



**PRIMER ON STATE ACQUISITION & FUNDING SOURCES**

Presented by: Amy Paterson, Executive Director, Connecticut Land Conservation Council  
 Brian Florek, Supervisor of Surveys and Mapping, CT DEEP  
 Rich McDermott, Appraiser, RP McDermott & Associates, Inc.

Connecticut Department of Energy & Environmental Protection March 28, 2023

1

**DEEP- RECREATION AND NATURAL HERITAGE TRUST PROGRAM**

- Program defined in CGS Section 23-73 through 23-99
- DEEP's program for State acquisition
- Properties for consideration should possess at least one of the following:
  - High-quality outside recreation opportunities
  - Forestry, fisheries and/or wildlife conservation values
  - Prime natural features of CT's landscapes
  - Uncommon native ecological areas and essential habitats for state listed species



2

**ACQUISITION PROCESS**

- DEEP only works with willing sellers
- Prospective sellers fill out application form – found on DEEP's website
  - Provide description of important features
  - Assessor's map or survey map
  - Current deed and assessor's field card
- DEEP staff will do a site visit
- Internal review panel meets quarterly to rank properties for acquisition
- If property meets requirements and funding is available, DEEP staff will initiate next steps
  - Offer letter
  - Title work
  - Appraisal
  - Legal document drafting

3

**HOW CAN LAND TRUSTS HELP DEEP ACQUISITION**

- You know the local landowners & prime properties for conservation – reach out if you think one would be good for DEEP
- You have contact with local commissions and governments – advocate for policies that are conservation friendly
- You are citizens – advocate for continued funding/staffing support for DEEP

4



Diana A Fewell Johnson 2022 Photo Contest Winner: Taking in the Sun(flower) by Libby Lord

**SINCE 1998 DEEP PRESERVED 51,000 ACRES**

5

**MORE INFORMATION AND CONTACT**

[www.ct.gov/deep/openspace](http://www.ct.gov/deep/openspace)

For questions, contact:  
**Matt Starr - [Matthew.Starr@ct.gov](mailto:Matthew.Starr@ct.gov)**

6

## DEEP – RECREATIONAL TRAILS PROGRAM

- Program defined in CGS section 23-103 & amended by Public Act No. 15-190
- Funding for non-profits, municipalities, state departments and tribal governments to support trail projects



7

## PROGRAM SPECIFICS

- Funding available for:
  - Planning, design & construction of new trails
  - Maintenance & restoration of existing trails
  - Access to trails by persons with disabilities
  - Purchase & lease of trail construction & maintenance equipment
  - Acquisition of land or easements for trails
  - Operation of educational programs to promote safety & environmental protection as related to recreational trails
- Requests should be less than 1 million dollars
- Grants can pay up to 80% of total project costs

8

## MORE INFORMATION & CONTACT

<https://portal.ct.gov/DEEP/Outdoor-Recreation/Trails/CRT--Funding>

For questions, contact:  
Kim Bradley - [Kimberly.Bradley@ct.gov](mailto:Kimberly.Bradley@ct.gov)

9

## DEEP – URBAN GREEN & COMMUNITY GARDEN GRANT PROGRAM

- Under CGS Sec. 7-131d(e)
- Eligibility:
  - Must be “distressed municipality” or “targeted investment community”\* (CGS §32-9p)
  - May have co-sponsor Project Manager
- Projects must take place on municipally-owned land

\*List of Distressed Municipalities & Target Investment Communities found on DEEP’s Website



10

## PROGRAM SPECIFICS

- Projects must create, enhance, or restore an urban public community garden or green space
- Applicants must clearly show how the public will access and enjoy the project. If public access is not clearly shown, the project will not be evaluated or awarded
- Funds cannot be for intensive uses like splash pads, swimming pools, washing facilities, athletic fields, playgrounds, dog parks, indoor rec facilities
- Funds cannot be for commercial uses (i.e., sale of goods or productions of goods for sale generating a profit)
- Projects cannot take place on land acquired by eminent domain

11

## ELIGIBLE EXPENSES

- Materials – lumber, hardware, soil, mulch, fencing, signage, edible plants, perennial plants or trees not on CT invasives list
- Water irrigation, watering tanks, rain gardens
- ADA accessible pathways
- Food growing hoop houses, row crop covers, trellises
- Hand Tools – shovels, hoes, rakes (NO gas/electric power tools)
- Professional Services – design landscape architects, engineers
- Minimal Outdoor Structures – small tool sheds, seating benches (NO kiosks, lamps/lighting, large pavilions for non-gardening or outdoor education purposes)

12

### REQUIRED MATCH SHARE

Grant funds cannot exceed 50% of a total project cost

- **Eligible Sources of Match:**
  - Staff Labor
  - In-kind / Donated Materials
  - In-kind / Donated Professional Services
  - Volunteer Labor (current value as per independentsector.org)
  - Municipal Funds and/or other Source Contributions

13

### APPLICATION REQUIREMENTS

- Municipal Ownership – current property deed
- If Co-sponsor Project Manager – current agreement b/t municipality & co-sponsor
- Project Description – narrative, community need, ADA accessibility
- Site Plan Designs – Drawings showing parcel and project proposal
- Plan for project operation, maintenance & stewardship
- Funding Mechanism – total cost and required match share sources
- Budget Table – item, unit and cost; grant vs. match source
- Consistency w/ current Local Plan of Conservation & Development
- Local Support Letters
- Past Grant Compliance

14

### POST-AWARD GRANT CONTRACT

Once a grant is awarded, steps must happen before funding can be released by DEEP:

1. DEEP prepares a Grant Contract & Agreement for execution
  - Incl. Scope of Work and Budget Table
  - Signed by Municipality, Commissioner, and OAG
2. Muni submits Payment Reimbursement Request to DEEP
  - Incl. Billing Form, Pictures, Project Status Report

\*No requests for payment will be reimbursed unless and until a Grant Contract is fully executed

15



16

### MORE INFORMATION & CONTACT

<https://portal.ct.gov/DEEP/Open-Space/Urban-Green-and-Community-Garden-Grant-Program>

For questions, contact:  
**Jamie Sydoriak - Jamie.Sydoriak@ct.gov**

17

### DEEP – OPEN SPACE GRANT PROGRAM

- Under CGS Section 7-131d – 7-131k
  - Grant funds for permanent interests in land (fee acquisition or conservation easements)
  - In perpetuity – forever is a long time
  - Purpose – protection of natural resources and public outdoor recreation
  - No commercial purposes
  - No intensive development (ball fields, pools, etc.)
  - Free from contamination
  - PARCEL CANNOT BE ALREADY COMMITTED FOR PUBLIC USE
  - No due diligence costs included for funding
  - Permanent conservation easement granted in favor of DEEP w/ commitment for passive recreation



18

## ELIGIBLE ENTITIES

- **Municipalities**
- **Non-profit conservation organizations (land trusts)**
- **Water Companies**
  - Can only purchase Class I or Class II Land

\*Entities with OSWA projects awarded prior to 2020 should not apply until projects are completed or until previous award funds are turned back

19

## MAXIMUM GRANT AMOUNT

.....to a.....	.....for.....	..in an amount not exceed..*
Municipality	Open space	65% of fair market value
Municipality	Class I & Class II Water supply property	65% of fair market value
Distressed municipality or targeted investment community **	Open space	75% of fair market value
Distressed municipality or targeted investment community **	Resource enhancement or protection	50% of cost of such work
Nonprofit land conservation organization	Open space or watershed protection	65% of fair market value
Nonprofit land conservation organization (if land is located within a distressed or targeted community)	Open space or watershed protection	75% of fair market value
Water company	Class I & Class II water supply property	65% of fair market value

\* Max grant amount  
 \*\* List available on DEEP website

20

## REMINDER

**Property CANNOT be acquired before the closing date of the OSWA application if the entity wants it to be considered for OSWA funding**

21

## RANKING SCORE CRITERIA

DEEP has internal OSWA review team of staff across the agency to score applications based on areas of expertise. Scoring is based on 4 main areas:

- **Administrative**
  - Mapping
  - Title, funding, and feasibility within timeline
  - Alignment with local, State and regional conservation goals
  - Support letters
- **Public Access & Outdoor Recreation**
  - Accessibility
  - Public outreach
  - Trail or greenway connectivity
  - Past grant public access compliance
- **Environmental Justice & Equity**
  - Alignment with GCS EJ recommendations
  - Community impact/public transportation
  - Population density
  - Affordable housing
- **Climate Change & Natural Resources**
  - Forests
  - Wetlands
  - Rivers & Fisheries
  - Agriculture & Soils
  - Wildlife

22

## PRIOR GRANT COMPLIANCE

**Grant funding for the current grant round will not be released if entities are not compliant with previously closed grants**

Common Concerns: public access & DEEP funding acknowledgement sign

23

## APPRAISALS

OSWA Grant Application **REQUIRES:**

- **1 yellow book appraisal completed – appraisals cannot be more than a year old**
- **1 appraisal review confirming that the appraisal is yellow book compliant**

\*If applying for federal funding, the appraisal must include fee simple and easement values

24

### COMPLETION ITEMS & TIMEFRAME

Once a grant is awarded several steps need to happen prior to funding being released for the project.

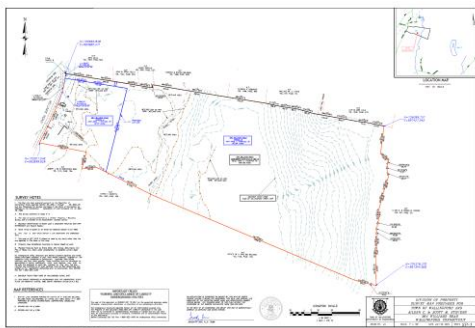
- > (1) Purchase and Sale Agreement within 3 months
- > (2) Mapping (A2 survey) within 9 months
- > (3) Preliminary title work within 12 months
- > (4) Grant Agreement execution & payment within 15 months
- > (5) Property closing/conservation easement execution /land recording within 18 months
- > (6) Signage, public access trail & parking compliance within 24 months

25

### SURVEY MAPPING REQUIREMENTS

- Map to A2 Standards
- CT State Plane Coordinate System, 1983 North American Datum (N.A.D. 83)
- One of three formats – CAD, TIF, JPEG
- Geo-referenced
- Must show any existing encroachments, rights-of-way & easements
- Map notes should be consistent with recorded property rights
- Structures and buildings must be shown. If a specific area is being reserved (cut-out) this area must be clearly identified.
- Accurate acreages must be shown.
- A location map (with the site shaded or outlined) and a legend must be included
- Property description must match the survey, be written in a clock-wise direction and be submitted to DEEP as a word document

26



27



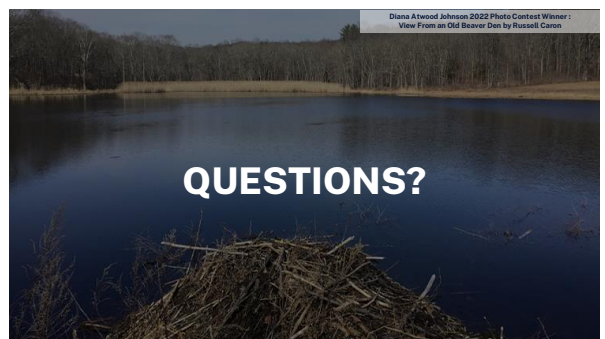
28

### MORE INFORMATION & CONTACT

[www.ct.gov/deep/openspace](http://www.ct.gov/deep/openspace)

For questions, contact:  
**Allyson Clarke - Allyson.Clarke@ct.gov**

29



30