



(Rev 1/2011)

Department of Agriculture, Trade and Consumer Protection

Permanent Agricultural Conservation Easements (PACE)

Cooperating Entity Responsibilities for PACE

Upon execution of the PACE Cost-Share Contract, the Cooperating Entity understands and agrees to perform the following:

1. Maintain current knowledge and resources to implement the PACE program, and work in partnership with DATCP throughout the PACE process from application to easement acquisition.
2. Provide necessary assistance to Owners interested in submitting a PACE application to DATCP, including the attachment of required documentation and meeting application deadlines.
3. Take the necessary steps to coordinate with other easement programs such as the federal Farm and Ranch Lands Protection Program (FRPP).
4. Perform the following activities necessary to support an Owner whose property has been determined eligible for participation in the PACE program:
 - a. Develop baseline documentation using DATCP approved forms and according to Land Trust Alliance standards.
 - b. Obtain a complete title search performed according to DATCP standards
 - c. Work with DATCP to identify and resolve any conflicting property interests, including subordination of liens or competing interests, and satisfaction of judgments.
 - d. Arrange for a site visit, in coordination DATCP and the Owner, to evaluate if there are onsite or offsite conditions that might impair the purpose of the Easement.
 - e. Work with the local county land conservation department to determine the compliance status of the property with state soil and water conservation standards, and take necessary actions to develop a compliance schedule if needed.
 - f. Arrange for an environmental professional to conduct an environmental site assessment that includes a Hazardous Materials Database search (HMDS)
 - g. Commission an appraisal from a state licensed appraiser with general certification who is required to follow DATCP's Easement Appraisal Report Guidelines.
 - h. Assist Owners with the completion of the Easement offer to purchase and work with DATCP to develop acceptable documents for Owner's execution.
 - i. Secure funds to make the Easement purchase, if necessary.
 - j. Provide the Easement with all necessary signatures to DATCP after closing.
5. Seek reimbursement for eligible costs according to the terms and conditions required by DATCP, including submission of invoices marked "paid" and other required documentation.

6. Monitor the Easement through annual inspections and document reviews, and take actions to enforce compliance with the terms and conditions of the agricultural conservation easement.
7. Report results of monitoring efforts to DATCP every 5 years.
8. Maintain a record of all Easements purchased through the PACE program according the Contract's requirements, and make records available to DATCP or its designee for inspection, audit and copying upon request.
9. Put forth a good faith effort to implement its responsibilities and promote a cooperative spirit. Cooperating Entity shall contribute whatever creative problem solving efforts are necessary to ensure the success of the Contract and Easement.
10. In the event differences arise between the parties to the Contract and the Easement, pursue informal steps to address the concerns and take reasonable steps to resolve any dispute.