

# Agricultural Conservation Easement Program Agricultural Land Easements (ACEP-ALE) Workbook

A green sign with a white border and a decorative top edge. The sign is mounted on a wooden post. The text on the sign is white and reads: "This land is protected by a Conservation Easement".

This land is  
protected by a  
Conservation  
Easement

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## Connecticut NRCS

### Agricultural Conservation Easement Program: Agricultural Land Easement (ACEP-ALE) Workbook

This workbook contains information on entity, land and landowner eligibility and includes links to the forms and resources to apply to ACEP-ALE.

#### GENERAL INFORMATION

The purpose of the Agricultural Conservation Easement Program-Agricultural Land Easement (ACEP-ALE) is to protect agricultural use, including grazing uses, and related conservation values of eligible land by limiting nonagricultural uses of the land. The program protects valuable farm and ranch lands for future generations by working cooperatively with State, Tribal, and local governments and nongovernmental organizations. State, Tribal, or local governments or nongovernmental organizations must have an active farm and ranch land protection programs and apply to participate in ACEP-ALE as Eligible Entities.

Eligible Entities that have pending offers on eligible land to landowners who meet Farm Bill and ACEP-ALE program eligibility may submit their proposed parcels to NRCS Connecticut State office continuously throughout the year. The Connecticut State Conservationist establishes cutoff dates after which applications received will be ranked. State office staff ranks the proposed applications and the State Conservationist selects parcels for funding. Eligible Entities will be contacted by email with the State Conservationist's selection approximately 30 days after the cutoff date.

NRCS enters into cooperative agreements with Eligible Entities associated with the parcels selected and obligates the NRCS funds for their acquisition after funds are made available by Congress. NRCS refers to Eligible Entities that have entered into an ACEP-ALE cooperative agreement as "Cooperating Entities." Cooperating Entities are responsible for the closing, monitoring and enforcement of the easement and must submit annual monitoring reports to the Connecticut NRCS State Office.

Throughout the following document, there are hyperlinks to electronic versions of forms, and manual citations that direct the user to the appropriate section of the [NRCS Conservation Program Manual, Part 528: Agricultural Conservation Easement Program](#).

ACEP-ALE match requirements are different than they were under the Farm and Ranchlands Protection Program (FRPP). The Federal share of ACEP-ALE payment shall not exceed 50 percent of the fair market value of the easement, as determined by an approved methodology such as a USPAP or UASFLA/Yellow Book appraisal. The eligible entity must provide an amount that is at least equivalent to the Federal share. An eligible entity may include as part of its share, a qualified contribution from the landowner IF the eligible entity contributes its own cash resources in an amount that is at least 50 percent of the Federal share. This is described more fully in the ACEP manual at [528.43](#)

Applications that are not complete, or do not provide enough information for NRCS to determine eligibility, will not be considered after the advertised batching date for that signup. We will not be able to make modifications to land configurations or applicant eligibility after the deadline. If there are questions about land configurations, land eligibility or applicant eligibility, please communicate with CT NRCS as soon as possible in the process.

## ACEP-ALE CONTACT INFORMATION

Questions can be addressed to any of the ACEP Team members:

Joyce Purcell, Assistant State Conservationist - Programs  
(860) 871-4028  
[Joyce.Purcell@ct.usda.gov](mailto:Joyce.Purcell@ct.usda.gov)

Carol Donzella, Community Planner  
(203) 287- 8038 x100  
[Carol.Donzella@ct.usda.gov](mailto:Carol.Donzella@ct.usda.gov)

Barb Alexander, GIS Specialist  
(860) 871 – 4046  
[Barb.Alexander@ct.usda.gov](mailto:Barb.Alexander@ct.usda.gov)

Carol Grasis, Resource Conservationist  
(860) 871 – 4016  
[Carol.Grasis@ct.usda.gov](mailto:Carol.Grasis@ct.usda.gov)

## ENTITY ELIGIBILITY INFORMATION

NRCS works with eligible state, local, Indian Tribes and non-profit entities who arrange for the purchase of development rights through conservation easements on private lands. The entity must be determined to be eligible before any proposed easements submitted by that entity will be considered.

### Cooperating Entity Eligibility Criteria

Any state or local unit of government or Indian Tribe, or non-profit organization can apply for ACEP-ALE funds by submitting a complete application package, which includes documents that demonstrate the following:

[\[528.32\]](#)

- Commitment to long-term conservation of agricultural lands (organization charter or mission, agricultural land protection policy and date when organization began conserving agricultural lands);
- Ability and authority to acquire, manage, and enforce easements (legal and realty staff or support);
- Sufficient staff dedicated to monitoring and easement stewardship
- Availability of funds at the time of application sufficient to meet the eligible entity's contribution requirements for each proposed parcel
- Ability to meet the requirements of the program

As part of the application package, the cooperating entity must complete 3 standard federal forms:

- [SF-424 - Application for Federal Assistance](#)
- [SF-424A - Budget Information for Non-Construction Programs](#)
- [SF-424B - Assurances Non-Construction Programs](#)

### Contribution Waivers

Please refer to ACEP manual [\[528.43 C\]](#) for specific criteria that must be met as part of the waiver request. The State Conservationist may waive a portion of the applicable eligible entity cash contribution requirements for parcels that NRCS determines are projects of special significance. This waiver does not increase the Federal share, but decreases the required entity contribution. The difference results in a higher landowner donation. Requests must be submitted on a parcel basis. If the entity's ability to meet the match requirement at the time of application is contingent upon the receipt of a waiver, then the waiver request MUST be submitted at the time of application.

### DUNS and SAM

Any eligible co-operating entity which will hold or co-hold an ACEP-ALE funded easement, or hold third-party rights must have a Dun and Bradstreet (DUNS) number and the entity must register the DUNS number in the System for Awards Management (SAM) at [www.SAM.gov](http://www.SAM.gov). Instructions for SAM Registration can be found on the SAM.Gov website, under HELP. The [Quick Start Guides for Grant Registrations](#) is especially useful. Additional information is available at:

<http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/programs/financial/?cid=stelprdb1257063>

**NOTE: These are both FREE services. There is never a charge to obtain a DUNS number for the purpose of receiving federal financial assistance or to register the DUNS number on SAM.gov.**

All entities who will hold or co-hold an ACEP-ALE easement, or hold third-party rights must be listed on the CCC-41 entity application, and be on the Cooperating Agreement and the Conservation Deed.

## LAND AND LANDOWNER ELIGIBILITY

The cooperating entity must ensure that both the land and any and all landowners are eligible to participate in ACEP-ALE before submitting an application. Use the following information to determine Land and Landowner Eligibility. **Complete the [Checklists](#) at the end of this workbook** to ensure that all documents are submitted with the application:

### Land Eligibility:

An onsite review by NRCS is required prior to the NRCS making a final land eligibility determination. To be eligible for ACEP-ALE, land must meet each of the following criteria [\[528.33\]](#) :

- Private or Tribal land that is agricultural land, including land on a farm or ranch
- Subject to a written pending offer for purchase of an agricultural land easement from an eligible entity [\[528.33 \(D\)\]](#)
- Must meet one of the following Land Eligibility Criteria [\[528.33 \(B\)\]](#) :
  - Is made up of at least 50 percent prime, unique, statewide or locally important farmland \*
  - Contains historical or archaeological resources
  - The enrollment of the parcel will protect grazing uses and related conservation values by restoring and conserving land
  - The protection of the parcel will further a State or local policy consistent with the purposes of ACEP
- Must be at least one of the following:
  - Cropland
  - Grassland or land that contains forbs, or shrubland for which grazing is the predominant use
  - 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
  - Pastureland
  - Nonindustrial private forestland (NIPF) that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development. (ACEP-ALE easements may contain forestland on up to two-thirds of the ACEP-ALE easement area. Forested acreage that is either 40 acres or 20% of the ACEP-ALE easement area will require a forest management plan as a component of the required agricultural land easement plan.)
  - Is in an area that has access to agricultural markets for products, with infrastructure appropriate for supporting agricultural production and other services
  - Is land that faces development pressure from nonagricultural use

\* The State Conservationist, with the advice of the State Technical Committee, may elect to increase or decrease the required percentage of prime, unique, statewide, or locally important soil for a specific area or region of the State. This decision must be documented in a general memorandum for the area or region affected and the basis for the increase or reduction.

### Landowner Eligibility

All landowners, as shown on the deed, must be eligible for ACEP-ALE. [\[528.35\]](#) Landowners will need to complete some USDA forms, and might need to provide additional information if they have never participated in USDA programs before.

**If the landowner has never participated in USDA programs** – they won't be in the USDA system, have never filed any eligibility paperwork and the land will not have a Farm/Tract number associated. The best course of action is to have the landowner (or representative of an entity landowner) contact the Farm Service Agency (FSA) in the appropriate USDA Service Center. FSA will enter the applicant's information into the USDA customer database (SCIMS) and digitize the boundaries of the land. FSA is also the agency that collects and maintains eligibility paperwork and makes landowner eligibility determinations. A new participant will get all the help they need to complete the paperwork and complete eligibility paperwork through an appointment with their FSA representative.

**If the landowner is already a participant in NRCS or FSA programs**, they may only need to update eligibility forms that have been filed in the past. Even experienced landowners should contact FSA to determine if they need to file new paperwork and to ensure that USDA files are correctly attributed.

**Individual (non-entity) Landowners:**

If there is more than one individual named on the deed (e.g. a husband/wife or parent and children) there must be documentation that describes the percent shares held by the participants (e.g., 50% - 50% or 50% - 25% - 25%). Each individual landowner will need to file paperwork that self-certifies compliance with USDA regulations concerning Highly Erodible Lands (HEL) and Wetland Compliance (WC). Additionally, each landowner will need to provide a self-certification form that they meet the Adjusted Gross Income limit (the threshold is \$900,000 for each of the 3 previous years) and provide consent to disclosure of tax information to the IRS.

The landowners would complete the following documents and provide the original to FSA. A copy should be included with the parcel application for ACEP-ALE. (Please note that the links provided will take the user to forms that are appropriate for applications)

- *Highly Erodible Land Conservation (HEL) & Wetland Conservation (WC) Certification:* Each landowner named on the property deed must complete a separate [AD-1026 form](#)
- *Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information:* Each landowner who will be named on the easement deed must complete the [CCC-941 form](#)

**Legal entity (trust, limited liability corporation, joint venture, etc.) Landowners:**

If the land is owned in whole or part by an entity, both the entity and all of its members will need to complete the following documents and provide the original to FSA. A copy should be included with the application for ACEP-ALE.

- *Members Information:* The form is completed in the Entity's name, and shows all the members of the entity and their owned shares: [CCC-901 form](#).
- *Highly Erodible Land Conservation (HEL) & Wetland Conservation (WC) Certification:* The legal entity named on the deed and each member of the legal entity must complete a separate [AD-1026 form](#)
- *Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information:* The legal entity named on the property deed and each member of the legal entity must complete a separate [CCC-941 form](#).

**If there is an embedded entity** (i.e., an LLC might have a Trust as one of the members, and there are beneficiaries to the trust) –the entity, the embedded entity and any named individual members should all be shown on the CCC-901, and all need to file as above.

Any questions about filing eligibility paperwork should be directed to the landowner's local FSA office

## APPLICATION PACKAGE CHECKLIST

ALL of the following Application Documents are Required for submission by the application deadline in order to be considered under ACEP-ALE: [ [See 528.42](#) ] Hard Copy is preferred to ensure high quality maps

### Entity Application Checklist

Attach/complete the following Required supporting documentation:

- Completed and signed Entity Application ([CPA-41](#)) (Must be signed by all Co-operating Entities, add additional signature page as needed)
- Documentation of the entity's commitment to long-term conservation of agricultural lands through the use of easements
- Documentation of the entity's capability and record of acquiring, holding, managing and enforcing conservation easements
  - Include citation to the State-enabling statute that the entity will rely on to acquire agricultural easements
  - If the entity is a State, local or Tribal government, include the citation to the entity's statutory authority to acquire conservation easements consistent with the purposes of ACEP-ALE
- Documentation of the entity's capacity to monitor and enforce agricultural land easements
- Documentation of required funds available for EACH parcel – including, but not limited to:
  - Funds held in an entity account that are not otherwise committed or restricted
  - Funds awarded to the entity, but not necessarily held in an entity account
  - Loans obtained by the entity for the purpose of acquiring conservation easements
- If applicable, a written request for a waiver of the Eligible Entity Cash Contribution Requirement for projects of special significance.
- If applicable, a written request for waiver of entity match requirements – including a signed letter from the landowner documenting that the increase in the landowner donation is voluntary and evidence that the land is in “active agricultural production”
- DUNS number, which has been registered and is active in SAM for each entity that will hold, co-hold or hold a third party right to a parcel is documented on the CPA-41
- Form SF-424 - Application for Federal Assistance
- Form SF-424A - Budget Information: Non-Construction Programs
- Form SF-424B – Assurances: Non-Construction Programs

### Parcel Sheet(s) Checklist

Attach/complete the following REQUIRED supporting documentation for each parcel in the application.

- Completed and Signed Parcel Application ([CPA-41A](#)) for each parcel (MUST be signed by every named landowner on the deed – add extra signature pages as needed) - Include a Telephone number for the Primary Landowner Contact
- Evidence of the landowners current legal ownership, including a recorded deed, and, if necessary, a fully executed purchase agreement where the eligible landowner has agreed to purchase the eligible land
- Copy of the written pending offer to acquire agricultural land easements for each parcel in the application
- Copy of the CCC-901-Members Information form, in the case of Entity Landowners (if not applicable, enter N/A)
- Copy of the AD-1026- HEL/Wetland Compliance form for each landowner and member of a landowner entity
- Copy of the CCC-941 – Average Adjusted Gross Income and Consent to Disclosure of Tax Information for each landowner and member of a landowner entity
- Estimated agricultural land easement value, costs and contributions for each parcel [\[528.43\]](#) provided on the CPA-41A including:
  - The Fair Market Value of the easement
  - The total estimated entity non-federal contribution
  - The requested Federal share
  - The estimated purchase price
  - The qualified contribution by the landowner

### Information that describes the parcel to be protected:

- Map showing the location of the parcel – with boundaries accurately represented. Parcels with forestland should clearly show the acres of forest and the acres of open space, and the ratio should not exceed 2/3 forest to 1/3 open. Acres documented on the map should match the # of acres on the CPA-41A
- Evidence and map of legal and physical access to the parcel
- The location and acres of land where grazing uses and related conservation values would be protected
- The location and acres of any grasslands meeting the definition of special environmental significance
- Map showing the location, number and acreage of historical or archaeological sites proposed to be protected
- Map showing the location of the parcel in relation to other protected lands
- Narrative or map showing the parcel's accessibility to agricultural markets
- Narrative or map showing the parcel's access to existing agricultural infrastructure – both on and off farm
- Narrative or map showing the threat of conversion or fragmentation (from non-agricultural development or cropland conversion)
- Copies of any phase I environmental site assessments, if available

- Copies of appraisal reports or title reports, if available
- If the parcel's eligibility is based upon Historical/archeological sites or furthering State/local policy, a description of this basis, maps and appropriate citation of policy or the National Register is required
- Ownership of subsurface mineral rights and any required water rights, if Applicable (or enter N/A)

Complete Application Packages can be mailed or hand-delivered by the close of business on the advertised application cutoff date. A hard copy of the application package should be provided in order to ensure that maps and other documents are legible.

Applications must be complete and final by the cutoff date. We will not be able to make modifications to land configurations, land eligibility or applicant eligibility after the deadline. If there are questions, please communicate with CT NRCS as soon as possible in the process

Submit complete packages to:

Joyce Purcell, Assistant State Conservationist - Programs  
USDA-NRCS  
344 Merrow Rd., Suite A  
Tolland, CT 06084  
(860) 871-4028

Entities will be notified by email of their eligibility status within 30 days of submission. If you have any questions, please contact Joyce Purcell at (860) 871-4028 or by email to [joyce.purcell@ct.usda.gov](mailto:joyce.purcell@ct.usda.gov)

**ENTITY APPLICATION for an AGRICULTURAL LAND EASEMENT (ALE) AGREEMENT**

This is an Entity Application for an Agricultural Land Easement (ALE) Agreement through the: (Select ONE) <input type="checkbox"/> Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE) <input type="checkbox"/> Regional Conservation Partnership Program (RCPP) – ACEP-ALE	
Entity Name:	NEST Application Number: <b>AGENCY USE</b>
Entity Address:	Application Date:
Entity Email:	Entity Type: <input type="checkbox"/> State Government <input type="checkbox"/> Local Government <input type="checkbox"/> Indian Tribe <input type="checkbox"/> Non-Governmental Organization <sup>i</sup>
Entity TIN	Application Total Acres:
Telephone:	State:
Land Eligibility Category for Agreement (Select One <sup>ii</sup> ): <input type="checkbox"/> Has prime, unique, or other productive soil <input type="checkbox"/> Contains historical or archaeological resources <sup>iii</sup> <input type="checkbox"/> Protects grazing uses and related conservation values <input type="checkbox"/> Furthers a State or local government policy consistent with the purposes of ACEP. Cite the State or local government policy consistent with ACEP: _____	
Is this an application for a Grassland of Special Environmental Significance (GSS) ALE Agreement: <input type="checkbox"/> Yes <input type="checkbox"/> No	

**This is an Entity Application for an ALE Agreement, as established by the Agricultural Act of 2014. By signing and submitting this application, you agree to comply with the requirements of ACEP-ALE.**

- Yes  No Do you have entity records established with the appropriate USDA Service Center Agency?  
*If no, you must establish them with the appropriate USDA Service Center Agency prior to submitting this application.*
- A Dun & Bradstreet Data Universal Numbering System (DUNS) number and current registrations in the Central Contractor Registrations (CCR) databases are required for receiving payment under an EIN.** *If you do not have a DUNS number information is available at <http://fedgov.dnb.com/webform> To register with CCR, go to <https://www.sam.gov/>*  
**DUNS Number:**
- Yes  No Do you have the authority and capability to acquire, manage, and enforce agricultural land easements?
- How many entity staff are dedicated to monitoring and easement stewardship?**
- Yes  No Are you an NRCS Certified Entity<sup>iv</sup>?
- Yes  No Are all parcels<sup>v</sup> associated with this application subject to a written pending offer<sup>vi</sup> signed by the eligible entity for purchase of an agricultural land easement<sup>vii</sup> by an eligible entity?

**7.  Yes  No Will any other entity co-hold an agricultural land easement on one or more of the parcels associated with this application?**

*If the answer is Yes, then the intended co-holder(s) must co-sign this application for an Agricultural Land Easement Agreement, provide a DUNS number, and be registered with SAM.*

**Name: Tax Number: DUNS Number:**

**Co-Holder Signature:**

**Name: Tax Number: DUNS Number:**

**Co-Holder Signature:**

**8.  Yes  No Will another entity, other than the United States, hold a third-party right, contingent right, or any other real property interest in an agricultural land easement on one or more of the parcels associated with this application, excluding entities co-signing this application as a co-holder?**

*If the answer is Yes, list the Names and Tax Identification Number for all other intended holders of interests in the agricultural land easement.*

**Name: Tax Number: DUNS Number:**

**Name: Tax Number: DUNS Number:**

**Name: Tax Number: DUNS Number:**

**9. The land offered<sup>viii</sup> under this application is (check all that apply):**

Private Land

Tribal, Allotted, Ceded, or Indian Land

**10. How many parcels are associated with this application:**

*You must complete an ACEP-ALE Parcel Sheet NRCS-CPA-41A for each parcel associated with this application and attach it to this Entity Application for an ALE Agreement.*

**11. Complete the below table with the sum totals for all parcels associated with this application.**

*These values may be estimates; subject to the final values, being determined by an NRCS approved appraisal report or easement valuation methodology.*

A. Total Estimated Fair Market Value of all ALEs	\$
B. Total Estimated Entity Non-Federal Cash Contribution to all ALEs (excluding landowner donation)	\$
C. Total Requested Federal Share for ALEs	\$
D. Total Estimated Purchase Price. <sup>ix</sup> of ALEs (D = B + C)	\$
E. Total Estimated Landowner Donation for all ALEs. <sup>x</sup> (E = A - D)	\$

**12. All entities that will be identified as either a co-holder or other holder of interest on any agricultural land easement deed associated with this application must be listed on the table below. For those that will contribute cash or receive ALE funds, identify on the table below the estimated entity non-federal cash contribution (item B above) and the requested federal share (item C above) by individual entity.**

<b>Entity Name:</b>	<b>Entity Role</b> ( <i>identify either</i> ): - Co-holder (#7 above), or - Holder of Interest (#8 above)	<b>B1. Estimated Individual Entity Non-Federal Cash Contribution to all ALEs</b> ( <i>total must equal item B above</i> )	<b>C1. Individual Entity portion of requested Federal Share for ALEs</b> ( <i>total must equal item C above</i> )

The Entity has reviewed the template Agricultural Land Easement Agreement that stipulates the terms and conditions under which the entity would be permitted to use the cost-share assistance applied for herein. The Entity agrees to participate in the Agricultural Land Easement component of the Agricultural Conservation Easement Program if NRCS and the Entity enter into an Agricultural Land Easement Agreement. However, nothing in this application obligates the United States or the Entity to purchase all or any of the Agricultural Land Easements listed on the Parcel Sheets attached to this application. The undersigned Entity shall hereafter be referred to as the "Participant." The Participant understands that unless an Entity is Certified by NRCS, acquiring an Agricultural Land Easement without the NRCS required minimum deed terms and conditions or prior to NRCS approval of the appraisal or easement valuation determination and title causes the Agricultural Land Easement to be ineligible for ACEP cost-share assistance. An Entity may only be Certified by the Chief of NRCS.

It is the responsibility of the Participant to provide accurate data to support all items addressed in this application at the request of NRCS. False certifications are subject to criminal and civil fraud statutes. The Participant certifies that highly erodible land conservation/wetland conservation, adjusted gross income certifications, and member information for all landowners are on file with the appropriate USDA Service Center Agency.

The Participant is required to be registered in the System for Award Management (SAM) before submitting this application and must provide a valid DUNS number on this application. Each Participant must continue to maintain an active SAM registration with current information at all times during which it has an Agricultural Land Easement, Agricultural Land Easement Agreement, or an active application under consideration. NRCS may not enter into an Agricultural Land Easement Agreement with an Entity until all applicable DUNS and SAM requirements have been met. If an Entity has not fully complied with these requirements by the time NRCS is ready to award the Agricultural Land Easement Agreement, NRCS may determine that the Entity is not qualified to receive an Agricultural Land Easement Agreement and use that determination as a basis for making an award to another applicant.

**Initial**

- 13.  - I certify that the Entity has its own cash resources to provide the Total Estimated Entity Non-Federal Cash Contribution stated in 11.B. above.
- 14.  - I have received and reviewed a copy of the required Agricultural Land Easement Cooperative Agreement Template and United States Secretary of Agriculture's required minimum deed terms and conditions for an Agricultural Land Easement.

<b>Signature of Authorized Entity Representative</b>	<b>Date</b>
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### NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers. If you believe you experienced discrimination when obtaining services from USDA, participating in a USDA program, or participating in a program that receives financial assistance from USDA, you may file a complaint with USDA. Information about how to file a discrimination complaint is available from the Office of the Assistant Secretary for Civil Rights.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex (including gender identity and expression), marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, complete, sign and mail a program discrimination complaint form, available at any USDA office location or online at [www.ascr.usda.gov](http://www.ascr.usda.gov), or write to:

USDA  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, S.W.  
Washington, D.C. 20250-9410

Or call toll free at (866) 632-9992 (voice) to obtain additional information, the appropriate office or to request documents. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339 or (800) 845-6136 (in Spanish). USDA is an equal opportunity provider, employer, and lender.

Persons with disabilities who require alternative means for communication of program information (e.g., Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

### PRIVACY ACT STATEMENT

The following statements are made in accordance with the Privacy Act of 1974 (U.S.C. 522a). Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

This information collection is exempted from the Paperwork Reduction Act under 16 U.S.C. 3801 note and 16 U.S.C. 3846.

i To be considered as an **Eligible Entity** under ACEP-ALE a Non-Governmental Organization must be:

(1) organized for, and at all times since the formation of the organization been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

(2) an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; or

(3) described in "(I) paragraph (1) or (2) of section 509(a) of that Code; or (II) section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.

ii ACEP-ALE applications should be organized by **Eligible Land** type, as ACEP-ALE agreements are Eligible Land specific.

iii **Historical and archaeological resources** mean resources that are:

(1) Listed in the National Register of Historic Places (established under the National Historic Preservation Act (NHPA), 16 U.S.C. 470, et seq.);

(2) Formally determined eligible for listing in the National Register of Historic Places (by the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) and the Keeper of the National Register in accordance with section 106 of the NHPA);

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(3) Formally listed in the State or Tribal Register of Historic Places of the SHPO (designated under section 101(b)(1)(B) of the NHPA) or the THPO (designated under section 101(d)(1)(C) of the NHPA); or  
(4) Included in the SHPO or THPO inventory with written justification as to why it meets National Register of Historic Places criteria.

<sup>iv</sup> **Certified Entity** means an eligible entity that NRCS has determined to meet the requirements of 7 C.F.R. § 1491.4(d) of this part. An Entity may only be Certified by the Chief of NRCS

v **Parcel** means a farm or ranch submitted for consideration for funding under ACEP-ALE.

vi **Pending offer** means a written bid, contract, or option extended to a landowner by an eligible entity to acquire a conservation easement before the legal title to these rights has been conveyed for the purpose of limiting non-agricultural uses of the land.

vii **Agricultural land easement** means an easement or other interest in eligible land that:

(1) is conveyed for the purpose of protecting natural resources and the agricultural nature of the land; and

(2) permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan, as approved by the Secretary of Agriculture.

viii The Secretary may not use ACEP funds for the purposes of acquiring an easement on lands owned by an agency of the United States, other than land held in trust for Indian tribes; and lands owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government. Such lands are ineligible for ACEP.

ix **Purchase price** means the fair market value of the agricultural land easement as determined by an NRCS approved methodology, minus the landowner donation.

<sup>x</sup> Landowners shall not donate any part of Federal Share or Non-Federal Cash Contribution back to the entity.

**PARCEL SHEET for  
ENTITY APPLICATION for an AGRICULTURAL LAND EASEMENT (ALE) AGREEMENT**

This is a parcel sheet for an Entity Application for an Agricultural Land Easement (ALE) Agreement through the: (Select ONE) <input type="checkbox"/> Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE) <input type="checkbox"/> Regional Conservation Partnership Program (RCPP) – ACEP-ALE	
Parcel <sup>i</sup> Landowner <sup>ii</sup> Name (as stated on source deed):	Attached to NEST Entity Application Number: <p style="text-align: center;">AGENCY USE</p>
	NEST Parcel Number: <p style="text-align: center;">AGENCY USE</p>
Parcel Street Address:	
Entity Name:	Entity DUNS Number:
Entity Email:	Entity Telephone:
Land Eligibility Category for Parcel (Select One): <input type="checkbox"/> Has prime, unique, or other productive soil. Percent of parcel that is prime, unique, or other productive soil: <input type="checkbox"/> Contains historical or archaeological resources <input type="checkbox"/> Protects grazing uses and related conservation values <input type="checkbox"/> Furthers a State or local government policy consistent with the purposes of the ACEP. Cite the State or local government policy consistent with the ACEP: _____	Entity TIN:
	Application Date:
Is this an application for a Grassland of Special Environmental Significance (GSS) ALE Agreement: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Parcel Offered Acres:	Parcel Longitude and Latitude:

1.  Yes  No Do all landowners have farm records established with the appropriate USDA Service Center Agency?

*If no, they must be established for each landowner with the appropriate USDA Service Center Agency prior to submitting this application.*

2. What evidence of landownership are you providing?

Property Deed

Current Written Purchase Agreement

*Attach the Property Deed or Written Purchase Agreement to this Parcel Sheet.*

3. Is the land owned by an (check all that apply):

Individual

a) Please enter your legal name(s) and tax identification number(s):

**Name:**

**Tax Number:**

Entity (Corporation, Limited Liability Company, Partnership, Trust, etc.)

a) Please enter entity legal name and tax identification number:

**Name:**

**Tax Number:**

b) Yes  No  Do you have appropriate documents including proof to sign for the entity?

4. The land offered<sup>iii</sup> under this parcel sheet is (select one):

- Private Land
- Tribal, Allotted, Ceded, or Indian Land

5. Is the land being offered for enrollment (select all that apply):

- Cropland                       Rangeland                       Pastureland
- Grassland or land that contains forbs
- Shrubland for which grazing is the predominant use
- Located in an area that has been historically dominated by grass land, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value
- Nonindustrial private forest land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development.

Identify percent:

6.  Yes  No Is this parcel subject to a written pending offer<sup>iv</sup> signed by the eligible entity for purchase of an agricultural land easement<sup>v</sup> by an eligible entity?

*Attach the pending offer for purchase of an agricultural land easement to this Parcel Sheet.*

7.  Yes  No Is any portion of the parcel subject to an easement or deed restriction which provides similar protection as would be provided by enrollment in ACEP-ALE?

8.  Yes  No Is there any portion of the Parcel where the purposes of ACEP would be undermined due to on-site or off-site conditions, such as risk of hazardous substances, proposed or existing rights of way, infrastructure development, or adjacent land uses?

9.  Yes  No Is the entire parcel accessible from a public road or is there sufficient legal access to the entire parcel? Sufficient legal access is an insurable unconditional and transferable legal right of recorded access for the term of the easement.

*Attach map showing access from a public road or evidence of sufficient legal access.*

10. Complete the below table for this parcel:

*These values may be estimates; subject to the final values, being determined by an NRCS approved appraisal report.*

A. Estimated Fair Market Value of this ALE	\$
B. Estimated Entity Non-Federal Cash Contribution to this ALE (excluding landowner donation)	\$
C. Requested Federal Share for this ALE	\$
D. Estimated Purchase Price <sup>vi</sup> of this ALE (D = B + C)	\$
E. Estimated Landowner Donation for this ALE <sup>vii</sup> (E = A – D)	\$

11. Do the landowners of this parcel meet the criteria for any of the following categories? Check all that apply.

- Limited Resource Farmer or Rancher<sup>viii</sup>
- Beginning Farmer or Rancher<sup>ix</sup>
- Socially Disadvantaged Farmer or Rancher<sup>x</sup>
- Veteran Farmer or Rancher<sup>xi</sup>

**☐ Not Applicable**

A landowner may self-certify if they meet the requirements for these categories. Definitions are provided below. For more information please go to this website: <http://www.lftool.sc.egov.usda.gov/>

The Entity and Landowner agree to participate in the Agricultural Land Easement component of the Agricultural Conservation Easement Program if NRCS accepts the offered application. However, nothing in this application obligates the United States or the Entity to purchase all or any of the Agricultural Land Easements listed on the Parcel Sheets attached to this application. The undersigned Entity shall hereafter be referred to as the "Participants" and Landowners shall hereafter be referred to as "Landowners." The Participants and Landowners understand that unless an Entity is Certified by NRCS, acquiring an Agricultural Land Easement prior to approval of the Agricultural Land Easement deed, appraisal, and title causes the Agricultural Land Easement be ineligible for ACEP financial assistance. An Entity may only be Certified by the Chief of NRCS.

The Participants and Landowners acknowledge that highly erodible land conservation/wetland conservation, adjusted gross income certifications, and member information for all landowners are on file with the appropriate USDA Service Center Agency.

It is the responsibility of the Participants to provide accurate data to support all items addressed in this application at the request of NRCS. False certifications are subject to criminal and civil fraud statutes.

All Participants or landowners that certify that the landowner of a parcel meet eligibility as a Limited Resource Farmer or Rancher, Beginning Farmer or Veteran Farmer or Rancher will provide all records necessary to justify their claim as requested by a NRCS representative. It is the responsibility of the Participant and landowners to provide accurate data to support all items addressed in this application at the request of NRCS. False certifications are subject to criminal and civil fraud statutes.

**Entity Initial**

- 12.  - I certify that the Entity has its own cash resources to provide the Estimated Entity Non-Federal Cash Contribution to this ALE stated in 10.B. above.
- 13.  - I, Entity, have provided Landowner a copy of the United States Secretary of Agriculture's required minimum deed terms and conditions for an Agricultural Land Easement.

<b>Signature of Authorized Entity Representative</b>	<b>Date</b>
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**Landowner Initial**

- 14.  - I, Landowner, have received a copy of the United States Secretary of Agriculture's required minimum deed terms and conditions for an Agricultural Land Easement.

<b>Signature of Authorized Landowner Representative</b>	<b>Date</b>
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**NONDISCRIMINATION STATEMENT**

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers. If you believe you experienced discrimination when obtaining services from USDA, participating in a USDA program, or participating in a program that receives financial assistance from USDA, you may file a complaint with USDA. Information about how to file a discrimination complaint is available from the Office of the Assistant Secretary for Civil Rights.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex (including gender identity and expression), marital status, familial status, parental status,

religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, complete, sign and mail a program discrimination complaint form, available at any USDA office location or online at [www.ascr.usda.gov](http://www.ascr.usda.gov), or write to:

USDA  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, S.W.  
Washington, D.C. 20250-9410

Or call toll free at (866) 632-9992 (voice) to obtain additional information, the appropriate office or to request documents. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339 or (800) 845-6136 (in Spanish). USDA is an equal opportunity provider, employer and lender.

Persons with disabilities who require alternative means for communication of program information (e.g., Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

#### PRIVACY ACT STATEMENT

The following statements are made in accordance with the Privacy Act of 1974 (U.S.C. 522a). Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

This information collection is exempted from the Paperwork Reduction Act under 16 U.S.C. 3801 note and 16 U.S.C. 3846.

i **Parcel** means a farm or ranch submitted for consideration for funding under ACEP-ALE.

ii **Landowner** means a person, legal entity, or Indian Tribe having legal ownership of land and those who may be buying eligible land under a purchase agreement. The term landowner may include all forms of collective ownership including joint tenants, tenants-in-common, and life tenants. State governments, local governments, and nongovernmental organizations that qualify as eligible entities are not eligible as landowners.

iii The Secretary may not use ACEP funds for the purposes of acquiring an easement on lands owned by an agency of the United States, other than land held in trust for Indian tribes; and lands owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government. Such lands are ineligible for ACEP.

iv **Pending offer** means a written bid, contract, or option extended to a landowner by an eligible entity to acquire a conservation easement before the legal title to these rights has been conveyed for the purpose of limiting non-agricultural uses of the land.

v **Agricultural Land Easement** means an easement or other interest in eligible land that:

- is conveyed for the purpose of protecting natural resources and the agricultural nature of the land; and
- permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan, as approved by the Secretary of Agriculture.

vi **Purchase price** means the appraised fair market value of the easement minus the landowner donation.

vii Landowners shall not donate any part of Federal Share or Non-Federal Cash Contribution back to the entity.

viii **Limited Resource Farmer or Rancher** – The term “Limited Resource Farmer or Rancher” means a participant or landowner:

- With direct or indirect gross farm sales not more than the current indexed value in each of the previous two years, and
- Who has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income in each of the previous two years.

A legal entity or joint operation can be a Limited Resource Farmer or Rancher only if all individual members independently qualify. A Self-Determination Tool is available to the public and may be completed on-line or printed and completed hardcopy at: <http://www.lrfstool.sc.egov.usda.gov/>

ix **Beginning Farmer or Rancher** – The term “Beginning Farmer or Rancher” means a participant or landowner who:

Has not operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years. This requirement applies to all members of a legal entity, and who will materially and substantially participate in the operation of the farm or ranch.

In the case of a contract with an individual, individually or with the immediate family, material and substantial participation requires that the individual provide substantial day-to-day labor and management of the farm or ranch, consistent with the practices in the county or State where the farm is located.

In the case of a contract made with a legal entity, all members must materially and substantially participate in the operation of the farm or ranch. Material and substantial participation requires that the members provide some amount of the management, or labor and management necessary for day-to-day activities, such that if the members did not provide these inputs, operation of the farm or ranch would be seriously impaired.

x **Socially Disadvantaged Farmer or Rancher** -- The term “Socially Disadvantaged” means an individual or entity who is a member of a socially disadvantaged group. For an entity, at least 50 percent ownership in the farm business must be held by socially disadvantaged individuals. A socially disadvantaged group is a group whose members have been subject to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. These groups consist of the following:

American Indians or Alaskan Natives

Asians

Blacks or African Americans

Native Hawaiians or other Pacific Islanders

Hispanics.

Note: Gender alone is not a covered group for the purposes of NRCS conservation programs. The term entities reflect a broad interpretation to include partnerships, couples, legal entities, etc.

xi **Veteran Farmer or Rancher** -- The term “veteran farmer or rancher” means a farmer or rancher who served in the active military, naval, or air service, and who was discharged or released from the service under conditions other than dishonorable. In the case of a contract made with a legal entity, all members must materially and substantially participate in the operation of the farm or ranch. Material and substantial participation requires that the members provide some amount of the management, or labor and management necessary for day-to-day activities, such that if the members did not provide these inputs, operation of the farm or ranch would be seriously impaired.

**USDA SERVICE CENTERS**

**Windham County – NRCS and FSA**

**NRCS**  
District Conservationist  
71 Westcott Road  
Danielson, CT 06239  
(860) 779-0557, 102

**FSA**  
County Executive Director  
71 Westcott Road  
Danielson, CT 06239  
(860) 779-0557, x 109

**Hartford and Tolland Counties – NRCS and FSA**

**NRCS**  
District Conservationist  
100 Northfield Dr., 4th Floor  
Windsor, CT 06095  
(860) 688-7725, x 118

**FSA**  
County Executive Director  
100 Northfield Dr., 4th Floor  
Windsor, CT 06095  
(860) 688-7725, x 114

**Litchfield County – NRCS and FSA**

**NRCS**  
District Conservationist  
1185 New Litchfield St  
Torrington, CT 06790  
(860) 626-8258, x 200

**FSA**  
County Executive Director  
1185 New Litchfield St  
Torrington, CT 06790  
(860) 626-8258, x 100

**Fairfield County – NRCS and FSA**

**NRCS**  
District Conservationist  
51 Mill Pond Rd  
Hamden, CT 06514  
(203) 287-8038, x101

**FSA**  
County Executive Director  
1185 New Litchfield St  
Torrington, CT 06790  
(860) 626-8258, x 100

**New Haven County – NRCS and FSA**

**NRCS**  
District Conservationist  
51 Mill Pond Rd  
Hamden, CT 06514  
(203) 287-8038, x101

**FSA**  
County Executive Director  
97 Barnes Rd., Suite A  
Wallingford, CT 06492  
(203) 269-6665

**Middlesex County – NRCS and FSA**

**NRCS**  
District Conservationist  
238 West Town St  
Norwich, CT 06360  
(860) 887-3604, x 307

**FSA**  
County Executive Director  
97 Barnes Rd., Suite A  
Wallingford, CT 06492  
(203) 269-6665

**New London County – NRCS and FSA**

**NRCS**  
District Conservationist  
238 West Town St  
Norwich, CT 06360  
(860) 887-3604, x 307

**FSA**  
County Executive Director  
238 West Town St  
Norwich, CT 06360  
(860) 887-3604, x 100