**Regional Conservation Partnership Program (RCPP) –**

**Conservation Easements**

**Colorado NRCS Entity Application Questionnaire**



Entity applications for ACEP-ALE should be developed in accordance with the following format and guidance. All requested information on the following pages must be provided, including all documentation on the included Entity Application Checklist and submitted to:

USPS:

Laura Trimboli Easements Coordinator

USDA NRCS

Denver Federal Center

P.O. Box 25426

Denver, CO 80225

UPS or FEDEX:

Laura Trimboli Easements Coordinator

USDA NRCS

Denver Federal Center

Building 56, Room 2604

Denver, CO 80225

EMAIL:

Laura Trimboli,

Easements Coordinator

Laura.trimboli@usda.gov

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

**Applications are accepted on a rolling basis. However, applications must be received by 4:00 P.M. MST on the advertised Ranking Cut-Off Date(s) to be considered for funding in a specific fiscal year.**

Note: There may be multiple cut-off dates in the same fiscal year.

The following is a questionnaire meant to gather adequate documentation for consideration of funding in applicable Regional Conservation Partnership Program (RCPP) easements projects. You must answer all questions contained within and provide all supporting documentation requested for the application package to be considered complete (unless otherwise noted).

New parcels may only be enrolled using Program Agreements (PA) and Parcel Contracts (PC) due to efficiency and reduced paperwork. If the entity has an existing PA covering the program under which parcel applications will be submitted, only a parcel application needs to be submitted (see parcel application requirements on [website](https://www.nrcs.usda.gov/programs-initiatives/rcpp-regional-conservation-partnership-program/colorado/regional-conservation)). If there is no existing PA or not one that covers the program, the entity application package must be submitted at or prior to submission of a parcel application package. ***Any incomplete or ineligible packages will not be considered for funding.***  The narratives and supporting documentation may be inserted under the applicable question or provided as an exhibit or attachment to the application package. It is strongly suggested that the order and format of this questionnaire is followed to ensure consistency and fairness among all applicants. The entity eligibility will rely on the information you submit in your proposal along with any data NRCS keeps on prior and active agreements.

For more information or assistance in completing your proposal, please contact the **CO NRCS Easements Program Manager, Laura Trimboli at (970) 403-6379 or** [**laura.trimboli@usda.gov**](mailto:laura.trimboli@usda.gov) **or** **CO NRCS RCPP Coordinator, James Sperry, at (719) 695-3342 or** [**james.sperry@usda.com**](mailto:james.sperry@usda.com)**.**



ENTITY APPLICATION CHECKLIST

|  |
| --- |
| **Program Agreement Requirements**  Submit once to cover a defined period. No funding is assigned to the Program Agreement. Parcels are funded by each through separate contracts covered by the terms of the Program Agreement. |
| * “RCPP Colorado Entity Application Questionnaire,” fully completed * Evidence of eligible entity type (e.g., 501(c)(3)) * NRCS-CPA-1274, Entity Application * AD-2047\*\* for each entity applicant, co-holder, and third-party rights holder * SF-1199A (even if previously filed) * Evidence of “Active” DUNS/SAM registration * Statement of Authority or other form of signature authority. Must include signature specimen.   \*Must consider all parcels values and information covered by this entity application package.  \*\*Only needed if records not established with FSA or entity/co-holder/third-party information needs to be updated. Must confirm with NRCS or FSA if the form(s) will not be submitted with the application package. |



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ENTITY QUESTIONNAIRE

*All questions below must be answered, and details or other documentation provided as required. If any questions are unanswered, it could affect the eligibility of the application.*

# ENTITY APPLICANT INFORMATION

## Basic Information

* + 1. Primary Entity Applicant Legal Name: ***Click or tap here to enter text.***
    2. Primary Entity Mailing Address: ***Click or tap here to enter text.***
    3. Primary Entity Point-of-Contact Name, Phone Number, and Email: ***Click or tap here to enter text.***
    4. Select the applicable eligible entity type and list the entity name for each entity applicant listed on the CPA-1274.

State agency: ***Click or tap here to enter text.***

Local government: ***Click or tap here to enter text.***

Indian Tribe: ***Click or tap here to enter text.***

Non-governmental organization described in 501(c)(3) and 509(a)(1), (2), or (3) that has conservation purposes (IRC Section 170(h)(4)(A)(i-iv)): ***Click or tap here to enter text.***

Other (**INELIGIBLE**): ***Click or tap here to enter text.***

* + 1. Provide the contact information as requested in #1-3 above for any other eligible entities, co-applicants, co-holders, and third-party rights holders that will be on the agreement (required if they may be a party to any parcel contracts now or in the future): ***Click or tap here to enter text.***
    2. Eligible entity, co-applicants, and co-holders are required to be a party to the agreement and/or be listed as a contributor in some form. Provide the authority under which each of these entities is authorized to operate (e.g., charter, statutory authority, articles of incorporation, bylaws), provide a copy of such documentation: ***Click or tap here to enter text.***
    3. Provide the names and titles of the appropriate signatory for each eligible entity, co-applicant, and co-holder and provide documentation of this signatory authority with this application package: ***Click or tap here to enter text.***
    4. Have you provided evidence of how each entity applicant meets the criteria for the selections above?

YES  NO – **INELIGIBLE**

# ENTITY ELIGIBILITY REQUIREMENTS

## Ability to Implement the Program

* + 1. Do the entity applicants have the authority and capability to purchase, hold, manage, and enforce agricultural conservation easements in the State of Colorado as applicable?

YES  NO – **INELIGIBLE**

***IF “YES,” DESCRIBE: Click or tap here to enter text.***

* + 1. Do the entity applicants have an established agricultural land protection program that purchases conservation easements for the purpose of protecting either (1) agricultural use and future viability and related conservation values through limitations of non-agricultural uses or (2) grazing uses and related conservation values through restoration or conservation?

YES  NO – **INELIGIBLE**

***IF “YES,” DESCRIBE: Click or tap here to enter text.***

* + 1. Do the entity applicants have a demonstrated commitment to the long-term protection of agricultural lands?

YES  NO – **INELIGIBLE**

***IF “YES,” DESCRIBE: Click or tap here to enter text.***

* + 1. Do the entity applicants have adequate staff dedicated to monitoring and easement stewardship?

YES  NO – **INELIGIBLE**

***IF “YES,” DESCRIBE: Click or tap here to enter text.***

* + 1. Are the entity applicants AND all co-holders able to meet all requirements of an ACEP-ALE agreement? NOTE: If awarded, all co-holders must sign the ALE agreement or submit other acceptable documentation.

YES  NO – **INELIGIBLE**

***IF “YES,” DESCRIBE: Click or tap here to enter text.***

## Administrative Requirements

* + 1. Do all entity applicants AND co-holders have an “Active” [DUNS and SAM registration](https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/programs/?cid=stelprdb1257063)?

YES  NO – **INELIGIBLE**

* + 1. Have all entities, including co-holders and holders of third-party rights, been entered into Farm Service Agency’s (FSA) Service Center Information Management System (SCIMS) and the record contains up-to-date information? NOTE: You must work directly with the local FSA office according to the legal address of the entity.

YES  NO – **INELIGIBLE**

* + 1. Will any eligible entities, co-applicants, co-holders, and third-party rights holders other than the main entity applicant benefit from or receive the NRCS payment if funded? NOTE: Each entity receiving the NRCS payment must file an SF-1199A.

YES  NO

***IF “YES,” LIST THE PARTIES AND WHAT PERCENT OF THE NRCS PAYMENT WILL BE ATTRIBUTED TO THEM: Click or tap here to enter text.***

* + 1. Provide information on the roles each eligible entities, co-applicants, co-holders, and third-party rights holders will potentially play in or hold certain rights for an easement transaction under this agreement:

Acquisition: ***Click or tap here to enter text.***

Enforcement: ***Click or tap here to enter text.***

Monitoring: ***Click or tap here to enter text.***

Funding: ***Click or tap here to enter text.***

Third-party rights: ***Click or tap here to enter text.***

Other (list and describe): ***Click or tap here to enter text.***

* + 1. Has a copy of the “Colorado ALE Application Checklist – Entity Application” been provided and has all the documentation on the checklist been provided?

YES  NO – **INELIGIBLE**

## Entity Performance

* + 1. Describe the entity applicants’ protocols for monitoring, including NRCS and non-NRCS easements: ***Click or tap here to enter text.***
    2. If the entity applicants have received NRCS easement funds in the past, describe the entities’ performance under those agreements and how the terms were met or not met, including length of time to closing OR if no prior NRCS funding, write “N/A:” ***Click or tap here to enter text.***

# CERTIFICATION STATEMENT

## Entity Responsibilities

* + 1. By submission of this application and if awarded an agreement, the entity applicants agree to:
       1. Perform necessary legal and administrative actions to ensure proper acquisition and recordation of valid agricultural land easements, including such additional actions as required for agricultural land easements acquired through an authorized buy-protect-sell transaction.
       2. Procure and pay all costs related to determinations of value, due diligence, and closing.
       3. Hold title to the agricultural land easements.
       4. Meet the requirements of the ALE-agreement and carry out all responsibilities specified in the ALE-agreement, including submitting all required documentation and requests for reimbursements, advances, or extensions by required deadlines.
       5. Ensure that any required or agreed-to agricultural land easement plans are complete at or prior to closing and updated as necessary pursuant to applicable easement deed terms (see Minimum Deed Terms posted on website).
       6. Provide information to the FSA for entry into SCIMS.
       7. Ensure DUNS and SAM registration is maintained for each eligible entity and any co-holders.
       8. Ensure any legal entities that will be identified in the conservation easement deed as a co-holder (grantee) or as a third-party right holder (not a grantee) meet the requirements applicable to such legal entities as set-forth in the terms of the ALE-agreement.
       9. Conduct monitoring at least annually and provide the monitoring report to the State conservationist at least annually.
       10. Enforce the terms of the agricultural land easement.
       11. After consultation with and approval by NRCS, an eligible entity may assign another entity to manage and enforce the agricultural land easement. The entity assigned the management and enforcement responsibilities must have the appropriate expertise and capacity to carry out such responsibilities.

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Primary Eligible Entity Signature *(electronic signatures not accepted)* Date

***Click or tap here to enter text.*** ***Click or tap here to enter text.***

Primary Eligible Entity Signatory Name Primary Eligible Entity Name



APPENDIX

# APPENDIX 1: DEFINITIONS

***Co-holder:*** A legal entity that will be identified in the agricultural land easement deed as a grantee but is not the applicant and does not have to meet the requirements of being an eligible entity. However, a co-holder is required to maintain an active DUNS and SAM registration and must agree to and comply with the terms of the ALE agreement. A co-holder may not receive direct payment of the Federal share provided by NRCS but is considered a beneficiary of the Federal funds. All prospective co-holders must be listed on the CPA-41.

***Entity applicant (also, Eligible entity):*** An Indian Tribe, State Government, local government, or a nongovernmental organization that has a farmland or grassland protection program that purchases agricultural land easements for the purpose of protecting: (i) The agriculture use and future viability, and related conservation values, of eligible land by limiting non-agricultural uses of that land that negatively affect the agricultural uses and conservation values; or (ii) grazing uses and related conservation values by restoring or conserving eligible land. Any entity applicants must meet all the requirements of an eligible entity, must be listed as such on the CPA-41, and must accept all the terms and responsibilities of the ALE agreement.

***Third-party right holder:*** A legal entity that will be identified in the agricultural land easement deed as having specific rights or responsibilities but is not listed as grantee. A third-party right holder is not the applicant, does not have to be party to the ALE-agreement, may not receive direct payment of the Federal share provided by NRCS, is not considered a beneficiary of Federal funds, and is not required to be registered in DUNS or SAM. All prospective third-party right holders must be listed on the CPA-41.

***Program:*** Only for the purposes of determining the necessity of a new Program Agreement entity application package, ***program*** means ACEP-ALE or different Regional Conservation Partnership Program (RCPP) overarching projects. Grasslands of special significance or other initiative do not count as a separate program for the purposes of a Program Agreement.



***-END-***