**CALIFORNIA FARMLAND CONSERVANCY PROGRAM**

**GRANT APPLICATION**

**FOR AGRICULTURAL CONSERVATION EASEMENTS**

 **FINAL**

**June 21, 2018**



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For additional information, please contact:

**California Department of Conservation**
**Division of Land Resource Protection**

(916) 324-0850

http://www.conservation.ca.gov/dlrp/cfcp/overview

|  |
| --- |
| **CFCP Program At-A-Glance****Program**The Department of Conservation’s California Farmland Conservancy Program provides grants for the voluntary acquisition of agricultural conservation easements on agricultural lands that are under pressure of being converted to non-agricultural use.**Funding Source**This program is funded through Propositions 40 and 84. The funds are restricted to the acquisition of agricultural conservation easements. **Critical Dates**Draft RFGA released for comment—May 14, 2018Comments due no later than—June 14, 2018RFGA Released—June 21, 2018Full Applications due—September 1, 2018Anticipated approval of projects by the Department of Conservation—February 11, 2019 (subject to change)**Contact for Questions**Department of ConservationDivision of Land Resource ProtectionVirginia Jameson, Program Managercfcp@conservation.ca.gov(916) 324-0868 |

**California Farmland Conservancy Program**

**Grant Application for Agricultural Conservation Easement**

**Submitting an Application**

This is the application form for Agricultural Conservation Easement (ACE) Grants under the 2018 RFGA for the California Farmland Conservancy Program. The 2018 RFGA details the background and eligibility requirements for funding under the program. Applicants should familiarize themselves with the 2018 RFGA prior to completing this Grant Application and refer to it for questions regarding this form. CFCP staff are available prior to the application deadline to provide technical assistance to eligible applicants interested in submitting an application.

**Grant Application Submission**
Please use the Grant Application Component Checklist below to ensure that all necessary materials are submitted to facilitate prompt application review. Applications that remain incomplete will not be considered for funding. Early consultation with CFCP staff regarding proposed easements is strongly encouraged to achieve the most efficient review process possible.

The application process for grants is detailed in Chapter 2 of the 2018 RFGA. Applications must be submitted electronically via email to cfcp@conservation.ca.gov by 11:59 p.m. on the deadline specified in “CFCP Program At-a-Glance,” located above.

**Receipt of the digital application by the Department determines the official submittal date and time.** CFCP staff will acknowledge receipt of the digital application via email to the Contact Person listed on the Grant Application Cover Sheet.

**Grant Application Component Checklist**

All grant applications must include the following:

|  |  |
| --- | --- |
|  | Grant Application Component Checklist (this document) |
|  | Grant Application Cover Sheet  |
|  | Executive Summary (1-page maximum) |
|  | Easement Project Summary Sheet  |
|  | Project Specification (6-page maximum) |
|  | Project Budget |
|  | Appraisal or estimate of easement valuation and supporting documentation |
|  | Preliminary Title Report, with underlying title documents and Assessor’s Parcel Maps |
|  | An agricultural conservation easement/land acquisition map that shows the exterior boundaries of subject parcel(s) and the parcel number(s), as well as proximity to closest Spheres of Influence |
|  | Documentation of Local Government Notice  |
|  | Applicant Resolution of Support |
|  | Easement Monitoring Plan (3-page maximum) |
|  | Applicant Conflict of Interest Certification |
|  | Certification of acceptance of Conditions of Funding |
|  | Applicant-Landowner Letter of Intent |
|  | Easement Amendment Policy |
|  | Relevant Portions of adopted General Plan that demonstrate a long-term commitment to agriculture and agricultural land conservation*Local Government Applicants Only: Also include a summary of any specific actions taken in support of your jurisdiction’s stated goals and objectives for agricultural land conservation, including but not limited to specific planning and zoning decisions that have been taken that demonstrate this commitment* |
|  | Summary of General Plan goals, objectives, policies and implementation measures that support the local government’s commitment to agricultural land conservation *(may be included in item I of the project specific details or as a separate attachment).* |

**Additional components and certifications:**
Please provide these supporting documents or certify that the documents on file with the Department are current.

|  |
| --- |
| Nonprofits: Documentation of Organizational EligibilityCertify here that the most current version is on record at the Department-CFCP, or attach: \_\_\_\_\_\_\_\_\_\_\_\_ |
|  | IRS 501(c)3 status |
|  | Articles of Incorporation |
|  | Bylaws |
|  | An adopted statement clearly describing the organization’s goals and purposes including the public interests to be served, the beneficiaries of its programs, and a statement describing the organization’s commitment to conservation of agricultural land resources. |
|  |
| Local Governments (as applicant): Documentation of Organizational EligibilityCertify here that the most current version is on record at the Department-CFCP, or attach: \_\_\_\_\_\_\_\_\_\_\_\_ |

**Optional Components**

|  |  |
| --- | --- |
|  | Letters of support |
|  | Accreditation Documents (Land Trust Alliance or similar professional certifications) |
|  | Map of Building Envelope(s) and Excluded Area(s) |
|  | Anticipated Implementation Schedule (if awarded) |

**Grant Application Cover Sheet**

|  |  |  |
| --- | --- | --- |
| Name of Organization/Unit of Government |  |  |
|  |  |  |  |  |  |
| Federal Employer I.D. Number |  |  |
|  |  |  |  |  |  |
| Mailing Address |  |  |
|  |  |  |  |  |  |  |
| Contact Person |  | Office | **( )** |
|  |  |  |  |  |  |
| Title |  | Mobile | **( )** |
|  |  |  |  |  |  |
|  |  |  | Email |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| Project Title |  |
|  |  |  |  |  |  |
| Grant Request Amount | $ | Total Estimated Project Cost | $ |
|  |  |  |  |  |  |
| Matching Funds Pending | $ | Matching Funds Committed | $ |
|  |  |  |  |  |  |
| Project Location (county and nearest city) |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| Type of Grant Request: |  |  |  |  |
|  |  |  |  |  |  |
|  | Agricultural Conservation Easement | Senate District # |  |
|  |  |  |  |  |
| NA | Fee Title Acquisition |  |  |  |
|  |  |  |  |  |
| NA | Planning/Policy |  | Assembly District # |  |
|  |  |  |  |  |  |
| NA | Land Improvement |  |  |  |
|  |  |  |  |  |  |

**Executive Summary**

This section should provide a brief but thorough description of:

* he proposed project and its scope (including the specific location, number of acres involved, and type of land use (e.g., irrigated row crops, dry land grazing, etc.);
* an explanation of the potential or actual development pressure that may be impacting the site and surrounding areas; and,
* whether the landowner must meet any critical deadlines for concluding the transaction.

The Executive Summary should not exceed **one page** in length.

**Easement Project Summary Sheet**

|  |  |
| --- | --- |
| Project Title: |  |
|  |  |  |  |  |
| Landowner name(s)/Ownership structure: |  |
|  |  |  |  |  |
| Street Address of Property (or nearest cross streets): |  |
|  |  |  |  |  |
| Distance from nearest Sphere of Influence (include city name): |  |
|  |  |  |  |  |
| Total acres: |  | Prime: |  | Irrigated: |  | Non-irrigated: |  |
|  |  |  |  |  |
| Water source(s): |  |
|  |  |  |  |  |
| Mineral rights separated from fee title property? |  Y N If yes, Owner: |  |
|  |  |  |  |  |  |
|  | Type of mineral right separated: | Hydrocarbon | Aggregate/gravel | Other: |  |
|  |  |  |  |  |
| Number of residential structures currently on the property (if any): |  |
|  |  |  |
|  | Approximate size of each residence (square footage of living area): |  |
|  |  |  |
|  | Number of additional residential homesites to be reserved in easement (if any): |  |
|  |  |  |  |  |
|  | Size restriction (sq ft), if any, on reserved homesites: |  |
|  |  |
| Number of farm labor residential structures/units currently on property (if any): |  |
|  |  |  |
|  | Approximate size of each farm labor residence (square footage of living area): |  |
|  |  |  |
| Minimum parcel size (current zoning): |  |
|  |  |  |  |  |
| Number of existing legal parcels: |  |
|  |  |  |  |  |
| Proposed number of easements: |  |
|  |  |
| Would proposed easement(s) prohibit further subdivision of existing legal parcels? | Y N undecided |
|  |  |  |  |  |
| Would proposed easement(s) prohibit sale of existing legal parcels separately from other parcels in easement area? | Y N undecided |
|  |  |  |  |  |
| Any special need to expedite? (explain) |  |

**Project Specification**

In no more than six pages total, please answer the following questions, maintaining the lettering format below.

|  |  |
| --- | --- |
| A. | Is the parcel proposed for conservation expected to continue to be used for, and is it large enough to sustain, commercial agricultural production? Is the land also in an area that possesses the necessary market, infrastructure, and agricultural support services? Are the surrounding parcel sizes and land uses likely to support long-term commercial agricultural production?How does subject property’s size compare to typical agricultural operations in the vicinity? |
|  |  |
| B.  | What agricultural infrastructure exists on the property? Describe irrigation systems, permanent crops, agricultural employee housing, other housing, agricultural buildings and facilities.  |
|  |  |
| C. | Without conservation, is the land proposed for protection likely to be converted to non-agricultural use in the foreseeable future? Provide any direct evidence supporting this forecast. |
|  |  |
| D. | What is the quality of the agricultural land based upon soil survey, Farmland Mapping and Monitoring Program, or other measures? Are there soil, climate, or vegetative factors that are particularly significant for this property? (FMMP maps are available for viewing on the Department’s website)  |
|  |  |
| E. | Are there secondary natural resource considerations associated with this proposal, including such issues as open space preservation, wetland protection, or wildlife habitat conservation? |
|  |  |
| F. | Is there coordination among affected landowners, local governments, and non-profit organizations concerning this proposed project as well as other local agricultural land conservation activities? (Please include written support from any individuals and/or entities that are affected by the project.) |
|  |  |
| G. | Are there any innovative agricultural land conservation approaches that would be utilized in this project that might have application to other regions of the state? |
|  |  |
| H. | Is the project consistent with the city or county general plan? How do the general plan and other land use policies\* of the affected city or county demonstrate a long-term commitment to agricultural land conservation? Include specific references to General Plan goals, objectives, policies, and implementation measures, as well as other land use policies to support your claims. |
|  |  |
| I. | How does the project support long-term private stewardship and continued agricultural production in the region? |
|  |  |
| J. | Is the proposed project currently within a Williamson Act Agricultural Preserve? Is the property currently under a Williamson Act contract or in a Farmland Security Zone? If so, how does this status impact the timeframe for future conversion from agricultural use? |
|  |  |
| K. | Is the proposed project within two miles of a city’s established Sphere of Influence? (Please provide a map delineating project’s location in relation to Sphere of Influence.) |
|  |  |
| L. | Is there evidence that, by acquiring an agricultural conservation easement on the property, long term conservation of neighboring lands through geographic, zoning, or other considerations could logically be expected without incurring costs for additional easement acquisitions? |
|  |  |
| M.  | What are the fiscal and technical capabilities of the applicant to carry out this project? (Technical capability may be demonstrated by agricultural land conservation expertise on the governing board or staff of the applicant, or through partnership with an organization that has that expertise.)  |
|  |  |

\*Including: Policies of the local agency formation commission; California Environmental Quality Act policies and procedures; the existence of active local agricultural land conservancies or trusts; the use of an effective right-to-farm ordinance; applied strategies for the economic support and enhancement of agricultural enterprise (e.g., water policies, public education, marketing support, and consumer recreational incentives); and other relevant policies and programs. (PRC §10252(c)).

**Budget**

Identify the total estimated project cost using the budget table provided here. Please round all funding requests to the nearest $100.

Please identify all existing or potential match funders and their contributions below. Also, please note the type of match (cash, in-kind, or donation) and whether match funding is secured, pending, or unknown in the “Additional Explanations” section.

**Easement Acquisition Costs**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **CFCP****REQUEST** | **Match Funder 1** | **(Match Funder 2)** | **Total Funding** |
| **Easement Acquisition** | $ | $ | $ | $ |
| *Subtotal* | $ | $ | $ | $ |

**Associated Costs**

*Please see page 8 of the Guidelines for a complete list of eligible associated costs. Details regarding subcontractors and staff will be entered on the next page.*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **CFCP****REQUEST** | **Match Funder 1** | **(Match Funder 2)** | **Total Funding** |
| Appraisal | $ | $ | $ | $ |
| Title, Escrow, & Closing | $ | $ | $ | $ |
| Baseline Documentation | $ | $ | $ | $ |
| Staff & Subcontractors | $ | $ | $ | $ |
| Other \_\_\_\_\_\_\_\_\_\_\_\_ | $ | $ | $ | $ |
| *Subtotal* | $ | $ | $ | $ |

**Total Funding**

*Use the subtotals from the tables above to complete the table below.*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **CFCP****REQUEST** | **Match Funder 1** | **(Match Funder 2)** | **Total Funding** |
| Subtotal: Easement Acquisition | $ | $ | $ | $ |
| Subtotal: Associated Costs | $ | $ | $ | $ |
| Stewardship Fund (if used as match) |  | $ | $ | $ |
| **GRAND TOTAL** | **$** | **$** | **$** | **$** |

**Subcontractors and staff**Subcontractors and staff required to accomplish the project (totaled in the Associated Costs above) should be listed in this table. Subcontractors added at a later date may be subject to competitive bid requirements.

|  |  |  |  |
| --- | --- | --- | --- |
| **Staff** | **Rate****($/hr)** | **Hours** | **Funding Request** |
|  |  |  | $ |
|  |  |  | $ |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
| **Subcontractors** |
|  |  |  | $ |
|  |  |  |  |
|  |  |  | $ |
|  |  |  | $ |
| **Subtotal** | $ |

Additional explanations:

[*Please explain the source and type (e.g., cash, in-kind, donation) of match funding, along with an explanation of how and when the match funding has been or will be secured, if known.]*

Stewardship Fund

Grant recipients will certify in their grant agreement that as the stewardship fund holder, they use accepted accounting practices as promulgated by the standards boards for nonprofit organizations or public agencies, as applicable. Grantees will also certify their ability to effectively manage and account for those stewardship funds, whether pooled for all easements or held in separate accounts for individual easements funded through the Grant Agreement.

Please provide information below regarding the stewardship budget for the proposed project and how it has been calculated, as well as the applicant’s capacity to effectively manage the endowment to achieve reasonable rates of return on the investment. When managed and invested, the principal amount of the fund would be reasonably anticipated to cover the annual stewardship costs of the property in perpetuity.

**Easement Appraisal or Estimate of Easement Value**

A current appraisal is not a required component of the Application. However, the applicant must provide support for the easement acquisition value identified in the Budget section. This support may be in the form of a preliminary or complete appraisal, or a detailed estimate for the anticipated cost of the easement and material to support the valuation estimate. The Department reserves the right to require that a current easement appraisal accompany the grant application if, in its sole discretion, it determines that insufficient data is available to support an estimate.

CFCP will only fund the appraisal that is approved by the state and used for the actual acquisition. This cost will only be covered if the project is approved for funding, if the cost is incurred after this Application is submitted, and if reimbursement for the appraisal cost is sought in this Application.

For more information, please refer to the 2018 RFGA.

**Preliminary Title Report**

A preliminary title report that is less than six (6) months old must be submitted with the application. This title report should be accompanied by all relevant underlying documents and associated assessor’s parcel maps. Underlying documents can be submitted as hyperlinks in the preliminary title report or as a separate file.

In the space below, please describe how you intend to address any potential title concerns, as well as your timeframe for doing so.

**Agricultural Conservation Easement/Land Acquisition Map**

This map should show the exterior boundaries of subject parcel(s) and the parcel number(s), as well as proximity to closest the Spheres of Influence.

**Documentation of Local Government Notice**

Applications must include a copy of the written notice to the county and/or city in which the property is located. This notice should be dated not less than 30 days before the easement application submission date.

**Applicant Resolution of Support**

The applicant is required to submit a signed resolution of support from its board of directors or similar governing body authorizing the submittal of an easement grant application to CFCP. The resolution should further authorize entrance into a grant agreement and the purchase of an agricultural conservation easement using CFCP funds, in the event the project is awarded funding.

**Easement Monitoring Plan**

The applicant, who will become the easement holder, must submit a plan that describes how the easement will be monitored following its completion. The plan must address all of the following (**three (3) page** maximum):

* The plan for compiling a baseline conditions report. This report must be reviewed and approved by the Department, with a final hardcopy submitted at the close of escrow.
* The process and frequency of monitoring.
* Who will be responsible for monitoring if not the applicant.
* How monitoring documents will be archived.
* How the Stewardship Fund budget reflects the costs of monitoring and any necessary enforcement.
* The plan for managing the Stewardship Fund.

**Applicant Conflict of Interest Certification**

The applicant must provide certification that no conflict of interest or appearance of conflict of interest exists for any members of their Board of Directors/Trustees as it relates to the proposed agricultural conservation easement. Governmental applicants may submit a resolution from the governing body that no conflict of interest exists. Governmental applicants should refer to Government Code §§1090-1099 for more information on potential conflicts and policies.

Sample certification documents are posted on the Department website.

**Certification of Acceptance of Conditions of Funding**

This Certification must be signed by the President of the applicant’s Board of Directors, or similar governing body. An unsigned Certification Sheet may be cause for rejection of the application. By signing this Certification, the applicant is declaring that:

* All required attachments are included with this Application;
* The signature affixed hereon and dated certifies compliance with all the requirements of this solicitation;
* The signature below is that of the authorized signer and authorizes the verification of this certification;
* Clear title to the agricultural conservation easement can be conveyed at close of escrow;
* The applicant and seller of the agricultural conservation easement agree to restrict the use of the land in perpetuity, subject to review after 25 years;
* The easement shall not restrict agricultural husbandry practices on the property;
* The total purchase price of the proposed easement shall not exceed the appraised fair market value of the easement;
* The easement appraisal will comply with the Department’s published Overview and Preparation of Agricultural Conservation Easement Appraisals;
* The appraisal used to establish the easement value must be approved by the State;
* The easement acquisition will be completed by February 2021;
* The applicant uses accepted accounting practices as promulgated by either the Financial Accounting Standards Board or any successor entity for nonprofit organizations, of the Governmental Accounting Standards Board or any successor entity for public agencies, to the extent those practices do not conflict with any requirement for special districts in statute for local governmental financial affairs.

|  |
| --- |
| Applicant |
|  |  |  |  |  |
| Authorized Signature |  | Name/Title (Print or Type) |  | Date Signed |

**Applicant-Landowner Letter of Intent**

The applicant must provide a letter co-signed by the applicant and landowner that outlines certain details of the proposed transaction, preliminary steps, and the intent to proceed with the transaction. This letter should address the following items:

* Landowner’s pursuit of sale of the easement is voluntary.
* The easement will be granted in perpetuity.
* No government agency has conditioned the issuance of an entitlement to use on the landowner’s granting of the proposed easement
* The number of building envelopes and single family residences allowed within the easement.

Sample documents are posted on the Department website.

**Easement Amendment Policy**

This document is important for transparency and to ensure that the applicant’s Board of Directors has considered the circumstances under which they would potentially allow any future amendments to easements. A board-approved copy of the applicant’s easement amendment policy should be included with this application.

**General Plan (Part I)**

Relevant Portions of adopted General Plan that demonstrate a long-term commitment to agriculture and agricultural land conservation

*Local Government Applicants Only: Also include a summary of any specific actions taken in support of your jurisdiction’s stated goals and objectives for agricultural land conservation, including but not limited to specific planning and zoning decisions that have been taken that demonstrate this commitment*

**General Plan (Part II)**

Summary of General Plan goals, objectives, policies and implementation measures that support the local government’s commitment to agricultural land conservation *(may be included in item I of the project specific details or as a separate attachment).*

**Additional Components and Certifications**

For the following items, please attach the requested documents or certify on the Grant Application Component Checklist that the most recent versions of these documents have been submitted and are on file at the Department.

Please refer to the 2018 RFGA for more information about these components.

Documentation of Organizational Eligibility
Documentation of Internal Revenue Service 501(c)3 status from nonprofit applicants, along with the organization’s Articles of Incorporation and By Laws documenting the principal charitable or public purposes of the nonprofit organization; a statement describing the organization’s goals and purposes; a description of the beneficiaries of the organization’s programs; and a statement describing the organization’s commitment to conservation of agricultural land resources.

**Letters of Support**
The applicant may submit letters of support to demonstrate:

* A coordinated approach among affected landowners, local governments, and nonprofit organizations;
* Support from other entities affected by the proposal and their willingness to cooperate; and,
* Support of neighboring landowners who are not involved in the proposal.

**Accreditation Documents**
The applicant may submit documentation of fiscal and professional expertise to demonstrate their technical capacity to hold permanent conservation easements. This may take the form of Land Trust Alliance Accreditation or similar certifications.

**Map of Building Envelope(s) and Excluded Area(s)**

If building envelope(s) is/are to be designated within the easement area, applicants should submit a map depicting the location and size/dimensions of the proposed envelope(s). Building envelopes must be designated around existing residences, as well as sites for proposed future residences.

Similarly, if certain areas of the property are to be excluded from the easement, applicants should identify the location of such proposed exclusions on the map. Please attach a map of the proposed building envelope(s) and excluded area(s) associated with the project, if any.

**Anticipated Implementation Schedule**

Although approved proposals will require this as a part of the Grant Agreement process, applicants may wish to provide an anticipated implementation schedule in their application.

End of Application