



## CLCC Grant Programs

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## Agenda

- Introduction(s)
- Connecticut Conservation Partnership Program (CCPP)
  - Overview
  - Easements Types
  - Funding Scenario
  - Applying
- Transaction Assistance Grant (TAG) Program
  - Overview
  - Eligible Expenses
  - Applying

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## CCPP Overview

- Public-private partnership between CLCC and CT Department of Energy and Environmental Protection (CT DEEP)
  - Funded by USDA-Natural Resources Conservation Service (USDA-NRCS)
    - Regional Conservation Partnership Program (RCPP)
      - RCPP leverages partner resources to advance projects that address climate change, wildlife habitat, soil health, etc.,
  - Partnered with Northwest Connecticut Land Conservancy and Connecticut Farmland Trust
- Five-year federal easement program
  - Goal: help Connecticut land trusts increase the pace of land conservation across the state by being a source of match funds when applying to CT DEEP's Open Space & Watershed Land Acquisition (OSWA) Grant Program

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## CCPP Overview – OSWA

- Provides financial assistance to municipalities and nonprofit land conservation organizations to acquire land for open space, and to water companies to acquire land as water supply property.
- Grants awarded for the purchase of land that is:
  - Valuable for the conservation of wildlife or natural resources
  - A prime natural feature of the state's landscape
  - Important for enhancing and conserving water quality
- Land acquired will be preserved in perpetuity
- Permanent conservation easement provided to state (CT DEEP)

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## CCPP Overview

- Conservation Easements
  - Tool to help landowner(s) protect their property
  - Voluntary legal agreement between landowner and a qualified entity (e.g., land trusts; government)
    - Becomes part of land title – easement still viable with property transfer
  - Limits development rights to ensure conservation value/benefits of a property (e.g., protect habitat for specific species)
  - Tailored to the vision of the landowner(s)

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## CCPP Overview

- \$6.7 MM in grant funding available
  - Approx. \$5.5 MM is allocated for projects (purchasing federal easements)
- Projects considered
  - Nonindustrial private forest and watershed lands
  - Agricultural lands (consistent with OSWA program criteria for farmland preservation)

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## CCPP Overview

- Looking for projects that will deliver these outcomes (conservation values/benefits):
  - Protect freshwater and inland wetlands
  - Avoid forest conversion
  - Increase sequestration and storage of greenhouse gases
  - Protect wildlife habitat
  - Increase no costs access to recreation and experiential education

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## Who can apply to CCPP?

- CT land trusts that have or intend to apply to OSWA
- CT land trusts that have received an OSWA award notification but have not yet closed on the project
- CT land trusts working with landowner(s) that do not want to go through the OSWA program

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## Easement Options Under CCPP

- Entity-Held Easements (EHE)
- U.S.-Held Easements (UHE)

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## Entity-Held Easements (EHE)

- Easement acquired and held by an eligible entity (e.g., land trust or other conservation organizations)
  - Demonstrated commitment to long-term conservation
  - Authority and capability to acquire, manage, and enforce easements
  - Staff capacity dedicated to monitoring and easement stewardship
  - Ability to satisfy the match requirement for each parcel (through own funds, grants such as OSWA)
- NRCS enters into an agreement with eligible entity

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## Entity-Held Easements (EHE)

- Deed (CE) requirements or deed terms
  - Establish the level of restrictiveness of the easement
  - Restrictions entail the activities allowed and prohibited on the land easement is placed on
  - Ensures conservation values/benefits are being addressed/protected
  - 2 types of requirements/restrictions
    - Highly restrictive EHE (give up more of your property/development rights)
    - Moderately restrictive EHE

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## Deed Comparison

Deed Term	Moderately Restrictive EHE	Highly Restrictive EHE
Agricultural Uses	Limited; Only agricultural uses that restore or conserve the Conservation Values; must be conducted consistent with the easement and RCPP Plan	Prohibited; Grantee may provide temporary written authorization for compatible agricultural uses. Such uses must further the conservation values, be consistent with the RCPP easement plan, and be implemented in accordance with the specific authorization.
Prohibitions	<ul style="list-style-type: none"> <li>Accumulating or dumping refuse, wastes, sewage, or other debris</li> <li>Developed recreation</li> <li>Activities carried out on the landowner's adjacent land that diminish conservation values</li> <li>Fences that prevent wildlife access and use of the property</li> <li>Use of motor vehicles except as necessary to carry out allowed uses on the property</li> </ul>	

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## Entity-Held Easements (EHE)

- Level of funding:
  - NRCS will provide the entity between 25% and 50% of an easement's value
  - Determined by whether the U.S. will hold a right of enforcement (ROE)
- Funding can be used for:
  - Cost of the easement
  - NRCS technical appraisal review
  - NRCS environmental database search
- Entity is responsible for:
  - Appraisal, survey, title/closing costs, management plan, baseline documentation report, and other due diligence activities

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Questions

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## U.S. Held Easements (UHE)

- Easement is acquired and held by NRCS on behalf of the U.S.
- NRCS enters into an agreement with current landowner(s)
- Deed (CE) requirements & Level of funding:
  - Level of funding depends on easement's level of restriction
  - Moderately restrictive UHE
    - NRCS provides landowner up to 75% of the easement's value
  - Highly Restrictive UHE
    - NRCS provides landowner up to 100% of the easement's value

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## Deed Comparison

Deed Term	Moderately Restrictive UHE	Highly Restrictive UHE
Agricultural Uses	Prohibited, but conservation activities that include certain agricultural uses may be permitted if they further property's conservation values	Prohibited
Prohibitions	<ul style="list-style-type: none"> <li>• Accumulating or dumping refuse, wastes, sewage, or other debris</li> <li>• Developed recreation</li> <li>• Activities carried out on the landowner's adjacent land that diminish conservation values</li> <li>• Fences that prevent wildlife access and use of the property</li> <li>• Use of motor vehicles except as necessary to carry out allowed uses on the property</li> </ul>	

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## U.S. Held Easements (UHE)

- Funding can be used for:
  - Cost of the easement
  - Acquisition related costs:
    - Appraisal
    - Survey
    - Title/closing costs
    - Restoration activities

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Questions

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## Funding Scenario (EHE)

- Easement acquired and held by an eligible entity (land trust B)
- Requires partnership between 2 land trusts:
  - Land Trust A
    - Seeking to purchase title to property through CT DEEP's OSWA program
  - Land Trust B (eligible entity)
    - Holds the federal easement for Land Trust A
- Partnership is necessary because Land Trust A cannot hold both title and the federal easement

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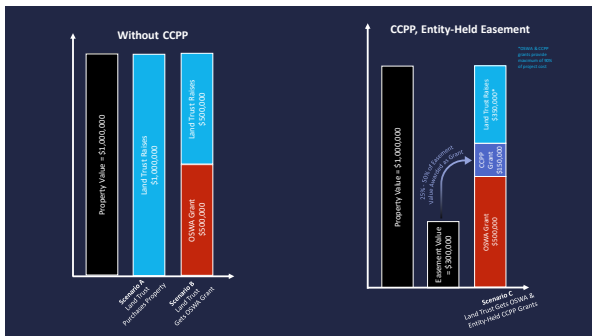
## Funding Scenario (EHE)

- Land Trust B (eligible entity) works with Land Trust A to apply through CLCC for NRCS funding for federal easement
- Closing: landowner receives combination of OSWA and NRCS funds
- Partnering land trusts are responsible for long-term stewardship and monitoring of the property
- \*\*Funding is limited to CT general statute limit of 90% of a property's fair market value when combining state (OSWA) and federal funds (NRCS)\*\***

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## Funding Scenario (UHE)

- Easement is acquired and held by NRCS on behalf of the U.S.
- Land Trust A seeks to purchase title through OSWA and partners with NRCS to hold the federal easement
- Landowner(s) with assistance from land trust applies through CLCC for NRCS funding for the federal easement
- Closing: landowner receives combination of OSWA and NRCS funds

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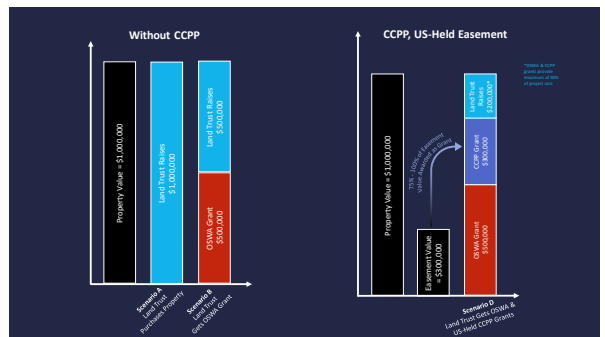
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## Funding Scenario (UHE)

- Land trust owns title subject to OSWA and U.S. easements
- NRCS is responsible for long-term stewardship and monitoring
- \*\*Funding is limited to CT general statute limit of 90% of a property's fair market value when combining state (OSWA) and federal funds (NRCS)\*\***

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## Application Process

- CLCC will...
  - Hold 2 signups each year (project intake forms available on CLCC website – talk to Yaw)
    - Tentatively early March and mid-late October
  - Help land trusts with NRCS applications and eligibility documentation
  - Rank, bundle, and submit applications to NRCS
- After CLCC's submission, NRCS will...
  - Review projects' eligibility (e.g., title review, on-site inspection)
  - Rank and tentatively select projects for funding

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## Application Process

- Depending on easement type:
  - EHE: Entity is responsible for most due diligence activities and stewardship/monitoring
  - UHE: NRCS responsible for due diligence activities and stewardship/monitoring
- Timeline
  - Vary from project to project
    - Est. 12-18 months from CLCC's submission to NRCS to closing

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## Transaction Assistance Grant (TAG) Program

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## TAG Overview

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- Reimbursement grant program
- Supports land trusts' transaction-related project expenses
- Goals:
  - Initiate new conservation projects
  - Bring projects to conclusion
  - Be responsive to funding needs

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## TAG Overview

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- Developed in summer 2022
  - Began as a request for proposal (RFP)
    - Gauge interest in the program
    - Determine dollar demand for transaction expenses
  - Results of RFP (determined structure of TAG)
    - 41 land trusts
    - 80 proposals
    - \$1.15 MM in requests
    - Highest anticipated transaction expenses
      - Appraisals (avg. \$4,000)
      - Surveys (avg. \$15,000)

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## Eligible Expenses & Funding

- Early-stage transactions (up to \$5,000)
  - Appraisals
  - Title searches
  - Environmental assessments
- Closing stage transactions (up to \$20,000)
  - Title searches
  - Title certificate/insurance
  - Surveys
  - Environmental assessments
  - Recording fees

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## Ineligible Expenses

- Legal fees
- Staff time/salaries
- Stewardship costs or endowment
- Management plans and/or baseline documentation report

*CLCC plans to expand TAG program to include some of the above expenses and provide more grants in larger amounts.*

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## Application Process

- Rolling application
- 2 rounds of funding
  - Fall Round
  - Spring Round (currently accepting application for round)
  - 1 application for 1 project per round
- Application/Eligibility Cycle
  - Accepting applications between 3/1/2023 and 10/31/2023
  - Funds can only be used to cover expenses within this coverage period
    - E.g., Yaw Land Trust (YLT) has initiated a new project and need to pay for an appraisal
      - YLT anticipates the appraisal will cost \$3,000 and will complete this transaction on July 2, 2023

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## Application Process

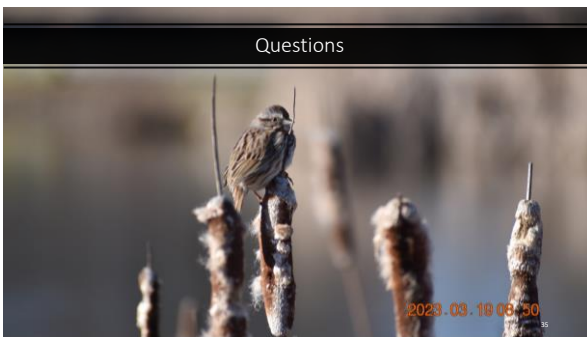
- E.g., continued
  - YLT can put a Spring Round application as long the cost they will incur (invoice/payment) will fall within the expense coverage period

*In the near future, CLCC anticipates a 6-month application and eligibility cycle with rounds beginning on 11/1 (Fall) and 5/1 (Spring)*

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Questions



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## Application Process – Who & What?

- 501(c)3 nonprofit organization with a mission dedicated to land conservation in CT (e.g., land trusts)
  - Applicant must be a current member of CLCC
- Project is located within CT and can be a purchase, bargain-sale, or donation of any conservation easement or fee property, to be held by the applicant and protected *in perpetuity*.

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## Application Process – Who & What?

- Within application:
  - Organization Information
  - Project Description
    - Location, acreage, protection method, conservation values/benefits, project partners, start and end date
  - Project budget
    - Purchase price; funding sources
  - Transaction Expenses
    - What are you seeking funding for?
    - Only select one stage of funding (early or closing)

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## Application Process – Who & What?

- Supporting documentation:
  - Statement of financial position
  - Likelihood of project success
    - P & S Agreement; MOU; Letter from landowner
  - Proof of Match (if applicable)
  - Scope of work/services – depends on transaction
  - Project aerial map with site outline (not required)
  - List of BOD

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## Reporting Requirements

- Early-stage transactions
  - Invoice
  - Proof of Payment (copy of check or bank statement)
  - IRS Form W-9
- Closing stage transactions
  - Invoice
  - Proof of Payment (copy of check or bank statement)
  - IRS Form W-9
  - Copy of recorded deed/easement

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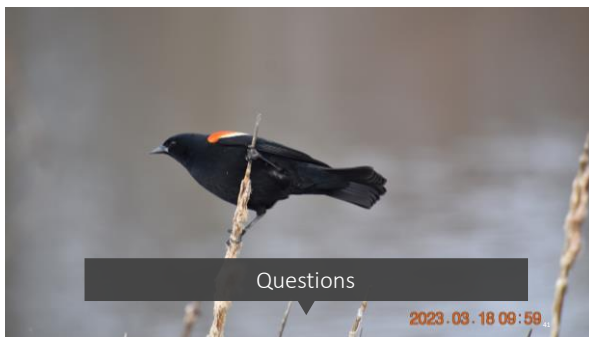
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## Results from 2022 Fall Round

- 27 applicants
- 24 awarded:
  - Total awarded: \$131,084
  - Highest award: \$20,000
  - Lowest award: \$1,250
  - # of early-stage applicants: 9
  - # of closing stage applicants: 15
- Total acreage: 1400.05
  - Highest: 237 acres
  - Lowest: 1.2 acres

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Questions

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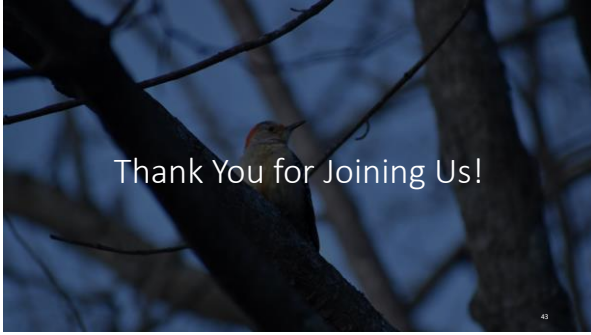
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## Contact Information

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