

NEST Agreement Number: _____
 NEST Parcel Number: _____

NRCS Parcel Contribution Amount: _____

EASEMENT INTERNAL CONTROLS REVIEW CERTIFICATION CHECKLIST
 Agricultural Conservation Easement Program (ACEP)
 Agricultural Land Easements (ALE)
 Agricultural Land Easements – Grasslands of Special Significance (ALE-GSS)
ALE- PARCEL PREOBLIGATION

| | | | | | |
|--|--|------------|--|---------------|--|
| NEST Agreement Number: | | FY: | | STATE: | |
| NEST ALE Eligible Entity: | | | | | |
| NEST Five-Digit Parcel Number: | | | | | |
| NEST Parcel Landowner Decision Maker: | | | | | |
| Estimated NRCS Contribution to Parcel Purchase Price: | | | | | |
| ACEP-ALE Type: ALE-General ALE-GSS ACEP-ALE Special designation (check all that apply) Project of Special Significance Waiver approved: yes no Landscape Initiative Area _____ RCPP | | | | | |

INSTRUCTIONS:

Use this checklist for each funded parcel on the ALE agreement attachment. Do not use this checklist for substitute parcels; use the separate substitute parcel checklist once the substitute parcel is selected for funding.

1. NRCS employees must complete a separate Parcel Preobligation Checklist for each funded parcel on the attachment.
2. NRCS employees must complete first- and second-level reviews of each required document shown below.
3. The reviews are completed as described on the Agreement Preobligation Checklist and the review is documented on the Agreement Preobligation Checklist.
4. Upload all documents listed on the Parcel Documents Checklist to NEST, regardless of obligation amount. Load documents separately in the “Documents” section of NEST using the correct “Document Type” from the drop-down list using a naming convention that makes it obvious what the document is and the Agreement or Parcel with which the document is associated.
5. After review of all funded parcels attached to the agreement, NRCS employees must certify and electronically sign “Certifications” page on the associated Agreement Preobligation Checklist. In the State official file, attach Parcel Preobligation Checklists to the Agreement Preobligation Checklist and maintain together as one checklist package. The completed checklists must be uploaded to NEST and all appropriate NEST data elements must be completed.

ALE PARCEL DOCUMENTS CHECKLIST

This ALE Parcel Documents Checklist is not a comprehensive listing of what should be documented in the physical file, but, rather lists what documents are normally required for Internal Controls reviews. National-level reviewers may need to request additional documentation to clarify any matters which may arise during the review of the documents. State/ESS reviewers must ensure that the most current form version is utilized, and all forms are completed, signed, and dated correctly. States/ESS must also verify that all data is correctly entered in NEST.

| 1 st LEVEL REVIEW | 2 nd LEVEL REVIEW | DOCUMENTS | DESCRIPTION |
|------------------------------|------------------------------|--|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. NRCS-CPA-41A, Parcel Sheet for Entity Application (ensure form is signed) | Completed CPA-41A for the parcel using the October 2016 version or newer. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Proof of Ownership | <p>1. Include at least one of the following for the subject parcel:</p> <ul style="list-style-type: none"> a. Current recorded ownership deeds that encompass entire offered area; OR b. Fully executed purchase agreement to purchase the offered area in fee title. <p><i>NOTE: If the title search/commitment has been provided, upload in support of, but not as substitute for, the above evidence of ownership document.</i></p> <p style="text-align: center;">AND</p> <p>2. Supporting documentation confirming the legal description in the proof of ownership matches the offered easement area (e.g., county tax map and assessment card, plat book, or easement maps with section, township, and range or other unique locators matching ownership documentation legal descriptions).</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Written Pending Offer | Ensure the written pending offer is for the purchase of an agricultural land easement from the eligible entity, covers the entire offered area, and has not expired. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Approved Waivers | Any approved policy waivers associated with the parcel or agreement (e.g., eligible entity cash contribution waiver, etc.). |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Landowner Entity Documents (applicable for all landowners that are not individuals) | Current CCC-901 or CCC-902. and FSA business file screen print. |

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| <input type="checkbox"/> | <input type="checkbox"/> | 6. Subsidiary Prints for Year of Enrollment | <p>Subsidiary prints for all landowners listed on the proof of ownership document or preliminary title search (<i>note: landowner eligibility is not required for a non-record spouse, e.g., listed on title commitment only to convey spousal rights</i>):</p> <p>All landowners must have AGI and HEL/WC compliance* for the fiscal year of enrollment showing the following status:</p> <ul style="list-style-type: none"> • AGI Status – “Compliant – Producer,” “Compliant – Less than 3 years,” “Exempt,” or “Mismatch Verified”. • AD-1026 status – “Certified”. • Conservation Compliance-Farm/Tract – “In Compliance”. <p>Confirm eligibility is correct in NEST.</p> <p><i>*If landowner is an entity, all members documented on the CCC-901/CCC-902 or FSA business file must have subsidiary print documenting their eligibility as required by the eligibility matrix.</i></p> |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Land eligibility summary and map | <p>Land eligibility documentation must show the following:</p> <ul style="list-style-type: none"> • Proposed easement boundary. • Total proposed easement acres. • Land eligibility type for all acres on a map as described in 440-CPM-528-E-528.42A(3)(iv) that shows the acres and location of prime soils, grazing lands, grasslands of special significance, etc. • Documentation used to make the State’s technical determination as to each land eligibility category for the entire offered easement area (such as soils maps, narrative description of how the protection will further a state or local policy, etc.). • Documentation is consistent with NRCS-CPA-41 and NEST land eligibility <p><i>NOTE: The State/ESS is responsible for ensuring technical determinations meet policy. The documentation of that assessment and determination must be available for review. Additional documentation may be requested if the provided information is insufficient for review.</i></p> |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Environmental Records Database Search (if available) | <p>Environmental Records Database search that covers the entire offered easement area.</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Landowner Disclosure Worksheet | <p>Landowner Disclosure Worksheet (completed on the most current version of the form) that covers the entire offered easement area and is signed by the landowner and an NRCS employee.</p> |

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| <input type="checkbox"/> | <input type="checkbox"/> | 10. Hazardous Materials Field Inspection Checklist | Hazardous Materials Field Inspection Checklist completed on the most current version of the form - which covers the entire offered easement area and signed by an NRCS employee. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Hazardous Materials Landowner Interview | Hazardous Materials Landowner Interview (completed on the most current version of the form) that covers the entire offered easement area and signed by the landowner and an NRCS employee. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Ranking | Completed ranking showing that the proposed enrollment ranked high enough for funding in the current fiscal year. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Proof of Recordable Access or Existing Access | <p>Proof of sufficient physical and legal access to entire easement area.</p> <ul style="list-style-type: none"> • If access is via a public road, the location and name of the road must be shown on a map of the easement area. • If access is not via a public road, the following must be provided: <ul style="list-style-type: none"> ○ Map showing access route between public road and easement area and ownership of lands underlying nonpublic access routes. ○ Documentation confirming access rights along nonpublic access route (i.e., recorded easement or written agreement with adjacent landowner to provide such access rights) prior to closing. • If access is across an existing NRCS easement, provide written confirmation that access is physically feasible and will not negatively impact the purposes of the existing easement. • If access is across other Federal lands, provide map depicting access and documentation showing the State Conservationist determination (including physical sufficiency) selecting one of the alternative legal access options (with a copy of all documentation) described in 440-CPM-528-G-528.62. |

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NOTES:

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