

**2012 Minnesota
Farm and Ranch Lands Protection Program (FRPP)
April 9, 2012**

The Minnesota USDA-NRCS State Conservationist will be accepting applications from eligible entities for consideration of funding for Farm and Ranch Lands Protection Program (FRPP) easements. The deadline for submitting proposals for Federal Fiscal Year 2012 is April 27, 2012.

Two complete original proposals must be delivered to the following by close of business on April 27, 2012.

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USDA-NRCS
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All proposals must be from eligible entities and provide details that meet the requirements of the FRPP in Section 519.43 of the program manual. These have been detailed below.

ELIGIBLE ENTITIES

- (1) Eligible entities include any agency of any State or local government or Federally recognized Indian Tribe (including a farmland protection board or land resource council established under State law.)
- (2) Any nongovernmental organization that is –
 - (i) Organized for and, at all times since the formation of the organization, has been operated principally for one 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.
 - (ii) An organization described in section 501(c)(3) of that code that is exempt from taxation under 501(a) of that code.
 - (iii) Described in paragraph (1) or (2) section 509(a) of that code or is described in section 509(a)(3) of that code and is controlled by an organization described in section 509(a)(2) of that code.

The clauses under section 170 address the following:

The preservation of land areas for outdoor recreation by, or the education of, the general public.

The protection of a relatively natural habitat of fish, wildlife, plants, or similar ecosystems.

The preservation of open space (including farmland and forest land) where such preservation is –

- For the scenic enjoyment of the general public.
- Pursuant to a clearly delineated Federal, State, or local governmental conservation policy and will yield a significant public benefit.
- The preservation of a historically important land area or a certified historic structure.

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

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

Note: Eligible Tribal entities are Federally recognized tribes. Tribes that are not Federally recognized may qualify under nongovernmental organization status (see section 519.31A.) Eligible entities that may apply include government and nongovernmental entities. Individual landowners are not eligible to apply themselves.

PROPOSAL ELEMENTS

519.43 Proposal Elements

A. Proposal Requirements

Interested entities with farm and ranch lands protection programs wishing to apply for FRPP funds must submit proposals to the appropriate State Conservationist prior to the announced ranking deadline.

All entities must complete and submit with the proposal the S-424 “Application for Federal Assistance”, SF-424A “Budget Information for Non-Construction Programs” and review and sign the SF0-424B “Assurances Non-Construction Programs”.

- (i) Proposals must contain the following information:

Information on the entity

Eligible entities must describe their farm and ranch lands protection program and their record of acquiring and holding permanent agricultural land protection easements.

Information provided in the proposal should –

- Demonstrate a commitment to long-term conservation of agricultural or ranch lands through the use of voluntary conservation easements that protect farm or ranch lands from conversion to nonagricultural uses.

- Demonstrate a capability to acquire, manage, and enforce conservation easements.
- Demonstrate staff capacity that will be dedicated to monitoring and conservation easement stewardship.
- Demonstrate the availability of funds equal to at least 50 percent of the estimated fair market value of the conservation easement (including landowner donation).
- Have a title and appraisal policy.
- Have a pending offer on a parcel or parcels.

Lands to be acquired

The proposal should describe the lands to be acquired with assistance from FRPP.

Specifically, the proposal must include the following for each parcel:

- A map of each parcel showing the proposed protected areas.
- A detailed description of each land parcel, including –
 - o The names of the landowners of each parcel.
 - o The address and location maps of each parcel.
 - o The size of each parcel, in acres.
 - o The acres of the prime, unique, or statewide and locally important soil in each parcel and a map of the prime, unique, or statewide or locally important soils for each parcel (one of three eligibility criteria).
- The number or acreage of historic or archaeological sites, if any, proposed to be protected, a brief description of the site’s significance and documentation of the site’s listing on the Federal, Tribal, or State register. The listing document that describes the significance of the site must be included in the application to compare with the cooperating entity’s ability to manage and enforce the easement for historic preservation of the site (one of three eligibility criteria).
- The manner that each parcel supports a State or local farm or ranch land protection program, if applicable (one of three eligibility criteria).
- The acres of cropland, grazing land (includes pastureland and rangeland), forestland and incidental in each parcel and a map of the cropland, grazing land, forestland and incidental for each parcel.
- A map showing the location of other protected parcels in relation to the land parcels proposed to be protected.

- Estimated value of the easement for each parcel.
- Estimated contribution by the cooperating entity, landowner donation, and expected Federal contribution to the acquisition. The amount paid by the Farm and Ranch Lands Protection Program cannot be more than 50 percent of the appraised fair market value of the conservation easement, as determined by a certified general appraiser licensed in the State in which the parcel is located.
- Estimated cooperating entity's recommended stewardship fee to be paid by the landowner.
- Indication of the accessibility to markets for each parcel.
- Indication of an existing agricultural infrastructure, on- and off-farm, and other support systems.
- Statement regarding the level of threat from urban development for each parcel.
- Percent of impervious surface. Impervious surface on FRPP easements is limited to 2 percent of the easement area (not including NRCS-approved conservation practices) unless a waiver is granted by the State Conservationist.
- Ownership of subsurface mineral rights for each parcel. See section 519.32H(4) of this part for further guidance.
- Desire of landowners to subdivide each parcel. Subdivision in FRPP is generally prohibited. See section 519.32H(2) of this part for further guidance.
- Desire of the landowner to construct additional residences on the easement parcel. See section 519.32H(2) of this part for further guidance.

B. Accepting Proposals

Entities' proposals postmarked or hand delivered after the ranking deadline will not be ranked and considered for inclusion in the funding cycle covered by the ranking deadline. Proposals should indicate whether the entity is eligible as a State, Tribal, or local government entity or nongovernmental organization.

For additional information contact Tim Koehler, ASTC (EP) and FRPP State Manager at 651-602-7857 or tim.koehler@mn.usda.gov.