Missouri Department of conservation
Land Conservation Partnership Grant:

Conservation Easement assistance Program

October 24, 2019

# Overview

## Program Description and Purpose

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|  | The Land Conservation Partnership Grant – Conservation Easement Assistance Program provides financial assistance to land trusts and local governments for acquiring donated conservation easements on privately-owned land having especially high conservation value. Projects selected for funding will be eligible for 100% Missouri Department of Conservation (MDC) reimbursement of survey costs (if required by statute, title commitment, or if easement will not be on entire property); costs associated with baseline report preparation and easement drafting; title commitment, closing costs, and recording; stewardship fees; and operating endowment up to a maximum of the total project amount listed on the application. Match for this program is indirectly provided through the value of the conservation easement donated by the landowner. The primary purpose of the grant is to provide long term habitat protection of land that has especially high conservation value for wildlife, water quality, outdoor recreation, and/or other ecosystem services.  |

## Who Can Apply

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|  | Local governments and nonprofit land trusts registered and in good standing with the Missouri Secretary of State whose mission includes protecting lands for conservation purposes are eligible to apply.  |

## What Lands are Eligible

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|  | Privately owned lands in Missouri that are comprised of at least 75% existing natural cover (forest, glade, wetland, prairie, stream, etc.) or existing plus planned natural cover (restoration to be initiated within 2 years) are eligible. Acres grazed by livestock are not considered natural cover unless grazing is done in accordance with an MDC approved wildlife habitat management plan.Easements must be donated willingly by landowner (i.e. no eminent domain) and cannot be required by another entity (such as in conjunction with development or as mitigation).There is no minimum or maximum required acreage to participate, but economies of scale and budget constraints will be considered by MDC in selecting projects.Applications for projects that include public access will receive additional points on the project score sheet, but public access is not a requirement for participation.  |

## Special Requirements and Considerations

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|  | **Required Easement Elements*** MDC must review and approve the easement document prior to closing with adequate time for review (2+ weeks) to be eligible for payment. As a condition of providing funding, MDC reserves the right to reject easement language if it is in conflict with MDC’s mission or the purpose of the conservation easement.
* Sample/suggested easement language may be requested from MDC, but a specific format and specific language are not required so long as the following limitations and requirements are contained in the document.
* Easement purpose and provisions must focus on fish, forest, and/or wildlife conservation.
* Easement provisions cannot prohibit herbicide use, harvesting timber, hunting, fishing, or trapping.
* Habitat improvement practices, including timber harvest, shall follow best management practices (see suggested language document).
* Landowner cannot plant nuisance exotic, invasive plants (as classified by Missouri Invasive Plant Task Force) in natural cover areas. Such planting shall be discouraged in non-natural cover types as well, but exceptions can be allowed to permit planting of traditional turf and agricultural species (e.g. fescue) in agricultural or residential areas permitted by easement (if any).
* Existing and planned natural cover (e.g. forest, wetland, prairie) shall not be converted to non-natural community cover types (e.g. agriculture, development) unless pre-approved in easement
* Up to 25% of acres may be maintained as non-natural community types (e.g. agriculture, residence), but only if preauthorized in easement. Any new development of buildings or structures on these acres must be pre-approved in the initial easement.
* Livestock, if present, must be excluded from forests and riparian areas (a minimum of 50 feet wide from stream banks on either side under the easement) by fencing. Other natural habitats shall not be grazed by livestock unless done in accordance with an MDC approved wildlife habitat management plan.
* Changing, manipulating, or altering natural water courses is prohibited unless approval by the easement holder and MDC.
* No mining or mineral extraction is allowed on the easement.
* Easement provisions allowing building envelopes and subdivisions will be considered on a case by case basis. See funding limitations below.
* MDC shall be listed as a 3rd party beneficiary of the easement having the right of easement monitoring and enforcement and shall approve all transfers of the easement to another entity.
* MDC shall have right to inspect the easement area with advance landowner notification.
* All land practices must comply with all federal and state laws.

**Funding Limitations*** Applicant may not use other MDC funds towards the purchase of the easement.
* If easement includes any pre-approved building envelopes MDC will not cover the cost of any special charges associated with these envelopes and will not cover the stewardship fees for the acres included in the approved building envelopes.
* If easement includes any pre-approved future tract subdividing MDC will not cover the cost of any special charges associated with approved future subdivisions.

**Appraisals*** This grant program does not cover the cost of appraisals.

**Project Scoring and Selection*** Projects will be selected based on score (using the Conservation Land Acquisition Program Score Sheet) and other criteria determined by MDC. Applicants are encouraged to review the Score Sheet criteria and answer application questions completely to ensure due consideration.

**Requirements for Payment*** MDC must approve the easement document before closing as provided above.
* Land trust must provide documentation to MDC setting forth its stewardship fee funding formula, operating endowment funding formula, and easement drafting cost, and include an explanation of how the fees are calculated and determined, all of which must be approved by MDC before payment will be made.
* Grant recipients must enroll with the Missouri Treasurer’s office as a Missouri vendor.
* Applicant must provide to MDC a copy of the recorded easement document, title insurance, baseline data report, and survey (if required by statute or title commitment, or if easement does not include entire property) before MDC will process for payment.
* MDC payment will be made as a reimbursement to Applicant upon presenting proof of items listed above along with an itemized invoice.

**Other Requirements*** Grant recipient is required to adhere to Land Trust Alliance Standards and Practices for projects funded through Land Conservation Partnership Grant.
* Grant recipients will be required to submit an annual self-certifying monitoring report as proof that monitoring was completed. Report shall describe infractions (if any) and remedies.
* Failure to monitor, enforce easement terms, and submit annual reports will result in the grant recipient being ineligible for additional grants unless remedied.
* Grant recipient shall provide basic data on easement existence to National Conservation Easement Database.
* If project receives points for public access, public access shall be made available within one year of closing.
* If all or a portion of the easement property is condemned, then the easement holder shall either transfer land protections to another property of comparable size and conservation value approved by MDC or shall reimburse MDC the funds originally provided for the project, including any interest accrued by easement holder.
* For projects selected for funding, funding will be contingent upon an MDC site visit to ensure the property meets MDC’s understanding from the application.
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## Program Timeline

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|  | A Request for Proposals is underway in November and December 2019 with an application submission deadline of December 31, 2019.Applications shall specify whether MDC funding is being requested for the current state fiscal year (to be spent by June 1) or for the following state fiscal year (completed July 1 through June 1).Applications may be submitted outside of the Request for Proposals window. If Applicant can demonstrate an urgent need for consideration projects may be considered and awarded outside the standard RFP process. If the project does not have a clear sense of urgency it will be held for consideration during the standard RFP process. Projects must score at least 40 to be eligible for rolling consideration.  |

**Note: This program is under development. If your project is awarded, additional requirements or restrictions may be included with your Letter of Award. You will have the opportunity to accept or reject your award accordingly.**

Missouri Department of conservation
Land Conservation Partnership Grant:

Conservation Easement assistance Program Application

November 8, 2019

*Note: If a question has direct implications towards the Project Scoring Sheet it will be noted.*

**Project Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant Information**

**Primary Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Organization: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Landowner Information**

**Landowner Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Landowner Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Landowner Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Financial Request Information**

**List cost estimates for the following items you are requesting funds for:**

* **Stewardship fees** *(attach funding formula to application)* **$\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Closing costs $\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Baseline Data Report $\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Easement drafting $\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Operating endowment** *(attach explanation/justification)* **$\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Survey** *(if required by statute or new boundary)* **$\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Total Estimated Request** *(MDC funding will not exceed)* **$\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Indicate if the following timeframes for project completion and funding are: A) Preferred, B) Acceptable, or C) Not an Option.**

**Jan 1 – May 31, 2020: \_\_\_\_\_\_\_\_\_\_\_\_\_ July 2, 2020-May 31, 2021: \_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**If urgent consideration of this project is being requested outside of the standard Request for Proposals timeline, justify:**

**Describe readiness and likelihood of being able to complete project** *(what actions and discussions have already taken place)***:**

**Briefly describe your organization’s financial and staffing capacity to hold and manage this easement:**

**Project and Tract Information**

**Attach 1) proximity map, 2) aerial photo and topo map of property, 3) existing land cover map (e.g. forest, cropland, native grassland), and 4) planned land cover map if different than present.**

**Township/Range/Section(s): \_\_\_\_\_\_\_\_\_\_\_\_\_ County: \_\_\_\_\_\_\_\_\_\_\_ Nearest City: \_\_\_\_\_\_\_\_\_\_\_\_\_**

**Acres to be placed under proposed easement eligible for grant funding** *(provide map if not total tract; at least 75% of acres to be funded must be existing or planned natural habitat)*: **\_\_\_\_\_\_\_\_\_**

**Provide a general description of project and statement of project benefit(s) pertinent to MDC’s Mission and strategic plan:**

**Provide a narrative description of the property including a detailed assessment of whether existing natural habitats/communities or portions are of high quality, average quality, or are degraded. Include description of recent (last 20 years) and historical land use and management of property. Also describe any noteworthy natural features (e.g. caves, springs), buildings, hazards, disturbances, or other significant characteristics? (describe):** *(Question applies to Criterion 10 on project score sheet)*

**Existing acres per cover type (e.g. forest, native grassland, cropland, pasture):**

**Planned acres per cover type (e.g. forest, native grassland, cropland, pasture):**

**Are “blue line” tributaries protected through exclusion of livestock and 50+ feet of natural vegetation on either side of stream under tract ownership; or is protection planned within 2 years of easement closing? (describe):** *(Question applies to Criterion 9 on project score sheet)*

**Describe any existing easements, deed restrictions, or severed rights that exist on the tract (utility, ingress/egress, conservation, mineral rights, etc.):**

**Are there any local land use planning/zoning plans that could conflict with this proposed easement? (describe):**

**Is the property adjacent to any other public or protected lands or within one mile? (if so, explain):** *(Question applies to Criterion 5 on project score sheet)*

**Is the property involved in any kind of mitigation activity/settlement? (describe):**

**Are you aware of the tract falling within a priority area (i.e. geography, watershed, habitat type, other) for conservation purposes of a partner organization? Explain:** *(Question applies to Criterion 6 on project score sheet)*

**Easement Information**

**Will the proposed easement include any building envelopes or subdivision allowances? (describe; provide map if applicable):**

**Will property be open to public access (not required, but public access provides added project scoring points)? If so, describe what public access will be allowed:** *(Question applies to Criterion 7 on project score sheet)*

**Other**

**Are there other important points or considerations?**

**Signature and Submission Information**

**Applicant (land trust) signature: I certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (organization) has read, understands, and agrees to the requirements of this program (as described in Land Conservation Partnership Grant Details Document); and understands all the above responses to be true. I further certify that the landowner of this property is aware of this grant application and the requirements of this grant program and is in support of the application.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant signature Date**

**Please submit application to:**

Email: Robyn.Hilliard@mdc.mo.gov or

Mail: Robyn Hilliard

Missouri Department of Conservation

P.O. Box 180; Jefferson City, MO 65102

**Application must be received by December 31, 2019 to be considered for this RFP.**

**For any questions please contact: Gus Raeker at Gus.Raeker@mdc.mo.gov or by phone: 573-522-4115 ext. 3129**

**Land Conservation Partnership Grant – Conservation Easement Project Scoring Sheet**

*(to be completed by MDC based on applicant responses and other data)*

**Applicant name (land trust): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Landowner/Tract name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Reviewer name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Review date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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|  | **Criteria** | **If yes, point allocation** | **Points\*:** |
| 1 | Within one of 15 most populous counties and City of St. Louis | Yes (7 points) |  |
| 2 | Does the land conservation opportunity fall within a CCS geography? Or within other COA/PFL/Priority Watershed/Natural Area, etc. | Within one of the 9 Priority Geographies (5)Within other priority area (3) |  |
| 3 | Does the land conservation opportunity increase conservation of **imperiled species or habitats**?  | Protection of intact habitats/imperiled species (5)Potential imperiled habitat/species restoration opportunity (3) |  |
| 4 | Does the land conservation opportunity protect existing Natural Heritage Value? | Multiple Heritage records (5)Single Heritage records (3)Proximate (w/in 0.5 mi.) of Heritage record(s) (2) |  |
| 5 | Is the land conservation opportunity adjacent to MDC or other publicly owned conservation lands or otherwise permanently protected conservation lands (i.e. private land trust holdings, conservation easements, etc.)? | Adjacent to MDC lands (5)Adjacent to other protected lands (4)Within 1 mile of protected lands (2) |  |
| 6 | Does the land conservation opportunity fall within a priority area (i.e. geography, watershed, habitat type, other) for conservation purposes of a partner organization? | Partner priority area (2) |  |
| 7 | Will public access be allowed? | Yes (2) |  |
| 8 | How many grant eligible acres are covered by easement? | 1,000+ (7)500-999 (5)100-499 (3)25-99 (1) |  |
| 9 | Length of stream with protected vegetated riparian corridor at or exceeding 50’ in width or planned for restoration within 2 years of easement closing. | 5+ miles (5)1-4.9 miles (3)<1 mile (2)0 stream (0) |  |
| 10 | Quality of the tract’s natural communities | High (5)Average (3)Degraded (0) |  |
| 11 | Is applicant accredited through the Land Trust Alliance? | Yes (5)No (0) |  |
|  | **TOTAL SCORE\***  | **Total points X’s 1.89; max score 100** |  |

\*Score is NOT a ranking unless otherwise noted. Consider each criterion on its own merits. Additional criteria to be used by Realty Committee in evaluating and ranking a project.

**Additional considerations:**