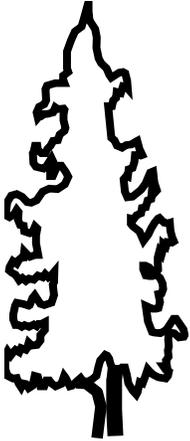


DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT PROGRAM



A PROGRAM TO ASSIST IN THE ACQUISITION OR RESTORATION OF OPEN SPACE
GRANT QUESTIONNAIRE

GRANT APPLICATION DEADLINE: FEBRUARY 2, 2017

PROJECT TITLE: _____

SPONSOR: _____

SPONSOR'S ADDRESS: _____

NAME & TITLE OF CHIEF EXECUTIVE OFFICER: _____

NAME & TITLE OF PREPARER: _____

PHONE: _____

TOTAL PROJECT COST: \$ _____ TOTAL PROJECT AREA: _____ ACRES

Your response to the following questions will be used to evaluate and rank your proposed project. Responses should be brief, factual and accurate. Applicants submitting project proposals that include inaccurate information, facts, statements or disclosures could be penalized by having the application withdrawn from review or having the grant forfeited should one be promised. Please carefully review the Definitions and Program Conditions attached to this grant questionnaire prior to completing the questionnaire.

Important notice for all Applicants

- ☞ Any land purchased under this grant program may not be developed into any intensive outdoor recreation facility and/or commercial or residential use.
- ☞ Approved projects are expected to be acquired within one year after DEEP approval.
- ☞ Land already owned by the applicant is not eligible for an acquisition grant.
- ☞ All land acquisitions must be accessible to the public, without limitation(s). Acquired permanent interest in land (Conservation Easements) shall provide for public access in accordance with Connecticut General Statute Sections 7-131d(e).

TYPE OF REQUEST (REFER TO DEFINITION AND PROGRAM CONDITIONS)

(CIRCLE ONE): ACQUISITION IN FEE PURCHASE OF AN EASEMENT RESTORATION

1. PROJECT DESCRIPTION:

Describe how your proposal addresses the issues of preserving land by acquisition or the restoration of existing publicly owned land. Please note that more than one issue may be used to justify the proposed project.

Will the proposed project?

- A. Provide a linkage or create/contribute to a developing or existing greenway, protect or complement existing preserved open space or preserved agricultural land? If so, how?
- B. Protect land that can be classified as Class I or Class II watershed land? What is the classification of the surrounding land? (Water Companies own classified watershed land)
- C. Provide a valuable resource for recreation, forestry, fishing, wildlife habitat or natural resources. If so, how?
- D. Provide multiple resource access values such as water supply protection and recreation, forest protection and fishing access.
- E. Protect a prime naturally occurring feature. Examples of such naturally occurring features include a shoreline, a river or stream, mountainous territory, ridgeline, inland or coastal wetland, estuarine, a geological feature.

- F. Protect a habitat of a plant or animal species that is either threatened, endangered, or of special concern.
- G. Protect a native ecological community that is now uncommon.
- H. Enhance or conserve the water quality of the State's lakes, rivers and coastal water.
- I. Preserve local agriculture heritage. If so, describe the current, active farming activities and the long-term farm uses and activities planned for the proposed protected property.

- SUPPORTING MATERIAL Topographic Map (USGS 1:24,000 scale enlarged if possible)
- Town Road Map (Mail-a-map, etc with property boundaries marked)
- Property Boundary Map (A2 not required for application but required for grant)
- Soils Map (property and soil boundaries marked)
- Ortho-photo Map (property boundaries marked)

2. PROJECT COST ESTIMATES - ACQUISITION:

The grant amount will be based upon the approved appraised value. Property estimated to be valued in excess of \$100,000 requires two (2) appraisals, less than \$100,000, requires one (1) appraisal. Appraisal costs are not reimbursable.

All appraisals must be in a self-contained format, as defined by USPAP and must comply with federal appraisal standards in accordance with the Uniform Appraisal Standards for Federal Land Acquisition (Yellow Book). The Federal appraisal standards can be downloaded at www.usdoj.gov/enrd/land-ack. We highly encourage all sponsors to refer to the "APPRAISAL SELECTION NOTES" and utilize the "SELECTING QUALIFIED APPRAISERS CHECKLIST," in the appraiser selection process.

The effective date of the appraisal(s) must be within one year of the application deadline.

Applications will be considered complete when accompanied by the required appraisal(s). Applications submitted without appraisals will be considered incomplete and become ineligible to receive a grant.

- SUPPORTING MATERIAL Appraisal(s) (required with application)

PROJECT COST ESTIMATES – RESTORATION

Communities classified as "Targeted" or "Distressed" may apply for funding to restore a publicly owned open space, property for public access and/or passive recreation. Restoration proposals require a site plan, a project scope and a cost estimate.

3. ELIGIBILITY: Municipalities, land trusts and water companies are the three entities eligible to apply for and receive a grant under this program:

Municipality:

- ☞ Is the applying municipality classified as a "Distressed Municipality" or a "Targeted Investment Community" (Section 32-9p CGS)?
- ☞ As a Distressed or Targeted Investment Community, is this application a request for funds to enhance, restore or protect existing natural resources on property currently owned by the municipality? If so, please expand upon the project scope that will enhance or protect the existing features or habitat found on this property.
- ☞ If the property being proposed is being purchased from a water company, has the property been classified as surplus (Class III) land? Has the Water Company been granted permission to dispose of the property by the Public Utilities Regulatory Authority (PURA) and the Department of Public Health (DPH)?
- ☞ Indicate the Municipality's Development Designation under the Connecticut Housing Partnership Program.

Water Company: (as defined in CGS 25-32a)

- ☞ Is the applying water company publicly or privately owned?
- ☞ Land purchased must be classified as "Class I" or "Class II" after acquisition. How will the land be classified?

Nonprofit Land Conservation Organization (Land Trust):

- ☞ Is the applicant a nonprofit land trust? If so, what is the area served by the land trust? Please provide a copy of documents establishing the land trust (incorporation papers or bylaws).
- ☞ Are lands owned by this trust and the proposed acquisition available for public use?
- ☞ Has the Land Trust adopted and implemented the Land Trust Standards & Practices?
- ☞ If the proposed acquisition is being purchased from a water company, has it been classified as surplus "Class III" land? Has the water company been granted permission to dispose of the property by PURA & DPH?

NOTE: If you are a Land Trust purchasing interest in land located in a Targeted and/or Distressed Municipality, you must obtain approval from the chief elected official or governing legislative body. This approval must be part of the application.

All Applicants:

- ☞ Is the site on the market? YES___ NO___. Is there a willing seller? YES___ NO___.
- ☞ Is a purchase & sale (P&S) agreement executed on the property? YES___ NO___. If a P&S agreement is not available, is there a certified Letter of Intent by the owner? YES___ NO___.
- ☞ Are there any reserved rights, restrictions or environmental intrusions (power lines, dumps, factories, roads, etc.) on or near the proposed site? YES___ NO___. If yes, please give details.
- ☞ Are the current conditions of the site suitable for the proposed uses, or will any physical changes be required? Expand upon any changes that may be required.
- ☞ Describe both positive and negative impacts of the project on the environment. Pay particular attention to flood plains, wetlands, aquifers, prime or unique farmlands, endangered species, historical or archaeological sites and coastal zones.
- ☞ Are there any residential dwellings on the property? If so, what will the dwellings be used for?
- ☞ Has an environmental assessment of any discharge, spillage, uncontrolled loss, seepage, or release of hazardous waste on the site been completed?
- ☞ Is there current agricultural use or forest management on this property? If so, what are the current activities and will these activities remain or change?
- ☞ If the property is going to be used for agriculture, provide the percentage of prime agriculture soils and a soils map of the property (contact Agriculture Extension Office or NRCS).
- ☞ Is there any commercial use, agriculture or other use located on any part of the proposed project?
- ☞ Will the project displace any businesses, homes or other establishments? If so, describe.

SUPPORTING MATERIAL [] Purchase & Sales Agreement
 [] Letter of Intent

4. EXISTING OWNERSHIP AND AGRICULTURAL USES:

- ☞ Who is the existing owner?
- ☞ Has a title search been conducted on this property? YES___ NO___ (title search cost is not reimbursable)
- ☞ Is the property free from any lien, claim, encumbrance or easement that would prevent the land from being used for open space purposes? If so, please describe.
- ☞ Is the property currently used for agriculture or are there planned agricultural uses of the property prior to acquiring the property or the property rights? If so, is there any document that authorizes uses or future uses (i.e., a lease, agreement, letter of intent or interest)?

SUPPORTING MATERIAL [] Copy of Deed/Lease (current owners)
 [] Copy of Title Search (if conducted)
 [] Copy of unrecorded leases, agreements or letters of intent/interest

5. SITE CONVENIENCE & PUBLIC ACCESS:

Public Access is defined as the ability of the public to gain access to the property and utilize the property for passive recreation. Access must be a permanent status (ownership), a connecting easement of land not owned by the applicant will not be accepted as public access. Access must be from a public road. Parking on the public road (if allowed) will be accepted, however, an on-site, off-street parking area for public safety is preferred. **If public access is not clearly shown and defined in the application, the project will not be evaluated or awarded a grant.**

- ☞ How will the public utilize the property? On a map, please show how the public will access and utilize the property for passive recreation.
- ☞ What, if any, recreational resources exist on the property? Please show where these resources are, on the required map.
- ☞ Will recreational resources need to be developed? If so, on the required map, please indicate where, and to what extent these resources will be developed.
- ☞ If active agriculture is a component of the project, please describe in detail the degree and extent of public access that is being proposed and how, public access may be limited by such agricultural uses. **Limited public access under this program must be approved by the Commissioner, based on a determination that such public access would be disruptive of agricultural activities occurring on agricultural areas of the land.**

SUPPORTING MATERIAL **Copy of map showing how the public will access the property, the level of development and passive recreation the public will enjoy.**

Convenience is defined as the location of this site with respect to the service area.

- ☞ Is the property in close proximity to an urban area or population center?
- ☞ Please identify the major service area(s) neighborhood(s), city(ies), region(s) that would be affected by this proposed acquisition or restoration.
- ☞ What is the population density of the municipality (per square mile)?
- ☞ Is this proposed acquisition or restoration in an area where significant growth/development has occurred or is planned? **YES___ NO___**. If yes, please expand upon the level of growth and the intensity of the development. =
- ☞ Is the site serviced by mass transit? **YES___ NO___**. If so, please explain.

6. LOCAL SUPPORT:

- ☞ Has the proposed acquisition or restoration received approval or support from municipal, regional or executive boards and/or land trust(s)? If so, what was the response? Please provide relevant excerpts from the agencies/commissions.

SUPPORTING MATERIAL **Support letters: municipal planning, inland wetland, conservation and/or open space commissions, regional (RPA or CROG corporate/executive board approval)**

NOTE: If you are a Land Trust purchasing interest in land located in a Targeted and/or Distressed Municipality, you must obtain approval from the chief elected official or governing legislative body. This approval must be part of the application.

7. STATEMENT OF NEED:

- ☞ Is the property vulnerable to development?
- ☞ Has the property **received development approval** for a residential, commercial or industrial use according to local planning & zoning board/commission? If so, explain the level of development and its impact on the area.
- ☞ Provide evidence that the proposed acquisition consistent with the local Municipal Plan of Conservation and Development that has been completed and approved of in the last 10 years
- ☞ Is the proposed acquisition consistent or identified in other municipal or regional plans (current, less than 10 years old) such as Water Quality, Open Space Initiative and/or a Regional Open Space Plan?
- ☞ Is the proposed acquisition consistent with the **State’s Plan of Conservation and Development** (available from the Office of Policy and Management) and applicable State conservation and recreation plans (e.g., The Green Plan, the Statewide Comprehensive Outdoor Recreation Plan (SCORP), DEEP Comprehensive Wildlife Strategy). If so, please explain/provide supporting justification that this proposed acquisition or restoration complies with a documented need as addressed in a local or regional open space conservation & development plan. Please provide **relevant excerpts**.

SUPPORTING MATERIAL **Municipal Plan of Conservation & Development (Dated of Plan), Municipal Recreational and/or other Open Space Plan (relevant excerpts)**
 Regional Conservation Plan (relevant excerpts)
 Water Quality Plan (relevant excerpts)
 Land Trust Acquisition Plan (relevant excerpts)

GRANT QUESTIONNAIRE APPENDIX

DEFINITIONS AND PROGRAM CONDITIONS

Definitions:

APPLICANT/SPONSOR: A municipality, land trust (nonprofit land management organization) or water company.

ACQUISITION IN-FEE: The total interest of the property is transferred to the sponsor. The sponsor holds that interest and has the ability to grant interest(s) in the property to others.

PURCHASE OF AN EASEMENT: A permanent interest in land, such as a conservation easement. The purchase of a conservation easement does not negate the program's public access requirement.

RESTORATION: Grant-funded activities that restore or protect natural features or habitats (e.g., wetland or wildlife or plant habitat restoration, restoration of the site to a more natural condition, replacement of vegetation). Grants are given to municipalities that are either classified as Targeted or Distressed for open space land owned by the municipality.

Program Conditions:

PROPERTY USE: Projects funded under this program will be protected as open space in perpetuity. Grants will not be given if the property has any structural buildings. Structural buildings must be either excepted out (by mapping) or razed before funding can be released. No intensive recreation is permitted on the protected property. Passive recreation is allowed and defined in the State's Conservation Easement and the Program FAQ.

PROPOSED PROTECTED PROPERTY: The application is being submitted for a proposed project. The applicant is attesting to the location, current uses, current conditions, value and size. Errors or omissions in any of these elements in the application will be grounds to stop evaluation of the application. If the project scope (total acreage or public access area) is diminished by 10% or more after the grant is promised, the project will no longer be eligible for funding, but the applicant can reapply for a grant at a later date.

PROTECTED PROPERTY MANAGEMENT: If the applicant is a previous grant recipient and the previously awarded projects are not managed in accordance with the terms and conditions of the Grant Agreement, the current application may be ineligible for funding or the funding may be delayed until the previously awarded properties are brought into compliance.

FEDERAL FUNDING: If the applicant is or will be applying for federal funding that would result in the State's interest in land being subordinate to a federal easement, the grant award will be adjusted to account for the remaining value of the property that will be provided to the State (i.e., recreational value). It will be the responsibility of the applicant to support a proposed value with relevant information. The final grant award will be at the discretion of the Commissioner after recommendations are made by DEEP staff and the Natural Heritage, Open Space and Watershed Land Acquisition Review Board.

APPRAISAL SELECTION NOTES

Refer to and utilize the "Selecting A Qualified Appraiser Checklist" to pre-qualify appraisers BEFORE you need an appraisal so that you have a group of qualified appraisers you can contact when you do need one.

Contact state and federal users of appraisal services and appraisal review departments to get feedback on appraisers you may be considering. They may be able to tell you if an appraiser's work has been rejected and or the ability of the appraiser to meet their appraisal requirements

Do not wait to order your appraisals. Most qualified land appraisers will require anywhere from 3 to 8 weeks to complete a land appraisal assignment and the most qualified appraisers will be booked quickly for funding programs (CT DEEP Open Space Grant Program) that require many appraisals.

When seeking quotes, provide the appraiser with a detailed description of the subject property (including available maps), all the agencies/funding partners involved in the assignment, the specific property rights to be appraised and any other requirements of the assignment.

You need to be sure that the appraisal you request meets the requirements of all the funding agencies that will be intended users of the report. *Certain agencies and programs may have conflicting appraisal requirements. Be aware that some appraisals cannot meet the requirements of multiple users (example: The IRS, USPAP, and Yellow Book use different market value definitions) and that more than one appraisal may be necessary depending on the circumstances.*

For a PDF Copy of the **UASFLA (Yellow Book)** go to:

<http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf>

For a free copy of **USPAP** go to: <http://www.uspap.org/> (the flip book version is free but not user friendly). To purchase a copy of USPAP go to: <http://www.appraisalfoundation.org/>

For **IRS Appraisal Guidelines** go to <http://www.irs.gov/publications/p561/ar02.html#d0e1653> or Google IRS Publication 561 and http://www.irs.gov/irb/2006-46_IRB/ar13.html

For PDF Appraisal Specifications for the **NRCS Agricultural Conservation Easement Program (ACEP)**: <http://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=37029.wba>

SELECTING A QUALIFIED APPRAISER CHECKLIST

1. ___Are you a Certified General Appraiser in the State of CT?
2. ___Do you have any specific appraisal education pertaining to The *Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA a/k/a Yellow Book)* and or conservation easement appraisals? *Have they taken the Uniform Appraisal Standards for Federal Land Acquisitions Course, completed the Valuation of Conservation Easements Certificate Program with the Appraisal Institute, or any other similar valuation courses offered by other organizations?*
3. ___ Do you have a copy of the Yellow Book? Are you knowledgeable about the *UASFLA* or Yellow Book Appraisal requirements? If not, what would you do to assure that the appraisal will comply with Yellow Book appraisal standards?
4. ___What are the major differences between appraisals done to Uniform Standards of Professional Appraisal Practice (USPAP) and *UASFLA -Yellow Book* standards? *(Briefly-Yellow Book-requires: larger parcel analysis; different definition of market value; and 10 year sales history of subject vs. 3 for USPAP, as well as other differences).*
5. ___Would you use sales to federal, state, municipal and or land trusts as comparables in Yellow Book appraisals? In USPAP appraisals? *(This is a red flag since DEEP and Federal agencies, in almost all cases, will not accept these types of sales in any appraisal).*
6. ___How many Yellow Book Appraisals have you done? How many in the last 24 months? Which agencies, municipalities, land trusts or non-profit conservation organizations have you done Yellow Book or USPAP appraisals for? Have you done any appraisal work for the specific funding agency(s) involved in the assignment *(CT DEEP, CT Department of Agriculture, USDA-NRCS, US Forest Service, US Fish and Wildlife Service, etc.)?*
7. ___Are you aware of and knowledgeable regarding the appraisal requirements for the program that is the basis for this assignment *(e.g., CT DEEP Open Space and Watershed Land Acquisition Grant Program, USDA-NRCS programs, etc.)?* *If a USDA Appraisal is required, ask "Are you aware of the specific requirements for the USDA-NRCS Agricultural Conservation Easement Program, which replaced the former Farm and Ranch Land Protection Program, Grassland Reserve, and Wetland Reserve Programs under the 2014 Farm Bill?" These programs may have different supplemental appraisal requirements that an appraiser needs to be aware of.*
8. ___Have you done land appraisals in this town, county or market area before? If so, how recently? Can you give me examples of the types of property you have appraised in this area *(town, size of parcel, fee simple; before and after/easements)?*
9. ___Have you ever had any appraisals rejected by the agency that this appraisal will be done for *(DEEP, USDA-NRCS, US Forest Service, US Fish and Wildlife, etc)?* If so, why was it rejected?
10. ___Could you provide 3 references from the client groups you have done appraisals for? *Try to get one reference for each client group and then follow-up to inquire about the client's experience with the appraiser, the quality of the appraisal, their ability to meet deadlines, and if any appraisals were rejected.*