

INSTRUCTION SHEET: Form NRCS-CPA-41A Parcel Sheet

for Entity Application for an Agricultural Land Easement (ALE) Agreement (Feb. 2020)

This document provides **step-by-step instructions for applying for a Parcel Contract.**

The Parcel Sheet (NRCS-CPA-41A), also referred to as a "Parcel Application", is needed for each ACEP-ALE parcel. The term "parcel" refers to the portion of the farm property that is proposed for an ALE. A Parcel Sheet can be submitted simultaneously with an Entity Application (NRCS-CPA-41). For Buy-Protect-Sell (BPS) transactions, NRCS-CPA-41A-BPS-Supplement (dated 04/2021) is also required and includes instructions within the form. Alternatively, one or more Parcel Sheets can be submitted any time after the entity has an executed Program Agreement with NRCS, except for BPS transactions which may only have one associated parcel sheet per program agreement.

Completing the ALE Landowner Eligibility Checklist and the ALE Land Eligibility Checklist available on the ACEP-ALE for Entities web page will prepare you for completing the Parcel Sheet. NRCS staff review this form together with supporting documents to determine whether the landowners and their parcels meet program requirements. NRCS staff also use this information to assess how each parcel ranks using national and state criteria. If a Parcel Sheet is funded, your organization enters into a NRCS contract to acquire an ALE for the selected parcel for a specified amount of funding.

You can find an electronic copy of this form and technical instructions for accessing and completing it on the ACEP-ALE for Entities web page.

U.S. Department of Agriculture
Natural Resources Conservation Service
PARCEL SHEET for
ENTITY APPLICATION FOR AN AGRICULTURAL LAND EASEMENT (ALE)
AGREEMENT

NRCS-CPA-41A
02/2020

Clear Form

Section A: Agreement and Entity Information

1. This is a parcel sheet for an Entity application for an agricultural land easement under the (Select only one)
 Agricultural Conservation Easement Program - Agricultural Land Easement (ACEP-ALE)
 2014 Farm Bill Regional Conservation Partnership Program (RCPP) Agreement - ACEP-ALE

2. Associated ALE Agreement Type (Select Only One)
 Cooperative Agreement (all eligible entity types)
 Grant Agreement (certified entities only)
 Program Agreement (all eligible entity types)

3. Easement Type (Select only one)
 General ALE
 Grassland of Special Environmental Significance (GSS)

4. Transaction Type (Select only one)
 Standard ALE Transaction
 Pre-closing Buy-Protect-Sell Transaction*
 Post-closing Buy-Protect-Sell Transaction*
*ALE cooperative or grant agreements may only have an associated parcel sheet for a buy-protect-sell transaction and must include all information required by the buy-protect-sell supplement to this application.

5. Application Date: 6. State: 7. Is this a substitute parcel? Yes No

8. Name - Applicant Eligible Entity: 9. Email - Applicant Eligible Entity: 10. Telephone - Applicant Eligible Entity:

11. Attached to ACEP Entity Application Number: 12. ACEP Parcel Number:

Section B: Landowner Information

1. What evidence of ownership are you providing? (Select all that apply) Property Deed Current/Former Purchase Agreement
2. Name - Parcel Landowner - Primary Contact (must be a landowner listed on attached ownership document) 3. Tax ID Number - Parcel Landowner (Primary Contact)
4. Telephone - Parcel Landowner (Primary Contact):
5. Address - Parcel Landowner (Primary Contact):
6. Email - Parcel Landowner (Primary Contact):

7. Identify all other landowners of record as stated on the most current evidence of ownership document. Enter the legal name as listed on the evidence of ownership document and the tax identification number of each individual or legal entity (Corporation, Limited Liability Company, Partnership, Trust, etc.) that is an owner of the land below (as a tenant):

Enter Name of Individual or Legal Entity	Check Appropriate Box Individual <input type="radio"/> Legal Entity <input type="radio"/>	Enter Tax ID Number
Landowner Name:	<input type="radio"/>	TAX ID:
Landowner Name:	<input type="radio"/>	TAX ID:
Landowner Name:	<input type="radio"/>	TAX ID:
Landowner Name:	<input type="radio"/>	TAX ID:

Page 1 of 6

13. Is this parcel subject to a written pending offer for purchase of an agricultural land easement to this parcel sheet for acquisition by a non-participant landowner? Yes No

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

15. In the entire parcel accessible from a public road or is there an insurable, unencumbered, and transferable legal right of recorded access to the parcel? Yes No

16. Is the parcel subject to a written pending offer for purchase of an agricultural land easement to this parcel sheet for acquisition by a non-participant landowner? Yes No

17. Have you received and reviewed a copy of the required ALE Agreement and associated attachments and understand that the terms of the agricultural land easement deed must address the provisions required as a condition of participation in ACEP-ALE as identified in the ALE Agreement? Yes No

18. Signature of Applicant Eligible Entity Authorized Representative: _____ Date: _____

PARCEL LANDOWNER ACKNOWLEDGEMENTS AND SIGNATURES:
Parcel Landowner (Primary Contact) identified in Section B, Box 2, must complete the following:
A. Purchase price must be the fair market value of the agricultural land easement as determined by an NRCS-approved methodology, unless the landowner provides a written statement of value.
B. Landowner must ensure that the USDA title has requirements that must be addressed in the agricultural land easement deed as a condition of providing Federal funds for the acquisition of the easement. It may require that the landowner provide a written statement of value.
C. The Internal Revenue Code of 1986 (or a charitable donation, Landowner shall not donate any part of Federal share or Eligible Entity cash contribution from the Eligible Entity as a condition of purchase offering.)
D. Proceeds paid by the eligible entity to a third party for the following items: an appraisal, legal boundary survey of the easement area, all those environmental lab assessments that meet the requirements of 40 CFR Part 152, the assessment or report, life insurance, or closing costs. The proceeds report or service must meet the NRCS standards or requirements as identified in the ALE Agreement in order to be used as a component of the non-Federal share. This amount may not include any amounts provided by the landowner used to procure these items.

Page 4 of 6

online at [How to Fill in Program Administrator Component](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the concept form, call (866) 632-9902. Submit your completed form or letter to USDA by (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1425 Independence Avenue, SW, Washington, D.C. 20250-4101 (2) fax: (202) 690-7442, or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

PRIVACY 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 contact, complete information will result in the withholding or withholding 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. 3866.

Page 5 of 6

X - Eligible Entity cash contribution means the amount provided by the entity for payment of assessment compensation to the landowner and any portion of income of funds used to make such payment other than and funds provided by the landowner or the Federal share provided under ACEP. This amount does not include any other costs administrative, planning, ownership, etc. or non-renewable items (such as utilities, insurance, and other services).
A. Purchased price must be the fair market value of the agricultural land easement as determined by an NRCS-approved methodology, unless the landowner provides a written statement of value.
B. Landowner must ensure that the USDA title has requirements that must be addressed in the agricultural land easement deed as a condition of providing Federal funds for the acquisition of the easement. It may require that the landowner provide a written statement of value.
C. The Internal Revenue Code of 1986 (or a charitable donation, Landowner shall not donate any part of Federal share or Eligible Entity cash contribution from the Eligible Entity as a condition of purchase offering.)
D. Proceeds paid by the eligible entity to a third party for the following items: an appraisal, legal boundary survey of the easement area, all those environmental lab assessments that meet the requirements of 40 CFR Part 152, the assessment or report, life insurance, or closing costs. The proceeds report or service must meet the NRCS standards or requirements as identified in the ALE Agreement in order to be used as a component of the non-Federal share. This amount may not include any amounts provided by the landowner used to procure these items.

Page 6 of 6

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

Clear Form

Section A: Agreement and Entity Information	
<p>1. This is a parcel sheet for an Entity application for an agricultural land easement¹ under the: (Select only one)</p> <p><input type="radio"/> Agricultural Conservation Easement Program – Agricultural Land Easement (ACEP-ALE)</p> <p><input type="radio"/> 2014 Farm Bill Regional Conservation Partnership Program (RCPP) Agreement – ACEP-ALE</p>	
<p>2. Associated ALE-Agreement Type: (Select Only One)</p> <p><input type="radio"/> Cooperative Agreement (all eligible entity types)</p> <p><input type="radio"/> Grant Agreement (certified entities only)</p> <p><input type="radio"/> Program Agreement (all eligible entity types)</p>	<p>3. Enrollment Type: (Select only one)</p> <p><input type="radio"/> General ALE</p> <p><input type="radio"/> Grassland of Special Environmental Significance (GSS)</p>
<p>4. Transaction Type: (Select only one)</p> <p><input type="radio"/> Standard ALE Transaction</p> <p><input type="radio"/> Pre-closing Buy-Protect-Sell Transaction*</p> <p><input type="radio"/> Post-closing Buy-Protect-Sell Transaction*</p> <p><small>*ALE cooperative or grant agreements may only have 1 associated parcel sheet for a buy-protect-sell transaction and must include all information required by the buy-protect-sell supplement to the application.</small></p>	

SECTION A: Agreement and Entity Information

Your answers in this section will provide general program information related to this application, including the type of agreement and transaction type you are applying for, along with the primary entity contact information.

A BOX 1 The vast majority of applicants will select ACEP-ALE, which means the Parcel Sheet is being submitted concurrently with an Entity Application (CPA-41) or there is a current Agreement from a previously approved Entity Application. You may only select “ACEP-ALE” for BPS transactions.

RCPP is a different program by which to enroll agricultural land easements through partnerships at the local, state, and regional level. Prior to 2020, NRCS implemented the RCPP easement agreements through the ACEP-ALE program. This application can be used for existing RCPP projects awarded from 2014 through 2018. Beginning in 2020, RCPP became a standalone program with its own funding. Partners interested in new RCPP projects can view more information [here](#).

A BOX 2 Program Agreements became available in 2020 and were developed to streamline the administrative tasks associated with enrolling agricultural land easements. Applicants will select Program Agreement. This is now the only agreement type offered beginning in 2021. Program Agreements identify the partner roles and program requirements. Parcels to be protect-

ed through a Program Agreement are funded at the parcel level by individual contracts, not at the agreement level.

A BOX 3 There are two enrollment types, though “General ALE” is the most common option. “Grassland of Special Significance” would be applicable if the parcel is comprised of grasslands that contain little or no noxious or invasive species, are subject to the threat of conversion to nongrassland uses or fragmentation; and the land is rangeland, pastureland, shrubland, or wet meadows on which the vegetation is dominated by native grasses, grass-like plants, shrubs, or forbs; and provides, or could provide, habitat for threatened or endangered species or at-risk species. The ALE deed must address the protection of those grazing uses or grassland values. Selecting this land eligibility category may prevent more intensive agriculture uses from being allowed on the land in the future, since the grassland use is written into the deed and enforceable.

A BOX 4 The “Standard ALE Transaction” is the most common transaction type. It requires the eligible entity have a written pending offer to purchase the agricultural land easement from the landowner or future landowner that has a current written purchase agreement for the parcel.

A “Buy-Protect-Sell” (BPS) Transaction occurs when NRCS enters into an ALE-agreement with an eligible entity to provide cost-share assistance for the purchase of an agricultural land easement on eligible land that is owned or is being purchased by the eligible entity on a transitional basis for the purposes of securing the long-term protection of the land and ensuring timely transfer of the ownership of the land to a qualified farmer or rancher.

“Pre-closing BPS” is selected when the eligible entity will transfer fee title ownership of the land to a farmer or rancher at or prior to closing on the ALE and the eligible entity will hold the agricultural land easement prior to receiving the Federal share.

“Post-closing BPS” is selected when the eligible entity will transfer fee title ownership of the land to a farmer or rancher not later than 3 years after closing on the ALE. The entity that owns the land cannot be the easement holder so an interim easement landowner or easement holder may be required. Parcels that plan to utilize “Post-closing BPS” requires NRCS approval on a case-by-case basis so contact with NRCS state program staff in advance of submission of this application is advised.

5. Application Date:	6. State	7. Is this a substitute parcel?	<input type="radio"/> Yes	<input type="radio"/> No
8. Name – Applicant Eligible Entity:				
9. Email – Applicant Eligible Entity:		10. Telephone – Applicant Eligible Entity:		
11. Attached to ACEP Entity Application Number:		12. ACEP Parcel Number: AGENCY USE		
AGENCY USE				

SECTION A: Agreement and Entity Information continued

A BOX 5 The Application date is the date the application is submitted. The date must be on or after the final signature on pages 4 and 5 of this application.

A BOX 6 The State is where the easement associated with this application will be located.

A BOX 7 A substitute parcel is one that is replacing a parcel previously selected for funding. For Program Agreements, this applies to individual parcels funded through a Parcel Contract. You may only select “No” for BPS transactions.

A BOX 8 Enter the name for the Primary Eligible Entity as listed on Entity Application NRCS-CPA-41 or Program Agreement that has been executed. The Primary Eligible Entity

is the lead point of contact for the parcel contract if there are multiple entities involved.

A BOX 9 Enter the email for the Primary Eligible Entity

A BOX 10 Enter the telephone number for the Primary Eligible Entity

A BOXES 11 AND 12 NRCS completes these numbers which are generated by agency software.

Section B: Landowner ¹ Information			
1. What evidence of ownership are you providing? (Select all that apply) Attach the property deed or written purchase agreement to this parcel sheet.		<input type="checkbox"/> Property Deed <input type="checkbox"/> Current Written Purchase Agreement	
2. Name – Parcel Landowner – Primary Contact (must be a landowner listed on attached ownership document) <small>(Landowner identified here will serve as primary landowner contact and signatory to this application; signature of application by other listed landowners is optional)</small>		3. Tax ID Number – Parcel Landowner (Primary Contact)	
5. Address – Parcel Landowner (Primary Contact):		4. Telephone – Parcel Landowner (Primary Contact):	
		6. Email – Parcel Landowner (Primary Contact):	
7. Identify all other landowners of record as stated on the most current evidence of ownership document. Enter the legal name as listed on the evidence of ownership document and the tax identification number of each individual or legal entity (Corporation, Limited Liability Company, Partnership, Trust, etc.) that is a landowner. Attach additional sheets as needed.			
Enter Name of Individual or Legal Entity	Check Appropriate Box		Enter Tax ID Number
	Individual	Legal Entity	
Landowner Name:	<input type="radio"/>	<input type="radio"/>	TAX ID:
Landowner Name:	<input type="radio"/>	<input type="radio"/>	TAX ID:
Landowner Name:	<input type="radio"/>	<input type="radio"/>	TAX ID:
Landowner Name:	<input type="radio"/>	<input type="radio"/>	TAX ID:

SECTION B: Landowner Information

Your answers in this section will provide specific information related to landowner eligibility for ACEP-ALE, including proof of ownership, landowner names, Tax ID Numbers, and verification that all landowners have established farm records with USDA Farm Service Agency. For BPS transactions, complete this section using the Eligible Entity's information because it will be considered the landowner for the purposes of BPS.

B BOX 1 Select the appropriate evidence of ownership you are providing – Property Deed and/or Current Written Purchase Agreement. You must provide a copy of the deed(s) that cover the entire parcel or an executed purchase agreement for the parcel. If the landowner is in the process of acquiring the property to be protected, you will need to provide both documents.

B BOX 2 Enter the name of the landowner that will sign the application and be the Primary Contact. The landowner must be listed on the attached ownership document from Box 1.

B BOX 3 Enter the Tax ID Number (TIN) for the Primary Landowner Contact. If the landowner is a sole proprietor, it may be the Social Security Number or an IRS-issued TIN. If the landowner is an entity, it will be an IRS-issued TIN. The TIN should match records filed with the Farm Service Agency and appear on landowner Subsidiary Print(s). A Subsidiary Print is a document that summarizes key eligibility information. It shows whether the landowner meets Adjusted Gross Income (AGI) limits and compliance requirements for highly erodible land and wetlands on any land they own or farm.

B BOXES 4-6 Enter the contact information for the Primary Landowner Contact.

B BOX 7 Identify all other landowners as stated on the ownership document attached to this Parcel Sheet. Enter the individuals or legal entity names, check the appropriate box for individual or legal entity and enter the TIN for each landowner. If the landowner is a sole proprietor, it may be the Social Security Number or an IRS-issued TIN. If the landowner is an entity, it will be an IRS-issued TIN. The TIN should match records filed with the Farm Service Agency and the Subsidiary Print. If there are more than four landowners, attach an additional sheet.

U.S. Department of Agriculture Natural Resources Conservation Service		NRCS-CPA-41A 02/2020	
8. Do all the landowners have farm records established with the appropriate USDA service center agency? <i>If no, they must be established for each landowner with the appropriate USDA service center agency prior to submitting this application.</i>		<input type="radio"/> Yes	<input type="radio"/> No
9. Do the landowners of this parcel meet the criteria for any of the following categories? <i>(Check all that apply)</i> Please note that providing this information is voluntary and will not be used when reviewing this application or determining whether the landowners meet the ACEP Landowner eligibility requirements.			
<input type="checkbox"/> Limited-Resource Farmer or Rancher ⁱⁱⁱ		<input type="checkbox"/> Socially Disadvantaged Farmer or Rancher ^v	
<input type="checkbox"/> Beginning Farmer or Rancher ^{iv}		<input type="checkbox"/> Veteran Farmer or Rancher ^{vi}	
<input type="checkbox"/> Not Applicable			
Definitions are provided in footnotes below. More information is available at: http://www.lrftool.sc.egov.usda.gov/			

SECTION B: Landowner Information continued

B BOX 8 All landowners must have farm records established with US-DA-Farm Service Agency (FSA) prior to submitting this application so check “Yes”. Otherwise, do not proceed with this application until the landowners establish farm records. Establishing FSA records can be done at the start of the same federal fiscal year in which you hope to submit an application, starting October 1st.

B BOX 9 NRCS collects information related to underserved farmers, including Limited-Resource Farmer or Rancher, Socially Disadvantaged Farmer or Rancher, Beginning Farmer or Rancher, and Veteran Farmer or Rancher. Definitions for each group are

provided at the bottom of the application and more information is available at: lrftool.sc.egov.usda.gov/. The information is voluntary. Some states may consider it in ranking criteria and request additional documentation.

Section C: Parcel ⁱⁱⁱ Eligibility and Land Use Information	
1. Parcel Location - Farm and Tract Number, Legal Description, or Parcel Longitude and Latitude: <i>(attach a map or provide a GIS shapefile of the location and offered area)</i>	
2. Parcel Physical Address: <i>(if different from address of Parcel Landowner – Primary Contact provided in Section B, Box 5 above)</i>	
3. The land ⁱⁱⁱ offered under this parcel sheet is: <i>(Select one)</i>	4. Parcel Offered Acres: <i>(must be supported by evidence of ownership)</i>
<input type="radio"/> Private Land	
<input type="radio"/> Tribal, Allotted, Ceded, or Indian Land	

SECTION C: Parcel Eligibility and Land Use Information

Your answers in this section will provide specific information related to land eligibility for ACEP-ALE, including parcel location, acres, land eligibility category selected, land use, and evidence there are no conditions or encumbrances that would undermine the purposes of the program.

C BOX 1 Enter the parcel location by identifying the USDA farm and tract number which is assigned by FSA, legal description which is assigned by the town or county assessor, or parcel longitude and latitude. Attach a map of the parcel showing the general location of the offered land, preferably with an aerial photo background. Include roads, towns, and any important landmarks and/or provide a Geographic Information System (GIS) shapefile, if possible. It is helpful to include a title, legend, and the township, range and section on each map, as applicable.

C BOX 2 Enter the physical address of the parcel, which may be the same as the address of the Primary Landowner Contact provided in Section B, Box 5.

C BOX 3 Enter the type of land being offered: Private Land or Tribal Land.

C BOX 4 Enter the parcel acres being offered. Acreage should match the parcel map/shapefile provided in Box 1 and be supported by the evidence of ownership documents (deeds or written purchase agreement). If the offered acres differ from the ownership documents, a legal survey may be

required before closing on the ALE. This is a common occurrence when portions of one or more deeds are excluded. It is important to provide NRCS the following two supporting documents for this scenario:

- Attach a map of the parcel, preferably with an aerial photo background, showing the boundary for the ALE parcel, the boundary for the remainder of the fee-owned land, i.e. the excluded areas, and the acreage of each and
- Identify the portions of the deeds provided in Section B, Box 1 that will be excluded in the ALE.

It is helpful to make these notes directly on the deeds provided to NRCS.

<p>5. Land Eligibility Category for Parcel: (Select only one)</p> <p><input type="radio"/> Has prime, unique, or other productive soil (as identified in Web Soil Survey) Percent of parcel that is prime, unique, or other productive soil: <u>0%</u></p> <p><input type="radio"/> Contains historical or archaeological resources</p> <p><input type="radio"/> Protects grazing uses and related conservation values</p> <p><input type="radio"/> 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: _____</p>	
<p>6. Is the land being offered for enrollment: (Select all that apply)</p> <p><input type="checkbox"/> Cropland</p> <p><input type="checkbox"/> Rangeland</p> <p><input type="checkbox"/> Pastureland</p> <p><input type="checkbox"/> Grassland or land that contains forbs</p> <p><input type="checkbox"/> Shrubland for which grazing is the predominant use</p> <p><input type="checkbox"/> 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</p> <p><input type="checkbox"/> 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: <u>0%</u></p>	
<p>7. Is this parcel subject to a written pending offer^{rk} for purchase of an agricultural land easement by the Eligible Entity? Attach the pending offer for purchase of an agricultural land easement to this parcel sheet. Not applicable for buy-protect-sell transactions.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>

SECTION C: Parcel Eligibility and Land Use Information continued

C BOX 5 Select only one of the four applicable Land Eligibility Categories.

- **Contains more than 50% of prime, state, unique, or other productive soil.** This is the most commonly used category. If you select the soils category, attach a map showing the important farmland soils and a report that identifies the acres and percent of the parcel that is prime, unique, statewide or locally important soil. A Farmland Classification report generated from NRCS Web Soil Survey, includes a map and table.

If you select a different Land Eligibility Category or if the offered land has less than 50% important soils, provide supporting documentation for one of the following land eligibility categories:

- **Historical or archeological resources.** Only include cultural resources that are recognized by the State or National Register of Historic Places. Provide formal listings, maps, and any other supporting documentation or justification.
- **Offered land would protect grazing uses and related conservation values.** Provide maps to support the following uses: grassland, rangeland, pastureland,

land that contains forbs, or shrubland that is grazed. Alternately, provide evidence that the land was historically dominated by one of these uses. Document whether the land provides (or could provide) habitat for threatened or endangered species and/or protects sensitive or declining native prairie or grassland types by contacting the state NRCS office or state natural resources agency.

- **Protecting this parcel supports a state or local government policy.** Provide the State or local policy. Document how the policy is consistent with the purposes of ACEP-ALE and how preservation of the parcel is consistent with that policy.

C BOX 6 Select all the appropriate land uses for the parcel: cropland; rangeland; grassland; shrubland used for grazing; pastureland; historically dominated by grass land, forbs, or shrubs, and could provide habitat; and nonindustrial private forest land for which you must provide a percent. Provide maps, with a photo background, identifying the mix of land uses and their approximate acreage and proportions covering the proposed easement area. Multiple maps are likely necessary for clarity unless there are only one or two land uses.

If you do not have GIS capability to generate a map, this information can be calculated from the Web Soil Survey or other mapping programs. Other sources for land use information may be a NRCS farm conservation plan or an FSA Common Land Unit (CLU) producer map. However, the specific land uses and/or acres are likely not to match the ALE.

The protected parcel may contain forest land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development on up to two-thirds of the proposed easement area. A waiver can be requested for acreage that NRCS determines is a sugar bush operation that contributes to the economic viability of the operation.

Impervious surfaces must not exceed 2% of the proposed easement area unless the applicant is granted a waiver. Typically, the farm buildings are included in one or more building envelopes. Provide a map identifying the square footage or acreage of the existing and proposed impervious surfaces and building envelopes.

C BOX 7 The parcel must be subject to a written pending offer for the easement between the Eligible Entity and the landowner or prospective landowner. Attach the written pending offer to this application. Select “No” in the case of Buy-Protect-Sell transactions.

8. 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? Provide NRCS a copy of most recent title report or title commitment, if available at the time of application.	<input type="radio"/> Yes	<input type="radio"/> No
9. Is there any portion of the Parcel where the purposes of ACEP would be undermined due to title issues or onsite or offsite conditions, such as risk of hazardous materials, permitted or existing rights of way, infrastructure development, mineral development, or adjacent land uses? If yes, provide NRCS a copy of existing reports or documentation identifying issues.	<input type="radio"/> Yes	<input type="radio"/> No
10. Is the entire parcel accessible from a public road or is there 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 insurable, unconditional, and transferable legal right of recorded access.	<input type="radio"/> Yes	<input type="radio"/> No

Page 2 of 6

SECTION C: Parcel Eligibility and Land Use Information continued

C BOX 8 No portion of the offered parcel can be subject to an easement or deed restriction which provides similar protection as would be provided by ALE. Attach a recent title report or title commitment, if available at time of application. Some states may provide ranking points for having a title report at application so check your NRCS state ranking criteria.

C BOX 9 No portion of the offered parcel can be subject to unacceptable title issues or onsite or offsite conditions that would undermine the purposes of ACEP-ALE. If you select “Yes”, provide a Title report, Entity Inspection Report, Environmental Report or other relevant

documents that describe the issues and rationale as to why exceptions to clear title or onsite or offsite conditions should be deemed acceptable. If the conditions will be removed, provide a plan and timeline to accomplish this. Entities may choose to acquire an Environmental Report or Title Review prior to investing resources into a project. If so, these reports should be provided to NRCS as soon as they become available.

Identify any third-party rights. Provide a map identifying the area controlled by a 3rd party, acreage, and % of the parcel. Include legal documents, such as a lease agreement or easement agreement. NRCS will determine whether

any existing third-party rights harm or interfere with achieving the ACEP-ALE purposes on land in which gas, oil, earth, or mineral rights exploration has been leased or is owned by someone other than the landowner.

C BOX 10 **The entire parcel must be accessible from a public road** or there must be an insurable, unconditional, and transferable legal right of recorded access for the term of the easement. Provide a map identifying the public road, or a survey or map of the right-of-way with evidence of insurable, unconditional, and transferable legal right of recorded access.

Section D: Easement Value and Compensation Costs and Non-Federal Share Information	
<i>These values may be estimates, subject to the final values being determined by an NRCS-approved appraisal report or easement valuation methodology.</i>	
1. Easement Value and Compensation Costs	
A. Estimated Fair Market Value of the ALE	\$
B. Estimated Eligible Entity Cash Contribution ^a - for payment of easement compensation to the landowner (excluding Landowner Donations)	\$
C. Requested Federal Share for the ALE • General ALE: Federal Share cannot exceed 50% of Item A • ACEP-ALE-GSS: Federal Share cannot exceed 75% of Item A	\$
D. Estimated Purchase Price ^{xi} of the ALE (D = B + C)	\$ 0
E. Estimated Landowner Donation toward easement value ⁱⁱ (generally, E = A - D)	\$
F. Remaining Non-Federal Share needed to meet minimum requirement • General ALE: (F = C - (B+E)) • ACEP-ALE-GSS: (F = (A-C) - (B+E)) (If Item (F) ≤ \$0, enter \$0 here, Boxes 2 and 3 do not need to be completed, proceed directly to Box 4. If Item (F) > \$0, enter the amount of Item (F) here and complete Boxes 2, 3, and 4 as instructed below)	\$
2. Easement Stewardship Costs: If Item (F) above is greater than \$0 (F > \$0), enter the amounts that qualify for inclusion in the calculation of the non-Federal share for the items listed in (G) below as needed to meet the remaining non-Federal share amount in Item (F). • If the total of any amounts entered in Items (G) below are at least equal to the amount in Item (F) above (G ≥ F), proceed directly to Box 4. • If the total of the amounts entered in Items (G) below are insufficient to meet remaining minimum non-Federal share amount shown in Item (F) above (G < F), complete Boxes 3 and 4 below as instructed.	
G. Estimated Procured Costs to be Paid by the Eligible Entity to a Third Party^{xiii} for the following items: (Do not include amounts paid by the Landowner for the below listed items)	
G1. Appraisal	\$
G2. Easement Boundary Survey	\$
G3. Phase-I Environmental Site Assessment	\$
G4. Title Commitments/Reports	\$
G5. Title Insurance	\$
G6. Closing Costs	\$

SECTION D: Easement Value and Compensation Costs and Non-Federal Share Information

Your answers in this section will provide specific information related to Non-Federal cost-share requirements, including easement value, acquisition-related costs, stewardship costs, and entity cash contributions. These costs may be estimates, subject to determination by an NRCS-approved appraisal report or easement valuation methodology. For BPS transactions, complete this section only if the Non-Federal Share will include a landowner donation from the qualified farmer or rancher. If it will not include a landowner donation, complete Section D of the NRCS-CPA-41A BPS Supplement instead of this section.

D BOX 1 Use items (A) through (F) to calculate and record the easement value and compensation costs. The “Estimated Fair Market Value of the ALE” is generally the fair market value (FMV) of the property minus its restricted value, as determined by a qualified appraiser. A NRCS-approved appraisal is required before any federal cost-share payments are issued. It is good to have an accurate value at the time of application because fund-

ing through a Parcel Contract is based on the number presented here. Some states may provide ranking points for submitting a formal appraisal with an application. NRCS also considers entity cash contributions when ranking applications. The “Remaining Non-Federal Share” is the amount needed to meet the minimum requirement for ACEP-ALE. If item (F) is less than \$0, Boxes 2 and 3 do not need to be completed.

D BOX 2 Use items (G1) through (G6) to document acquisition costs that can contribute to the minimum Non-Federal Share if Box 1, Item (F) is greater than \$0. You should estimate these costs as accurately as possible because you must meet the minimum non-Federal share to be eligible. Do not include amounts paid by the landowner.

3. Easement Stewardship Costs: Entry of amount for Item (H) below only needed if the total of the amounts entered for Items (G(1) through G(6)) above are less than the amount in Item (F) above (if total of G < F, enter amount for Item (H) below)		
H. Stewardship and Monitoring Costs provided by Entity (limited to 2% of A) (Do not include amounts paid by the Landowner this item)		\$
4. Total Non-Federal Share: (Box 1, Items (B+E), plus total amounts in Boxes 2 and 3, if entered)		
<ul style="list-style-type: none"> • General ALE: Total Non-Federal Share (Item (I) below) must be equal to or greater than the Federal Share (Item (C) above); $I \geq C$ • ACEP-ALE-GSS: Total Non-Federal Share (Item (I) below) must be equal to or greater than the difference between the Estimated Fair Market Value of the ALE (Item (A) above) minus the Federal Share (Item (C) above); $I \geq (A-C)$ 		
I. Total Non-Federal Share: $I = (B+E) + \text{if entered } (G + H)$		\$ 0
5. Eligible entity intends to provide at least 10 percent of the fair market value of the agricultural land easement in the form of a cash contribution for payment of easement compensation to the landowner (Box 1, Item (B) above)? If no, eligible entity must provide evidence as requested by NRCS of its ability to steward and monitor the parcel		<input type="radio"/> Yes <input type="radio"/> No

SECTION D: Easement Value and Compensation Costs and Non-Federal Share Information

continued

D BOX 3 Easement Stewardship Costs (H) can be used to meet the minimum non-Federal share if (G) is less than (F). You should estimate the costs of easement stewardship and monitoring, but they cannot include landown-

er payments and cannot exceed 2% of the FMV of the easement (found in Box 1 Item A).

D BOX 4 Calculate the “Total Non-Federal Share” as shown.

D BOX 5 If you provide less than 10 percent of the fair market value of the ALE in the form of a cash contribution, you will need to provide evidence of your ability to steward and monitor the parcel.

U.S. Department of Agriculture Natural Resources Conservation Service		NRCS-CPA-41A 02/2020	
Section E: Roles, Contributions, and Distributions (Provide the name and corresponding role of each legal entity that will be identified in the agricultural land easement deed, attach additional pages as needed)			
1. Name of Entity (See signature sections below for Entity signature requirements)	2. Role of Entity • Identify each entity as one of the following: - Eligible Entity - Co-holder - Third-Party Right Holder	3. Contribution: Estimated Entity Cash Contribution • May be provided by any legal entity role identified in this Section • Total must equal Box 1, Item (B) above	4. Distribution: Estimated Federal Share to be paid to an Eligible Entity • Federal share may only be paid to an Eligible Entity • Total must equal Box 1, Item (C) above
		\$	\$
		\$	\$
		\$	\$
		\$	\$

SECTION E: Roles, Contributions, and Distributions

This section will identify all legal entities and their roles in the ACEP-ALE project. It also specifies the amount of federal dollars that should be paid to each entity. The names and roles must match the information provided in the Entity Application (CPA-41) or the resulting agreement from a previously approved Entity Application. Attach additional pages as needed. Do not complete this section for post-closing BPS transactions.

E BOXES 1-4 Enter the requisite information for each entity.

► **For pre-closing BPS transactions:** Complete Boxes 1 and 2, including obtaining co-holder and third-party right holder signatures. Complete Boxes 3 and 4 based on the Entity Contribution and Federal Share amounts entered in Section D of this form or the NRCS-CPA-41A BPS Supplement.

► **For post-closing BPS transactions:** Do not complete Section E on this form. Instead, complete Section E on form NRCS-CPA-41A BPS Supplement.

The Terms and Certifications below are applicable to applications for all ACEP-ALE Agreement Types:	
<p>The Landowner agrees that it is signing this application in furtherance of the Entity's application to participate in the Agricultural Land Easement (ALE) component of the Agricultural Conservation Easement Program (ACEP). The Entity becomes a "Participant" in ACEP only if NRCS enters into an ALE-agreement with the Entity to provide cost-share assistance for the purchase of agricultural land easements, which may include the offered parcel. 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 Entity's application including this parcel. To identify and differentiate roles and responsibilities under ACEP should the application be funded, the undersigned Entity shall hereafter be referred to as a "Participant" 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, title, and other due diligence causes the agricultural land easement to be ineligible for ACEP cost-share assistance. An Entity may only be certified by the Chief of NRCS.</p> <p>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 and are up to date. The Landowner must complete and file Form CCC-901, "Member's Information," or its equivalent, if the Landowner is classified as a legal entity or joint operation by the U.S. Department of Agriculture (USDA) under 7 CFR Part 1400. The Farm Service Agency (FSA) must be timely notified in writing of any changes to the member's information provided, including changes in membership due to death or otherwise as provided in 7 CFR Part 1400.</p> <p>It is the responsibility of the Participants and Landowners to provide accurate data to support all items addressed in this application at the request of NRCS. Participants and Landowners acknowledge that NRCS is relying upon the veracity of the information submitted for purposes of awarding Federal funds and that the submittal of false information may be subject to criminal or civil fraud statutes.</p>	
APPLICANT ELIGIBLE ENTITY CERTIFICATION AND SIGNATURES: <i>Applicant Eligible Entity identified in Section A must complete the following section</i>	Check Each Box
I certify that the Applicant Eligible Entity has the resources necessary to acquire, monitor, manage, and enforce the easement being applied for and acknowledge that additional documentation to substantiate this may be required to receive Federal cost-share assistance.	<input type="checkbox"/>
I have received and reviewed a copy of the required ALE-Agreement and associated attachments and understand that the terms of the agricultural land easement deed must address the provisions required as a condition of participation in ACEP-ALE as identified in the ALE-agreement.	<input type="checkbox"/>
Signature of Applicant Eligible Entity Authorized Representative	Date
PARCEL LANDOWNER ACKNOWLEDGEMENTS AND SIGNATURES: <i>Parcel Landowner (Primary Contact) identified in Section B, Box 2, must complete the following section</i>	Check Each Box
I, Landowner, am aware that the United States has requirements that must be addressed in the agricultural land easement deed as a condition of providing Federal funds for the acquisition of the easement. I have received a copy of the United States required deed terms and conditions.	<input type="checkbox"/>
<i>Initial this box if the Parcel Landowner (Primary Contact) identified in Section B2 is a legal entity:</i> I am authorized to sign this application and agree to provide the documents necessary to prove this authority as requested by NRCS.	<input type="checkbox"/>
Signature of Authorized Parcel Landowner (Primary Contact)	Date

TERMS AND CERTIFICATIONS

This section describes the legal terms of submitting this application. It describes requirements including NRCS approval of key steps in the acquisition process, affirming landowner eligibility criteria, and providing accurate and up-to-date information to support answers to application questions.

APPLICANT ELIGIBLE ENTITY CERTIFICATION AND SIGNATURES

This box requires you to self-certify your organization's ability to acquire, manage, and enforce the easement, and have read and understand the ALE-Agreement and mandatory deed terms.

PARCEL LANDOWNER ACKNOWLEDGEMENTS AND SIGNATURES

This box requires the Parcel Landowner (Primary Landowner Contact) to certify that they have received a copy of and acknowledge ALE deed requirements. The second box must be checked only if the Landowner is a legal entity. It certifies that the signatory has authority on behalf of the entity to sign the application.

SIGNATURES OF OTHER LANDOWNERS OF RECORD <i>(Signature of parcel sheet by other landowners identified in Section B, Box 7 is optional; attach additional pages as needed)</i>	
(Optional) Landowner Signature	Date
(Optional) Landowner Signature	Date
(Optional) Landowner Signature	Date
(Optional) Landowner Signature	Date

SIGNATURES OF OTHER LANDOWNERS OF RECORD

Signatures of other landowners identified in Section B, Box 7 is optional.

CO-HOLDER and THIRD-PARTY RIGHT HOLDER SIGNATURES (FOR PROGRAM AGREEMENTS ONLY): <i>Signatures below are only required if Program Agreement Option is selected in Section A, Box 3 (attach additional pages as needed)</i>	
(Required) Signature of Co-Holder Legal Entity Authorized Representative	Date
(Required) Signature of Co-Holder Legal Entity Authorized Representative	Date
(Optional) Signature of Third-Party Holder Legal Entity Authorized Representative	Date
(Optional) Signature of Third-Party Holder Legal Entity Authorized Representative	Date

NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

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.

CO-HOLDER and THIRD-PARTY RIGHT HOLDER SIGNATURES

Co-holder entity signatures are required but third-party entity signatures are optional.

- i. **Agricultural land easement** means an easement or other interest in eligible land that is conveyed for the purposes of protecting natural resources and the agricultural nature of the land and of promoting agricultural viability for future generations, and permits the Landowner the right to continue agricultural production and related uses subject to the terms of the easement.
- 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 includes heirs, successors, assigns, and anyone claiming under them. State governments, local governments, and nongovernmental organizations that qualify as eligible entities are not eligible as landowners.
- iii. **Limited Resource Farmer or Rancher** means either: (1)(i) A person with direct or indirect gross farm sales not more than the current indexed value in each of the previous two fiscal years (adjusted for inflation using Prices Paid by Farmer Index as compiled by National Agricultural Statistical Service), and (ii) 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 (to be determined annually using Commerce Department Data); or (2) A legal entity or joint operation if all individual members independently qualify under paragraph (1). A legal entity or joint operation if all individual members independently qualify under paragraph (1) of this definition. A Self-Determination Tool is available to the public and may be completed online or printed and completed hardcopy at: <http://www.lrftool.sc.egov.usda.gov/>
- iv. **Beginning Farmer or Rancher** means an individual, person, Indian Tribe, Tribal corporation, or legal entity who—
- (1) Has not operated a farm or ranch, or nonindustrialized private forest land (NIPF), or who has operated a farm or ranch or NIPF for not more than 10 consecutive years. This requirement applies to all members of an entity who will materially and substantially participate in the operation of the farm, ranch, or NIPF.
 - (2) In the case of 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, ranch, or NIPF consistent with the practices in the county or State where the farm is located.
 - (3) In the case of a legal entity or joint operation, all members must materially and substantially participate in the operation of the farm, ranch, or NIPF. Material and substantial participation requires that each of the members provide some amount of the management or labor and management necessary for day-to-day activities, such that if each of the members did not provide these inputs, operation of the farm, ranch, or NIPF would be seriously impaired.
- v. **Socially Disadvantaged Farmer or Rancher** means a producer who is a member of a group whose members have been subjected to racial or ethnic prejudices without regard to its members' individual qualities. For a legal entity, at least 50 percent ownership in the legal entity 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 Alaska 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.
- vi. **Veteran Farmer or Rancher** - means a producer who served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, including the reserve components thereof, was released from the service under conditions other than dishonorable, and—
- Has not operated a farm or ranch; or has operated a farm or ranch for not more than 10 consecutive years; or
 - Who first obtained status as a veteran during the most recent 10-year period.
- A legal entity or joint operation can be a veteran farmer or rancher only if all individual members independently qualify.
- vii. **Parcel** means a farm or ranch submitted for consideration for funding under ACEP-ALE.
- viii. **Land** 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; or 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. **Pending offer** means a written bid, contract, or option between a Landowner and an Eligible Entity for the acquisition of an agricultural conservation easement in perpetuity, or for the maximum duration allowed by State law, before the legal title to these rights has been conveyed for the purposes of protecting: (1) the agricultural use and future viability, and related conservation values, of eligible land by limiting nonagricultural uses of that land; or (2) grazing uses and related conservation values by restoring or conserving eligible land.
- x. **Eligible Entity cash contribution** means the amount provided by the entity for payment of easement compensation to the landowner and may include all sources of funds used to make such payment other than any funds provided by the landowner or the Federal share (in-kind activities, land from another parcel, etc...)
- xi. **Purchase price** means the fair market value of the agricultural land easement as determined by an NRCS-approved methodology, minus the Landowner donation toward easement value.
- xii. **Landowner Donation toward easement value** may include or a qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986) or a charitable donation. Landowners shall not donate any part of Federal share or Eligible Entity cash contribution back to the Eligible Entity as a condition of purchase or closing.
- xiii. **Procured costs paid by the eligible entity to a third-party** for the following items: an appraisal, legal boundary survey of the easement area, full phase-I environmental site assessment that meets the requirements of 40 CFR Part 312, title commitment or report, title insurance, or closing cost. The procured report or service meet the NRCS standards or requirements as identified in the ALE-agreement in order to be relied upon as a component of the non-Federal share. This amount may not include any amounts provided by the landowner used to procure these items.

Additional Considerations and Supporting Documentation:

NRCS staff may need additional documentation to award points for certain national and state ranking criteria. Some ranking criteria have been mentioned above but be sure to reference the NRCS ranking criteria for the state in which the parcel is located as you complete this application. Ranking questions related to Census or Census of Agriculture data will be determined

by NRCS and do not require documentation. Make sure that you provide the necessary documentation for any criteria that are relevant to this parcel. States have the flexibility to weigh the ranking criteria according to their resource and programmatic concerns. Be aware of what is most important in your state and what is most significant on the individual parcel. If you receive

ranking points for a particular resource on the parcel, such as habitat for special species, that resource must be protected by the ALE deed. For proximity-related criteria, pay attention to your state's metrics for distance and area measurements – straight line, radius, by public road, adjacency. A map with an aerial photo background should be provided to address each proximity question.