Round 12 – Conservation Acquisition Grant Pre-Proposal

Submittal Requirements

The SALC Program has a two-step process for applicants requesting acquisition funding.

Submittal of the pre-proposal worksheet, and application is mandatory to be eligible for SALC acquisition funding. Refer to the Notice of Funding Availability (NOFA) for critical dates and instructions on how to apply.

Every fillable box must have text even if not applicable. If not applicable, please write "N/A".

Pre-proposal – Eligibility Determination:

- **Eligible Applicants are described starting page 23 of the Guidelines; and**
- **Eligible Projects start on pages 24 and 25 of the Guidelines.**

Applicants interested in receiving technical assistance prior to submission of a pre-proposal may contact the Department with questions.

Projects determined "eligible" following pre-proposal review may submit an application.

Projects deemed incomplete pre-proposals will not be reviewed for Round 12. Feedback can be incorporated for future round submittal.

Agricultural Conservation Acquisition Pre-Proposal Checklist

Required Components

- ☐ Acquisition Pre-Proposal Summary Sheet
- ☐ Documentation of Organizational Capacity and Eligibility
- ☐ Documentation of Organizational Capacity and Eligibility for Co-applicant/Interest Holder (If applicable)
- ☐ AB 680 Workforce Development Required Documentation
- ☐ Applicant-Landowner Letter of Intent
- ☐ Narrative Questions
- ☐ Project Boundary and Excluded Area(s) Map
- ☐ Zoning and Parcelization Map
- ☐ Building Envelope(s) Map

Optional Components

- ☐ Preliminary Title Report (PTR), Underlying Documents, Assessor's Parcel Maps, Plotted Easements Map, Grant Deed/ Vested ownership documents (Optional at Pre-proposal stage)
- ☐ PTR Review Sheet (Optional at Pre-proposal stage)

Acquisition Pre-Proposal Summary Sheet

Basic Information

Project Title:

Landowner Name:

Location (County and Nearest City):

Driving distance to nearest city or census designated place:

Developed with a SALC capacity grant?: ☐ Yes ☐ No

Potential Funding Match Source(s):

Status of Funding Match:

Real property interest to be acquired: ☐ Easement ☐ Fee

If a fee title acquisition is proposed, describe how the property be utilized for agricultural use. Include the plan to lease or sell the property; whether this occur immediately upon purchase; and if not, please describe the anticipated time frame. (**no more than 1,500 characters (with spaces)**)

Applicant Information

Applicant:

Federal Employer ID Number:

Mailing Address:

Contact Person:

Title:

Phone Number:

Email Address:

Co-Applicant/Intended Interest Holder Information (*Put "N/A" if not applic*able)

Name:

Federal Employer ID Number:

Mailing Address:

Contact Person:

Title:

Phone Number:

Email Address:

Co-Applicants intending to hold the real property interest to be acquired must meet the same eligibility requirements as the primary applicant.

Explain the structure and purpose between the applicant/co-applicant. Provide details as to why the interest holder is not the primary applicant.

Parcel Information

Project Assessor Parcel Number(s) (APNs):

Current Zoning / Minimum Parcel Size:

Number of existing legal parcels (Please confirm this information with the relevant County Planning Department.):

Proposed number of easements:

Project Acreage

Total Project Acreage (Assessor's Acreage):

Irrigated Acres:

Non-irrigated / Grazing Acres:

Nonagricultural Acres:

Excluded Acreage? (This pertains to all contiguous acreage under same ownership): ☐Yes ☐No

If yes, please explain the reason why and specify the exact acreage being proposed for exclusion:

Reserved Rights

Existing and Reserved Single-family Residences
Number of single family **(SF) residences** currently on the property:

Number of additional **SF residences** to be reserved in easement (if any):

Existing Farm Labor Residences
Number of farm labor residential structures/units currently on property:

Building Envelopes
Existing Building Envelopes on the property? ☐Yes ☐No
If yes, specify type and acreage for each existing envelope (e.g., residential, ag. employee, agricultural infrastructure).
Example: 1 @ 2-acres (residential); 2 @ 5-acres each (ag infrastructure)

Number of existing BE's:
Example: 3
Total Acres:
Example: 12-acres

Additional Building Envelope(s) to be reserved? ☐Yes ☐No
If yes, specify type and acreage for each additional envelope (e.g., residential, ag. employee, agricultural infrastructure).
Example: 1@ 5-acres (residential)

Total number of additional BE's:
Example: 1
Total Acres:
Example: 5-acres

Additional Existing and Reserved Rights Information:
Other Reserved Rights (e.g., commercial recreation, oil and gas site, solar, communication towers)
Please list:

Sale and Subdivision

Would proposed acquisition prohibit further subdivision of existing legal parcels?: ☐Yes ☐No
If no, Explain:

Would proposed acquisition prohibit sale of existing legal parcels separately from other parcels in the project area?: ☐Yes ☐No
If no, Explain:

Critical Deadlines

Any critical deadlines that would result in the project needing to close in a period of less than 12 months from the *Project Awards* (See NOFA for critical dates)?: ☐Yes ☐No

If yes, please describe the timeline necessary for close of escrow and provide both a justification and a draft implementation schedule (provided on the SALC website) with your pre-proposal demonstrating the ability to close the grant within the required timeline:

Note* - Typical expected timeline for closing projects is 1.5 to 2 years from grant agreement execution (approximately 3 months following award). It is unlikely the Department will be able to accommodate an expedited timeline. Consideration will be based on constraints on staff and legal resources and number of existing projects following awards.

Eligibility and Organizational Capacity Documentation

Applicant Certifications. Certify below as appropriate.

Documentation of Organizational Eligibility

Non-Profit Applicants

☐ IRS 501(c)3 status ☐ Articles of Incorporation ☐ Bylaws

☐ *(No Tribal affiliation; Only if not in Articles of Incorporation or Bylaws)* Adopted Policy or Statement of Purpose for preservation, protection, or enhancement of agricultural land, including farmland or rangeland among their stated purposes.

☐ *(Tribal Nonprofits; only if not in Articles of Incorporation or Bylaws)* Adopted policy regarding preservation, protection, or enhancement of land for its agricultural use or for its natural, scenic, historical, forested, or open space condition or use for cultural purposes.

☐ *(Tribal Nonprofits only)* Directly affiliated with a Federally-recognized *or* Non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC.

☐ *(Tribal Nonprofits only)* Maintains a majority tribal board

☐ *(Tribal Nonprofits only)* Signed resolution from the tribal chairperson

☐ *(Tribal Serving Nonprofits only; Only if not in Articles of Incorporation or Bylaws)* Adopted Policy or Statement of Purpose for protection of land for its natural, historic, or open space condition or use among their primary purposes if the intent of their proposed project is to conserve the land for gathering and activities that promote healthy trees, shrubs, and perennial forbs for the cultivation of traditional foods, herbal medicine, fibers (such as basketry material), and dyes in partnership with one or more eligible California Native American tribes.

Governmental Applicants (non-tribal)

☐ Copy of relevant statute

Tribes (check all that apply)

☐ Federally recognized California Native American tribe

☐ Non-federally recognized California Native American tribes must be on the contact list maintained by the Native American Heritage Commission (NAHC) and apply via the non-profit entity through which they do business with the State of California.

☐ Documentation verifying tribal status

Documentation of Organizational Capacity *(Non-profit Applicants only)*

☐ Proof of Land Trust Accreditation Commission Accreditation **OR**

Copies of all policies listed below:

☐ Easement Amendment Policy
☐ Conflict of Interest Policy
☐ Stewardship Endowment Policy
☐ Monitoring Policy
☐ Easement Enforcement Policy

☐ *I certify here that the Eligibility and Capacity documents listed above have been accepted by the Department within the past five years.*
☐ *I certify here that the most current versions of the Eligibility and Capacity documents listed above were submitted with pre-proposal documents.*

Signature: Date:

Print Name, Title

Co-applicant/Interest Holder Certification *(delete pages if not applicable)*

Documentation of Organizational Eligibility

Non-Profit Applicants

☐ IRS 501(c)3 status ☐ Articles of Incorporation ☐ Bylaws

☐ *(No Tribal affiliation; Only if not in Articles of Incorporation or Bylaws)* Adopted Policy or Statement of Purpose for preservation, protection, or enhancement of agricultural land, including farmland or rangeland among their stated purposes.

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Governmental Applicants (non-tribal)

☐ Copy of relevant statute

Tribes (check all that apply)

☐ Federally recognized California Native American tribe

☐ Non-federally recognized California Native American tribes must be on the contact list maintained by the Native American Heritage Commission (NAHC) and apply via the non-profit entity through which they do business with the State of California.

☐ Documentation verifying tribal status

Documentation of Organizational Capacity *(Non-Profit Applicants only)*

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Copies of all policies listed below:

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☐ *I certify here that the Eligibility and Capacity documents listed above have been accepted by the Department within the past five years.*
☐ *I certify here that the most current versions of the Eligibility and Capacity documents listed above were submitted with pre-proposal documents.*

Signature: Date:

Print Name, Title

AB 680 Workforce Development Required Documentation

Assembly Bill No. 680 (AB 680) requires certain California Climate Investment programs to implement six workforce standards across applicable projects. SALC was identified as a covered program that must meet the standards outlined in Section V of the 2024 Funding Guidelines for Agencies that Administer California Climate Investments (Funding Guidelines). Administering agencies must ensure that all applicants with projects funded by covered programs comply with AB 680 unless the project meets the criteria for a project-level exemption. See Funding Guidelines for a full description of the workforce standards and project exemptions. Applicants will be required to submit evidence verifying compliance with all applicable standards in their application submission.

Applicants must provide the following per application submittal (*check all that apply*):

1. Fair and responsible employer standards, meaning documented compliance with applicable labor laws and labor-related commitments concerning wages, workplace safety, rights to association and assembly, and nondiscrimination standards.
    - ☐ Evidence of compliance such as a responsible employer policy (*e.g. employee handbook, adopted policy, etc.,*); **or**,
    - ☐ A letter attesting they will abide by fair and responsible employer standards.
2. Inclusive procurement policies that prioritize bids from entities that demonstrate the creation of high-quality jobs, or the creation of jobs in priority populations or California tribes.
    - ☐ Inclusive procurement policy, **or**
    - ☐ Not applicable if the proposed project activities do not involve procurement.
3. Prevailing Wage for any construction work funded in part or in full by the grant.
    - ☐ Not applicable if the proposed project activities do not involve construction.
4. Evidence of community workforce agreement (CWA) for projects over $1,000,000 that involve a construction component.
    - ☐ Not applicable if the proposed project activities do not involve construction.

If the project is exempt from AB680's workforce development requirements, please provide an explanation and documentation (if applicable) to support the claim:

Applicant-Landowner Letter of Intent

The applicant must use the Department's template letter provided on the SALC website: a letter from the landowner(s) stating the landowner's intent to work with the applicant to conserve the property via sale of an easement or fee title transaction. All landowners listed on title and applicant's authorized signatory must sign the letter of intent. All following items must be included in the Letter:

☐ Landowner's pursuit of sale of the easement or fee is voluntary
☐ Use of the property will be restricted to agricultural and compatible conservation uses in perpetuity
☐ Landowner and Applicant have discussed the estimated acquisition value provided to SALC as the basis for the SALC funding request, and the landowner understands that the final easement value used to establish SALC's contribution to the purchase price of the easement may change upon completion of a full appraisal of the property.
☐ No government agency has conditioned the issuance of an entitlement to use on the landowner's granting of the proposed acquisition.
☐ Projects that include forested lands as defined in Public Resources Code 4751 will include an easement management plan that meets the requirements of the code section.
☐ *(government applicants only)* The local government applicant has not acquired, nor proposes to acquire, the agricultural conservation easement through the use of eminent domain, unless requested by Landowner.
☐ Reserved Rights detail is included and matches application.

☐ Landowner initials acknowledging project timeline.
☐ Letter is signed by all current landowners (*TBD at application*)
☐ Letter is signed by applicant's authorized signatory.
☐ Landowner signed building envelope map.

Narrative Questions

Please answer the following questions. Limit responses to questions 1-5 **three pages or less**.

1. Project Background and Commercial Agricultural Production: Provide a brief description of the project, including the current agricultural use of the property.
    a. Describe current agricultural uses and operation. Include types of products produced for example: number of cow/calf pairs, row crops produced and yield; acreage utilized; whether it is a seasonal or year-round operation; owner-operated or leased; etc. Include details on the agricultural support services in the local community utilized by the landowner or the lessee.

    b. Explain how the parcel proposed for conservation is large enough to sustain commercial agricultural production. If the project is exempt from this criterion, please note "Exempt*."

    c. Required for tribal projects only – Describe how the project would promote healthy trees, shrubs, and perennial forbs for the cultivation of traditional foods, herbal medicine, fibers (such as basketry material), and dyes.

d. If not currently in agricultural use, provide a plan (including a three-year timeline) for how agricultural uses will be implemented and sustained on the property and describe what parts of the plan the landowner has implemented.

2. Voluntary Easement/Fee Title Conveyance: Is the proposed acquisition part of a local government's condition placed upon the issuance of an entitlement for use of a specific property?
   ☐Yes ☐No
   If yes, please describe.

3. Agricultural Constraints: Does the property have any known agricultural constraints (e.g., due to soil or water contamination; known oil and gas wells; known mines on the property, water availability, etc.);?
   ☐Yes ☐No
   If so, please describe.

4. Infill Development: How will protection of the property support infill and compact development? Refer to SALC Guidelines Section 3 – Support for Infill and Risk of Conversion.

5. Conversion Pressure: How is the property under pressure of being converted to non-agricultural uses?

6. Sustainable Communities Strategy: Does the proposal support the implementation of an adopted or draft sustainable communities strategy or, if a sustainable communities strategy is not required for a region by law, a regional plan that includes policies and programs to reduce greenhouse gas emissions? Provide the name and link to the plan.
   ☐ Yes ☐ No

7. State's Planning Priorities. Is the project consistent with California's Planning Priorities?
   ☐ Yes ☐ No

8. GHG Reduction: Will the project achieve a reduction in GHG emissions.
   ☐ Yes ☐ No

9. Eminent Domain (*applicable to local government applicant's only*): The local government applicant has not acquired, nor proposes to acquire, the agricultural conservation easement through the use of eminent domain, unless requested by the owner of the land.
   ☐ Yes ☐ No ☐ N/A

*Acquisitions to promote healthy trees, shrubs, and perennial forbs for the cultivation of traditional foods, herbal medicine, fibers (such as basketry material), and dyes, and where the applicant or co-applicant is a California Native American tribe or tribal non-profit, are exempt from the requirements related to commercial agricultural production.

Provide any other comments, potential concerns, etc.

Project Boundary Map and any Excluded Areas Map

Applicants must submit a legible PDF map of the project boundary and APNs with their pre-proposal and are encouraged to provide GIS shapefiles of any data included in their maps.

Applicants must identify point(s) of legal access from a public road to the property on the maps.

Zoning and Parcelization Map

Applicants should submit a legible PDF map of the most current zoning and parcelization surrounding the project boundary. If applicants are unable to provide this map, please provide an explanation as to why.

Building Envelope(s) Map and Excluded Areas Map

Applicants must submit a map depicting the location and size/dimensions of existing and/or proposed envelope(s). Building envelopes must be designated around existing residences and infrastructure, as well as sites for proposed future residences.

Title (Optional at Pre-proposal Stage)

Applicants are expected to exercise due diligence to discover and disclose potential title issues in the pre-proposal and application. A preliminary title report that is less than twelve (12) months old and a plan to address each title issue must be submitted with the pre-proposal.

The title report should be submitted as a separate file from the pre-proposal and should be accompanied by all relevant underlying documents, Grant Deed/ Vested ownership documents, associated assessor's parcel maps, and a plotted easements map. Underlying documents should be submitted as hyperlinks in the preliminary title report unless extenuating circumstances exist.

In the PTR review sheet available on the program's website, list any exceptions that may pose a cloud on title. For each exception noted, describe what steps will be taken to resolve the issue, including a timeline for resolution. If no potential clouds on title are identified in the Preliminary Title Report, write N/A. The PTR review sheet is optional for tribal applicants.

Examples of exceptions that are not typically a concern are:

- easements or encumbrances for utilities, roads, or neighbor rights-of-way

Examples of exceptions that require an explanation and resolution are:

- deeds of trust
- third party mineral interests
- possible interests in the fee held by third parties

Examples of exceptions that are disqualifying are:

- lack of legal access to and from the property
- if the property is in probate
- existing conservation easements