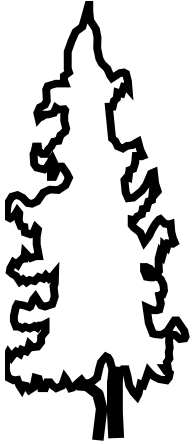


DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT PROGRAM



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

GRANT APPLICATION DEADLINE: FEBRUARY 7, 2019

PROJECT TITLE: _____
 SPONSOR: _____
 SPONSOR'S ADDRESS: _____
 NAME & TITLE OF CHIEF EXECUTIVE OFFICER: _____

 NAME & TITLE OF PREPARER: _____
 PHONE: _____

PROJECT COST, VALUE OF THE LAND ONLY: \$ _____ TOTAL PROJECT AREA (Ac.): _____

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that include inaccurate information, facts, statements or disclosures could be penalized by having the application withdrawn from review or having the grant forfeited should one be offered. Please carefully review the Definitions and Program Conditions attached to this grant questionnaire prior to completing the questionnaire.

Important notice for all Applicants

- Grant awards will be made based on available funding.
- Any land purchased under this grant program may not be developed into an intensive outdoor recreation facility, commercial use, 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

1. PROJECT DESCRIPTION:

Describe how your proposal addresses the issues of preserving land by acquisition. 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? (Only Water Companies can own Class I or II 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, water related recreation, forest protection/management, fishing access of fish habitat protection, wildlife habitat preservation.
- E. Protect a prime naturally occurring feature. Examples of such naturally occurring features include a shoreline,

- river or stream, mountainous territory, ridgeline, inland or coastal wetland, estuary, or 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 unique or uncommon.
- H. Enhance or conserve the water quality of the State's lakes, rivers and coastal water.
- I. Preserve a pre-existing agriculture use at an intensity that is not considered commercial. If so, describe the current, active farming activities and the long-term farm uses and activities planned on the proposed protected property.
- J. Please provide any other information pertinent to your proposal.

- 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 DEEP-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)

3. RESTORATION PROJECT (URBAN GREEN & COMMUNITY GARDENS INITIATIVE)

Only Municipalities classified as "Targeted" or "Distressed" may apply for funding to enhance/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. It is strongly advised that the applicant wishing to be considered for Restoration Grant use the "**URBAN GREEN & COMMUNITY GARDEN INITIATIVE**" questionnaire/application, which can be found on DEEP's website at www.ct.gov/deep/openspace.

4. ELIGIBILITY: Municipalities, land trusts and water companies are the three entities eligible to apply for and receive a grant under this program: Respond only to the questions related to your classification for this section.

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 use the link identified in Item three (3) above.
- ☞ If the property being proposed is being purchased from a water company, has the property been classified as surplus (Class III) land? Has the current Water Company (title holder) 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 (if unsure about your status you may refer to the FAQ.)

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.
- What percentage of the land is classifiable? What classification will be assigned to this property?

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.
- Does this project help to mitigate impacts of climate change? (www.ct.gov/deep/climatechange, www.ct.gov/deep/lib/deep/climatechange/connecticut_climate_preparedness_plan_2011.pdf)
- Are there any residential dwellings on the property? If so, what will the dwellings be used for? Generally residential dwellings are not accepted as part of the project area. The grant program is designed to protect open space, not structural buildings.
- Has an environmental assessment of any discharge, spillage, uncontrolled loss, seepage, or release of hazardous waste on the site been completed? Are there any past uses that could have caused such contamination? Please explain.
- 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? Please provide the percentage of prime agriculture soils and a soils map of the property, particularly of that area this is now being used for agricultural purposes. (Contact Agriculture Extension Office or NRCS).
- Is there any commercial use, agriculture or other use located on any part of the proposed project? Commercial use of the property is prohibited.
- Will the project displace any businesses, homes or other establishments? If so, describe.

- SUPPORTING MATERIAL [] Letter of Intent
- [] Purchase & Sale Agreement

5. 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? YES____ NO____ ? If not please describe the lien, claim or encumbrance.
- 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

6. PUBLIC ACCESS, ACCESSIBILITY FOR PEOPLE WITH DISABILITIES, AND SITE CONVENIENCE:

Public Access is defined as the ability of the public, regardless of ability, to gain access to the property and utilize the property for passive recreation. Access must be through a permanent ownership abutting a public road that provides feasible access, unless otherwise approved prior to submitting an application. The property must have permanent access to 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 access this property? On a map, please show how the public will from a defined access utilize the property for passive recreation.
- ☞ What, if any, recreational resources exist on the property? Please indicate, on a map where these resources are.
- ☞ 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 an existing agricultural use 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.**
- ☞ Land being proposed for acquisition by a Water Company is exempt from the Public Access requirement, however, if public access is acceptable and grantable please indicate the level of access.

- SUPPORTING MATERIAL **Copy of map showing how the public will access the property, and the level of development of 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.
- ☞ What is the population density of the municipality (per square mile)?
- ☞ Is this proposed acquisition 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.

7. LOCAL SUPPORT:

- ☞ Has the proposed acquisition 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. The support letters should identify how the proposed project addresses an identified need/goal in the local and/or regional open space plan or Plan of Conservation and Development. The identified plans should be up to date.

- SUPPORTING MATERIAL **Support letters: municipal planning department (P&Z), inland wetland commission, conservation and/or open space commissions, regional planning agency (RPA or COG 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 governing legislative body of that municipality. This approval must be part of the application.

8. STATEMENT OF NEED:

- ☞ Is the property vulnerable to development? If so please describe its vulnerability.
- ☞ 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 is consistent with the local Municipal Plan of Conservation and Development that has been completed and approved within 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 (Date 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)**
- State conservation and recreation plans (relevant excerpts)**

9. FUNDING MECHANISM:

- Does the acquisition involve cooperative funding between towns, land conservation organizations, local community groups or others? Describe the involvement of each party.
- There must be reasonable anticipation that funds will be available within one year of grant award. It will be to the applicant’s advantage to have funding firmly in place.
 - Provide documentation showing the source and availability of funds and cash flow to complete the project.
 - Is this project going to be funded with other grants or under any non-traditional methods? If so, describe this funding method.

- SUPPORTING MATERIAL **Resolution authorizing the expenditure of funds (municipal or corporate)**
- Budget line item where funds are held or committed**
- Copy of statement showing the balance in the Open Space Acquisition Account**
- Show commitment, amount and sources related to creative/alternative funding proposals**

10. OPERATION, MAINTENANCE AND STEWARDSHIP CAPABILITIES:

- Please provide evidence of the capability to maintain and operate this proposed project area by providing:
 - A detailed description of who will manage the property
 - The management level of expertise and/or experience
 - How the property will be operated and maintained
- Will the maintenance of this facility be a cooperative effort between the municipality, land conservation organizations or local community groups? Provide assurance and level of commitment from each cooperator.
- Does funding for stewardship exist or will it be in place? Please explain.
- If you are a previous grant recipient, you must submit a certification that previous projects are in compliance with the grant conditions and the conservation easement. Failure to provide this certification may impact new grant awards.

Should you have any questions, first review the Frequently Asked Question (FAQ) guide available on DEEP’s website at www.ct.gov/deep/lib/deep/open_space/faq.pdf. More detailed responses may be directed to the DEEP Constituent Affairs/Land and Management at (860) 424-3081 or 424-3774.

Please return this questionnaire, along with responses and supporting documentation to the following address:

**Department of Energy and Environmental Protection
Open Space and Watershed Land Acquisition Grant Program
Office of Constituent Affairs/Land Management
79 Elm Street, 6th Floor
Hartford, CT 06106-5127
Tel: (860) 424-3081**

Revised: 9-24-2018

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.*