

SUBJECT: LTP – Farm and Ranch Lands Protection
Program (FRPP) – To Announce the
Availability of Funds and Application Process

DATE: March 19th 2007

TO: District Conservationists
Natural Resources Conservation Service
South Carolina

FILE CODE: 300-25

The Farm Security and Rural Investment Act of 2002 provides up to \$70 million in financial and assistance for the Farm and Ranch Lands Protection Program (FRPP) in fiscal year 2007. Eligible entities include any state agency or local government or federally recognized Indian tribe, or any non-governmental, non-profit conservation organizations. Policy and procedures for implementing the Farm and Ranch Protection Program are contained in Part 519 of the Conservation Programs Manual. The information presented in this memorandum is a summary of key points contained in the manual; refer to Part 519 for clarification. Entities submitting proposals should address and include all of the required information as indicated in the request for proposals (RFP). Please visit www.grants.gov or www.sc.nrcs.usda.gov/programs to access this information. An application packet for South Carolina is attached to this memorandum to help you document all of the required information. **The deadline for submitting proposals is April 27th 2007.**

FRPP is designed to be a supplemental funding source for existing state and local farmland protection programs. Individual farmers cannot apply directly for FRPP funds. Landowner applications must be accepted by an eligible entity that has an existing farmland protection program. Eligible entities are federally recognized Indian tribes, states, units of local government, and non-governmental organizations that have pending offers for the acquisition of conservation easements for the purpose of protecting agricultural use. (*Proposals must provide adequate proof of a pending offer for the subject land. Part 519.33 of the Conservation Programs Manual (CPM) provides guidance on pending offers. Refer to Part 519.31 of the CPM for cooperating entities eligibility requirements.*) The eligible entity can then apply for FRPP matching funds to help acquire the easement.

The attached NRCS Farm and Ranch Lands Protection Program ranking worksheet should be completed and submitted for each farm included in the proposal. However, such ranking doesn't vest any right or entitlement to funding an applicant. Additional narratives may be submitted to cover any items that the applicant feels would benefit from additional clarification. The Summary of Pending Easement Offers should be completed with information for all farms included in the proposal.

Proposals will receive a higher priority with offered parcel(s) that:

- Are owner/operated farms
- Protect sites with significant historic or archaeological importance
- Have permanent easements
- Have pending offers supported by a signed appraisal
- Link other farmland protection or conservation easement efforts

The land must be appraised by a *State Certified General Real Property Appraiser* or obtain a temporary practice permit in the state(s) where the subject property is located and be in good standing with the licensing authority where the credential was issued. Appraiser must have demonstrated competency in compliance with USPAP in conducting appraisals of agricultural properties with and without conservation easements of the requested type. Documentation of appraisal education courses attended, such as eminent domain or conservation easements, and Yellow Book course shall be provided. For additional information, please visit the following website: www.usdoj.gov/enrd/land-ack/yb2001.pdf.

The numerical score from the ranking worksheet, along with all other supporting data, will be used to prioritize funding requests. The State Conservationist will determine the funding amounts for the applicants. The program manager will notify all entities as to their funding status once final allocations are determined. All funds must be encumbered to agreements with eligible entities by September 30, 2008.

Please note that a landowner can donate up to 25% of the fair market price of the easement to be used as part of the local matching funds. The purchase price is the fair market value acquired through standard real property appraisal and is the difference between the value of the unencumbered property and the value of the property with the easement restrictions. In the case of purchasing easements, the NRCS share of the purchase price will not exceed 50% of the appraised fair market value. *(Refer to Part 519.52b for an explanation of payment shares when a landowner donates part of the easement and therefore accepts less than the fair market value.)*

If land is being offered for enrollment based upon the presence of historic or archaeological sites, additional documentation should be included in the proposal. Refer to Part 519.32 of the CPM for land eligibility requirements.

All highly erodible land (HEL) enrolled in USDA Farm and Ranch Lands Protection Program easements must have a conservation plan developed and implemented. The conservation plan must be signed by the landowner prior to recording the easement. *(The plan is not required to be developed when the initial proposal is submitted to NRCS; however, it is important that the applicant(s) included in the proposal understand the requirement for developing and implementing a conservation plan. Refer to Part 519.61 of the CPM for further clarification.)*

Proposals from eligible entities should be forwarded to:

Craig C. Ellis
Assistant State Conservationist (Programs)
USDA-Natural Resources Conservation Service
1835 Assembly Street, Suite 950
Columbia, SC 29201

Questions concerning the Farm and Ranch Lands Protection Program should be addressed first to the local NRCS field office and then to the program specialist, Glenn Sandifer, at (803) 253-3894.

A handwritten signature in black ink that reads "Walter W. Douglas". The signature is written in a cursive style and is positioned to the left of a vertical red line.

WALTER W. DOUGLAS
State Conservationist

Attachments