- ☐ Plant – condition improvement:
- ☐ Plant – productivity:
- ☐ Animal – species composition, habitat improvement, and habitat diversity:
- ☐ Animal – livestock production limitation:
- ☐ Energy – inefficient energy use:
- ☐ Other:

2. Will the selected resource concern(s) be addressed in the baseline report, ALE deed, and/or the ALE plan? *[NOTE: if the application receives points for a resource concern, the resource concern must be addressed in at least one of the mentioned documents].*

- ☐ YES                      ☐ NO                      ☐ N/A. Does not apply.

3. Select and describe the multifunctional benefits that will be addressed through the protection of the parcel. Select all that apply. *[NOTE: Attach supporting photographs and supplemental documentation as appropriate].*

- ☐ Social:
- ☐ Economic:
- ☐ Historical/Archaeological:
- ☐ Carbon sequestration:
- ☐ Climate change resiliency:
- ☐ At-risk species protection:
- ☐ Reducing nutrient runoff:
- ☐ Water quality improvement:
- ☐ Other:



## Entity Performance

1. In 5-6 sentences, describe the entity applicant's performance during the previous five fiscal years (October 1 – September 30) as it relates to demonstrated efficiency in completing NRCS easement transactions. If not applicable, write "N/A" in the space provided.

2. In 4-5 sentences, describe the entity applicant's performance during the previous three calendar years (January 1 – December 31) as it relates to demonstrated ability in monitoring NRCS easements.

Applications will screen "low" for any applicant entity that fails to submit the required annual monitoring reports on existing easements to NRCS. If not applicable, write "N/A" in the space provided.

[NOTE: describe whether the entity monitored easements annually and provided sufficient, timely reports to NRCS].

## Certification Statement

By signing below, I certify that the information provided in this Parcel Application for the parcel offered for enrollment is true, correct, and complete. I understand that NRCS must follow all statute, regulations, and policies governing ACEP in the decision and determination of both landowner and land eligibility for the offered parcel. I also understand that NRCS will perform a site visit and landowner interview to determine land eligibility before funding determination.

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Eligible Entity Signature (*E-signature not accepted*)

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Date

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Primary Applicant Signatory Name and Title (Printed)

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Eligible Entity Name