

EWPP-FPE PREPAYMENT/CLOSING

NEST number:
Decisionmaker:

Total NRCS Agreement Amount:

EASEMENT INTERNAL CONTROLS REVIEW CERTIFICATION CHECKLIST

Emergency Watershed Protection Program – Floodplain Easement (EWPP-FPE) – Prepayment/closing

NEST Number:		FY:	State:
Decisionmaker:			
Total NRCS Agreement Amount:			
Disaster/Event:			

INSTRUCTIONS: Beginning at step 1A, complete State-level reviews utilizing the “Documents Checklist” on all easements. After completion of State-level reviews, reviewers must electronically sign the appropriate block on the “Certifications” page. If total easement obligation is over the threshold of \$250,000 or State-specific threshold set by National Headquarters (NHQ) through a written determination, or the easement is selected for review by the National Internal Controls (IC) Team, then a national-level review is required. Follow the national-level review protocol for instructions on how to submit a prepayment/closing package for national-level review. Prior to signing the payment document or closing documents, State Conservationists (STCs) must sign in the appropriate block of the “Certifications” page.

REVIEWS

STATE FIRST-LEVEL REVIEWER							
			Action	Description			
STEP 1				A. Complete “Documents Checklist”	Items in “Documents Checklist” (see page 4) are complete, accurate, and signed as necessary.		
				B. Compare Documents to NEST	Review the documents in “Documents Checklist” and compare the information to NEST to ensure all data matches.		
				C. Complete Appropriate Certification Box on Last Page			
				D. Enter Review Date in NEST	Reviewer must enter the date the review was completed and e-sign.		
STATE SECOND-LEVEL REVIEWER							
STEP 2	Y	N	NA	Action	Action		
				A. Landownership Verification	Landowners as listed on schedule A of the title commitment are accurate in: NEST FMMI Draft conservation easement deed		
				B. Easement Value Verification	Easement value is correct and appropriate adjustments have been completed. Easement value is calculated based on the final surveyed acres and approved compensation value is reflected in the draft easement deed. Sufficient funds are available as demonstrated by FMMI screen print.		

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			C. Signature Authority Verification	Landowner and NRCS signature authorities are documented (if applicable).
			D. Land Eligibility Verification	Land eligibility is met and adequately documented in the file. There is sufficient access to the easement per program guidelines.
			E. DUNS/SAM	If the landowner is an entity that uses an EIN, confirm their DUNS number and that their SAM registration is "Active."
			F. Obligating document	Verify the obligating document will be current at the time of closing.
			G. Approvals	Verify there is a PTO from OGC and required actions have been taken
			H. Complete Certification Box on Last Page	
			I. Enter Review Date in NEST	Reviewer must enter the date the review was completed and e-sign.

	DOES THIS TRANSACTION MEET THE \$250,000 THRESHOLD OR A STATE-SPECIFIC THRESHOLD AS DETERMINED BY EPD FOR NATIONAL REVIEW?
	HAS THIS TRANSACTION BEEN SELECTED FOR REVIEW BY NHQ?
IF NO TO BOTH, SKIP TO STEP 6. IF YES TO EITHER, CONTINUE TO STEP 3.	

SUBMISSION FOR NATIONAL-LEVEL REVIEW			
STEP 3		A. Load the Checklist Documents into NEST	State office loads all of the documents listed in the "Documents Checklist" into "Documents" section of NEST. Load documents separately as indicated by the drop down options in the "Documents" section of NEST. Upload the prepayment/closing checklist with State 1 st and 2 nd level signatures.
		B. Enter Maintenance Request	Enter a maintenance request (MR) in NEST and select "Prepayment/Closing Approval Request" from the "Reason" drop down list.

NATIONAL-LEVEL CURSORY REVIEW		
STEP 4	Action	Description
	A. Verify Checklist	Items in "Documents Checklist" are present in NEST and signed as necessary. Verify 1 st and 2 nd level reviews are entered in NEST.

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	B. National Review – Cursory Review of Uploaded Documents	<p>ASSIGNED: If package is complete, MR status is changed to “Assigned” and a comment is added to the “Administrative Comments” section of the MR indicating the cursory review found the package to be complete. The review is assigned to an in-depth national-level reviewer.</p> <p>FOLLOWUP NEEDED: If missing documents are identified, the MR status may be changed to “Follow-up needed,” and the checklist will be populated with identified issues. States will need to correct identified issues and upload corrected documents to the “Documents” page, if applicable.</p> <p>State uploaded missing/corrective documents: _____</p> <p>Date cursory review resumed: _____</p> <p>REJECTED: If several documents are missing or incomplete, the package is “Rejected.” The review checklist is loaded to the “Documents” page in NEST. States will need to enter a new maintenance request and upload corrected documents to the “Documents” page in NEST.</p>
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NATIONAL IN-DEPTH REVIEW		
	Action	Description
STEP 5	National Review – INDEPTH (Up to 30 DAYS)	<p>Once the national cursory review is approved, the reviewer will initiate the in-depth review.</p> <p>APPROVED: If prepayment/closing package is approved, MR status is changed to “Completed.” The review checklist is added to the “Documents” page in NEST.</p> <p>FOLLOWUP NEEDED: If an issue is identified, and able to be readily corrected, the MR status is changed to “Follow-up needed.” The MR comments section will be populated with identified issues. States will need to correct identified issues and upload corrected document to the “Documents” page, if applicable.</p> <p>State uploaded missing/corrective documents: _____</p> <p>Date in-depth review resumed: _____</p> <p>REJECTED: If issues are identified in the submitted package, that are contrary to policy or are not rectifiable, the MR status is changed to “Rejected.” Comments are added to the MR identifying the issues and the checklist is loaded to the “Documents” page in NEST.</p>

STEP 6	OBTAIN STATE CONSERVATIONIST CERTIFICATION ON THE LAST PAGE OF THIS CHECKLIST
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POSTCLOSING AND PAYMENT		
STEP 8	Load the “Documents” into NEST Postclosing/payment	Postclosing/payment, State office loads the following documents into the “Documents” page in NEST for all closed conservation easements regardless of threshold: Executed and recorded easement deed with all exhibits Final title insurance policy Closing instructions Closing Protections letter Closing statement or final HUD Final title opinion from OGC Completed, signed IC checklist ALTA closing protection letter or equivalent

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DOCUMENTS CHECKLIST				
State Level 1	NHQ Cursory	NA	DOCUMENTS	DESCRIPTION
			<i>This “Documents Checklist” is not a comprehensive listing of what should be documented in the physical file and only lists the documents required for internal control reviews.</i>	
			1. AD-1153, “Application for Long Term Contract”	Ensure form is completed and signed.
			2. Proof of Ownership	Recorded deeds. Ensure documents cover entire area to be placed in easement.
			3. Proof of Recordable Access/Existing Access	Access to the offered easement, when offered easement does not about a public road, said access provides vehicle access onto the offered easement per program guidelines. Public access Access will be recorded or is recorded NOTE: Access must be insurable.
			4. Landowner Entity Documents (if applicable)	CCC-901 or CCC-902 Entity documents including, but not limited to, articles of incorporation, trust documents, personal representative deed, etc. Certificate/proof of good standing for entities
			5. Landowner Signature Authority	For landowner/entities or individual landowners as necessary (e.g., articles of incorporation, meeting minutes signed by either the authorized member or all members, power of attorney, corporate resolution, etc.)
			6. NRCS Signatory Authority	If someone other than the STC has signed agreements, extensions, modifications, etc. documentation of delegation of authority.
			7. Legal Boundary Survey	Include recorded/recordable legal boundary survey with ingress/egress identified. If there is not public access identified on the survey, then States must provide recorded (or recordable if it will be recorded with the warranty easement deed) ingress/egress document.
			8. Land Eligibility Maps and/or Supporting Documentation	Land eligibility maps and supporting documents must include the following: Easement boundary Total acres Ingress/egress to all tracts Proof of damage from identified disaster Identification of all land eligibility components (e.g., flooded land, adjacent land, other land uses within the easement, etc.) Documents used to make land eligibility determination Preliminary certificate of inspection and possession

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				<p>Hazardous materials examination checklist</p> <p>NOTE: Technical determinations are the State's responsibility. NHQ IC reviewers will not be reassessing or confirming the land eligibility determination. However, if insufficient documentation is provided, or if IC reviewers have questions about particular documents, they may follow up with State staff for clarification.</p>
			9. Easement Value Maps and/or Supporting Documents	<p>Select basis for final easement value and provide the appropriate documents. Easement compensation should be the lowest of the fair market value (FMV) by (1) USPAP appraisal or areawide market analysis, (2) GARC:</p> <p>FMV</p> <p>USPAP Appraisal.—If used to determine FMV, provide summary section of appraisal, map of offered boundaries from final approved appraisal and the approved technical appraisal review. Required for all transactions of nonagricultural lands that have structures.</p> <p>Areawide Market Analysis (AWMA).—If used to determine FMV, provide maps or documentation that indicates land use.</p> <p>GARC</p> <p>Document how the final easement value is calculated from the FMV; demonstrate which GARC value is applied to which acres on the offered land.</p> <p>*include any compensatory reductions to the value per program guidance (e.g., surveyed acres less than 5% change, other recovery assistance received, relocated structures, etc.)</p>
			10. Evidence of DUNS and Current SAM Registration	If the landowner is an entity that uses an EIN, confirm their DUNS number and that their SAM registration is "Active."
			11. Executed Obligor Document and Modifications	Executed obligor document and any extensions/modifications to the easement obligation. Ensure obligor document and extensions have not expired.
			12. FMMI Screen Print	FMMI screen print of current funds obligation.
			13. Title Commitment	Title commitment used for the OGC preliminary title opinion. Do not include records of encumbrances, they will be requested as needed.
			14. Certificate of Use and Consent (NRCS-LTP-23)	Certificate must be completed, signed, and dated. Ensure acceptable exceptions clearly document why they are acceptable.
			15. Preliminary Title Opinion (PTO)	PTO from OGC and cover letter from State to OGC requesting PTO.

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			16. Draft Easement Deed	Include landowner names, NEST number, easement value, and all exhibits and documents approved by OGC. Do not obtain landowner signatures or NRCS signature.
			17. Draft Closing Instructions	Include name of closing agent, amount, and landowner names.

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CERTIFICATIONS

By signing the appropriate reviewer section below, you are certifying that you have completed a thorough review of the submitted documentation and have completed any and all of the recommended follow up actions as noted. National Accounts Payable Services Team signature acknowledges that reviews to the appropriate level have been conducted and will be obtained at the time of payment.

State First-Level Review (Required for all easement acquisitions)

Name:		Title:	
Phone number:		Review Date:	
Review Date Entered in NEST		Electronic Signature:	

State Second-Level Review (Required for all easement acquisitions)

Name:		Title:	
Phone number:		Review Date:	
Review Date Entered in NEST?		Electronic Signature:	

Expedited Review Requested:

State Conservationist request of expedited review

STC Signature:	Date:
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Regional Conservationist

Approved Denied	RC Signature:	Date:
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National-Level Cursory Review (Required only when the easement acquisition is over the threshold or selected at random)

Name:			Title:		
Phone Number:			Date Review Started:		
Date package marked:	Rejected:		Follow-up Needed:		Complete:
NHQ IC Review Electronic Signature:					

National-Level In-depth Review (Required only when the easement acquisition is over the threshold or selected at random)

Name:			Title:		
Phone Number:			Date Review Started:		
Date package marked:	Rejected:		Follow-up Needed:		Complete:
NHQ IC Review Electronic Signature:					
NHQ IC Review Electronic Signature:					

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State Conservationist Certification (Required for all easement acquisitions)

Signature:	Date:
I certify all appropriate levels of review have been completed as required.	

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