

**Department of Energy and Environmental Protection (DEEP)
Open Space Watershed Land Acquisition (OSWA) Grant Program
Answers to Frequently Asked Questions**

1. PROJECT COST ESTIMATES

What documents are required?

Applications must contain the required number of appraisal(s) and appraisal reviews, as applicable. Applications submitted without appraisals and applicable appraisal reviews will not be considered for an award. All appraisals must conform to the Uniform Appraisal Standards for Federal Land Acquisitions (U.A.S.F.L.A. a/k/a “Yellow Book”) published by The Appraisal Foundation. To purchase a copy of the “Yellow Book”, visit the following webpage:

<https://www.appraisalfoundation.org/imis/ItemDetail?iProductCode=350&Category=PUB&WebsiteKey=e12b6085-ff54-45c1-853e-b838ca4b9895>.

Applicants planning to apply for federal funding (in addition to OSWA funding), must provide the following: (1) Yellow Book appraisal containing both the fee simple and easement values, along with one (1) Yellow Book appraisal review, affirming that the original appraisal was prepared and presented in accordance with Yellow Book guidelines.

2. PASSIVE RECREATION

What is passive recreation?

Passive recreation refers to recreational activities that do not require intensive development and prepared facilities like sports fields or buildings. Passive recreational activities place minimal stress on a site’s resources and as a result provide ecosystem service benefits and are highly compatible with natural resource protection.

Passive recreation:

- Does not significantly impact natural, cultural, scenic, or agricultural values
- Requires only minimal visitor facilities and services directly related to safety
- Minimizes human impacts

Examples of natural resource-based, passive recreational activities:

- Hiking
- Wildlife Viewing
- Painting
- Photography
- Cross Country Skiing
- Snow Showing
- Fishing
- Canoeing
- Hunting
- Environmental Education
- Picnicking

3. ELIGIBILITY

How do I know if my municipality is a “Distressed Municipality” or a “Targeted Investment Community”?

- **Distressed Municipalities** - Ansonia, Bridgeport, Bristol, Chaplin, Derby, East Hartford, East Haven, Griswold, Hartford, Killingly, Meriden, Montville, Naugatuck, New Britain, New Haven, New London, Norwich, Putnam, Sprague, Sterling, Torrington, Waterbury, West Haven, Winchester and Windham.
- **Targeted Investment Communities** - Bridgeport, Bristol, East Hartford, Groton, Hamden, Hartford, Meriden, Middletown, New Britain, New Haven, New London, Norwalk, Norwich, Southington, Stamford, Waterbury and Windham.

If the property is being purchased from a water company, how do we know if the water company has been granted permission to dispose of the property by the Public Utilities Regulatory Authority (PURA) and the Department of Public Health (DPH)?

The water company should have a letter from the PURA granting them permission to sell the property. When in doubt, call PURA, toll free at (800) 382-4586. They can tell you if the water company has permission to sell the property.

4. SITE CONVENIENCE & PUBLIC ACCESS

What is meant by Site Convenience and Public Access? Where can I find population statistics?

Population Statistics

The most recent population statistics can be found at the following webpage:

<https://portal.ct.gov/DPH/Health-Information-Systems--Reporting/Population/Population-Statistics>

Site convenience relates to the ability of the public to find and access the property by public transportation routes, roads, and publicly owned roadways or access ways. Please note that if the property does not have frontage on a public road or access way, then an adjacent, permanently protected parcel having public access from a public road or access way must be owned by the same grant award applicant.

Public access to the proposed property shall be open to the general public for passive recreational uses. DEEP’s conservation easement defines passive recreation as:

Properties subject to liens, encumbrances or deed restrictions such as “a life use,” “quiet enjoyment,” “exclusive use,” “with permission of the grantor,” or similar restrictions designed to prevent, prohibit, hinder or control public access, will not be eligible for funding under this grant program.

Additional questions on public access should be directed to Allyson Clarke (860) 424-3774 or Holly Lalime at (860) 424-4078.

5. AGRICULTURAL USES

What types of agricultural use are permitted at grant-funded properties?

All grant-funded properties can permit agricultural uses that do not diminish the public's use of the property. For example, working with a farmer to remove hay from fields is permitted, if the purpose is to maintain the fields for habitat or passive recreational purposes. Also, the selling of timber, when incidental to the management of the land and in accordance with an approved forest management plan, is permissible, provided that any proceeds of such timber sales be used for management of the land. Public access can be controlled on a temporary basis to protect public safety (e.g., closing a portion of a trail when trees are being removed next to the trail).

If the applicant is purchasing a conservation easement and there is an existing agricultural use, such use can continue, provided the DEEP Commissioner approves limited public access. The Commissioner can approve such limited access, based on a determination that unlimited public access would be disruptive of agricultural activities occurring on agricultural areas of the land. Such approvals for limited public access require public access that, at a minimum, provide parking and designated trail use. Areas of the property not used for continuing agriculture uses should be available for public access.

6. STATEMENT OF NEED

Where can I find the supporting documents and materials?

- **Connecticut's State Plan of Conservation and Development** is available at <https://portal.ct.gov/OPM/IGPP-MAIN/Responsible-Growth/Conservation-and-Development-Policies-Plan/Conservation-and-Development-Policies-Plan>, at any public library, or by contacting your Regional Planning Organization (RPO) or Council of Government (COG).
- **Municipal Plans of Conservation and Development/Conservation and Recreation** are typically available online or at your Town or City Hall. Please note that these plans now need to be less than ten years old to be "current" – if a municipality submits a proposal and their C&D plan is not current, that project will not be evaluated.
- **Regional Conservation Plans** can be found by visiting your region's Council of Governments (COG) website, or by contacting your Regional Planning Organization (RPO). RPO's are available online at: <https://portal.ct.gov/OPM/IGPP-MAIN/Responsible-Growth/Regional-Planning-Organizations-RPO>
- **Connecticut's 2016-2020 Comprehensive Open Space Acquisition Plan (The Green Plan)** is available online in its entirety and in sections at www.ct.gov/deep/greenplan.
- **Connecticut's Comprehensive Wildlife Strategy (The Wildlife Action Plan)** is available online at: https://www.ct.gov/deep/cwp/view.asp?a=2723&q=325886&deepNav_GID=1719

- **Connecticut Statewide Comprehensive Outdoor Recreation Plan (SCORP)** is available online at:
https://www.ct.gov/deep/cwp/view.asp?a=2707&q=323864&deepNav_GID=1642

7. LOCAL SUPPORT

Where can I request Municipal and Regional letters of support?

- For municipal letters of support, contact your local boards and/or commissions (e.g., Inland Wetlands, Conservation, Open Space, and/or Planning Commissions).
- For regional (RPO/COG) letters of support, contact your Regional Planning Organization. The agencies and contact names are available online at: <https://portal.ct.gov/OPM/IGPP-MAIN/Responsible-Growth/Regional-Planning-Organizations-RPO>

8. GRANT FUNDING AMOUNTS

Grants approved by the DEEP Commissioner will be based upon the fair market value, as determined by DEEP, and will not exceed the following grant funding amounts:

TO A	FOR	IN AN AMOUNT NOT TO 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
Nonprofit land conservation organization	Open space or watershed protection	65% of fair market value
Nonprofit land conservation organization and water company (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	65% of fair market value
<p>* Percentages shown represent the maximum grant award. ⚡ Grant awards may be reduced to a lesser percentage and/or may not exceed an administrative cap. ** Refer to #3 above for list of Distressed Municipalities and Targeted Investment Communities.</p>		

The amount of funding provided will be based on numerous factors related to the quality of the project (conservation, recreational, and water resources protected), amount of private, or other governmental funds leveraged, number and quality of other grant applications, and availability of DEEP resources. Not all grant recipients will receive the same percentage of funding and some grants may also be subject to a cap.

9. OTHER SOURCES OF FUNDING

Each applicant is required to secure funds from other sources to match DEEP's grant award. Matching funds can come from private entities or other governmental funding programs.

- **Private Sources** include matching funds from private individuals, foundations, corporations, businesses, contributions by other organizations, or governmental programs not managed or funded by the State of Connecticut or federal government.

Funding from these sources count toward the applicant's match requirement without restriction. However, caution should be exercised to ensure that acceptance of such funds would not place a restriction on the property that could be in conflict with the State's Conservation and Public Access Easement.

- **Other Governmental Sources:** Many governmental programs exist to assist with land conservation. Caution should be exercised to ensure that acceptance of other funds will not place a restriction on the property that could be in conflict with the terms of the State's Conservation and Public Access Easement.

Additional questions about the compatibility of governmental funding programs should be directed to DEEP's Constituent Affairs and Land Management Division by calling Allyson Clarke at (860) 424-3774 or Holly Lalime at (860) 424-4078.

- **Municipal Sources:** Municipalities (as the grant award applicant or host community) often contribute match funding for land conservation projects funded through this program. Funds from municipal sources count toward the match requirement, as long as the funds did not originate from the State.
- **State Sources:** Other State funds can be used to assist with project costs however, other State funds may not be used to match OSWA grant funds. Please discuss any matching funding sources with DEEP before submitting your application, or as soon as other State grant funding is being considered, if that occurs after the application is submitted.
- **Federal Sources:** Applicants may apply for grant funds from federal programs which are administered by the State or by federal agencies. For example, the US Department of Agriculture (grassland preservation, farmland and prime agricultural soils preservation, river restoration, forest and habitat preservation, etc.), the US Department of the Interior (Wild and Scenic, wetlands preservation, river protection, wildlife habitat restoration/protection, etc.), the US National Oceanic and Atmospheric Administration (shoreline preservation, natural area preservation, wetland protection), and the US Department of Defense (e.g., The Conservation Fund) have programs that may be used as an additional source of funding for the subject project.

If federal funds are anticipated for the project, then the applicant must inform DEEP of its intention to seek and obtain such funding in the grant application, along with the amount of federal funding being requested. Applicants must inform DEEP if federal grant awarding occurs after the application is submitted, as well.

If a federal grant is accepted by the applicant, the State OSWA grant award will be adjusted so that the combined OSWA and federal grant awards do not exceed ninety percent (90%) of the fair market value of the property, as determined by DEEP under the OSWA grant program.

In limited circumstances, the DEEP Commissioner may authorize the use of state and federal funds to fund one hundred percent (100%) of the fair market value of the property, as determined by DEEP under the OSWA grant program. If you are seeking this authorization, please refer to [Public Act No. 15-23](#) for more information and contact DEEP as soon as possible but prior to accepting such federal funds.

It is important to remember that public access must be provided on the subject property, irrespective of federal funding program requirements or policies to the contrary.