



Clean**Ohio**Fund  
Farmland Preservation

# Agricultural Easement Purchase Program Application

2011 Funding Year

# Tutorial



# Using the Tutorial

- Utilize the Bookmarks in the PDF Document to jump to various sections of the Tutorial
- To expand a section, click on





CleanOhioFund  
Farmland Preservation

# Outline of Tutorial

- Part I: Overview Of The Clean Ohio Agricultural Easement Purchase Program (AEPP)
- Part II: 2011 Application Instructions And Helpful Hints
- Part III: Overview of Guidelines and Policies Document
- Farmstead/Homestead Policy
  - Large Farm Value Exception
  - Multi-county Applications
  - Clear Title Fast Track
- Part IV: Other Helpful Tools and Resources
- Handbook
  - FAQs
  - Sample Deed of Agricultural Easement
  - Tier 1 Estimator
  - Tier 2 Examples



CleanOhioFund  
Farmland Preservation

# Outline of Tutorial

- Part I: Overview Of The Clean Ohio Agricultural Easement Purchase Program (AEPP)
- Part II: 2011 Application Instructions And Helpful Hints
- Part III: Overview of Guidelines and Policies Document
  - Farmstead/Homestead Policy
  - Large Farm Value Exception
  - Multi-county Applications
- Part IV: Other Helpful Tools and Resources
  - Handbook
  - FAQs
  - Sample Deed of Agricultural Easement
  - Tier 1 Estimator
  - Tier 2 Examples



CleanOhioFund  
Farmland Preservation

Part I

# OVERVIEW OF THE CLEAN OHIO AGRICULTURAL EASEMENT PURCHASE PROGRAM



Clean**Ohio**Fund  
Farmland Preservation

## What Is AEPP?

The **Clean Ohio Agricultural Easement Purchase Program (AEPP)** provides funding to farmland owners for placing an agricultural easement on their property. Monies are issued for up to 75 percent of the points-based appraised value of a farm's development rights. A payment cap has been set at \$2,000 per acre, with a maximum of \$500,000 per farm. All easement transactions are recorded on the property deed and transfer with the land to successive owners



CleanOhioFund  
Farmland Preservation

## What Is An Agricultural Easement?

- Agreement between farmland owner, the Ohio Department of Agriculture (ODA), and the local sponsor that limits usage of the land to predominantly agricultural activity
- While the landowner may sell, or pass the property on at any time, the agricultural easement stays with the property in perpetuity
- A legal document that states the rights and prohibitions on the land, and documents the current state of the land
- To ensure that the easement is maintained, annual monitoring occurs with the help of the local sponsor



CleanOhioFund  
Farmland Preservation

# General Eligibility Requirements

- The farm must be enrolled in CAUV and the Agricultural District Program through the county auditor's office
- The farm must be a minimum of 40 acres unless the farm is adjacent to a preserved farm, then it must be a minimum of 25 acres
- The farmland owner must certify that the property does not contain hazardous substances
- The farmland owner must have been in compliance with state and federal agricultural laws for the past five years
- The farmland owner must have possession of the clear title to the applicant property
- The local sponsor must agree to share monitoring and enforcement responsibilities
- A minimum of 25 percent of the points-based appraised value of the agricultural easement must be provided either in cash match by the local sponsor, donation by the landowner, or a combination



CleanOhioFund  
Farmland Preservation

## How Applications Are Ranked

Farms are selected using a two-tier ranking system in conjunction with regional balance and other factors. The ranking system gives preference to those farms best suited to promote the program's priorities, made relevant throughout the application's distribution of points. Farm finalists are recommended by the Farmland Preservation Advisory Board and approved by the director of agriculture

# Tier One (100 Possible Points)

- 1.) **Soil type:** The rules give preference to farms that involve the greatest proportion prime soils, unique or locally important soils, microclimates, or similar features. This information must be approved by the local Soil and Water Conservation District (SWCD) or Natural Resources Conservation Service (NRCS) representative. A designation of 'unique' or 'locally important' may be pursued by working with the county's USDA district conservationist and the county commissioners. The purpose is to protect the most agriculturally productive and conducive soils. This section is Step 18 within the application (20 points)
- 2.) **Proximity to other agricultural land:** The rules give preference to land that is adjacent to or in close proximity to other agricultural land or land that is conducive to agriculture. This includes lands that are, or in the process of becoming, permanently protected from development by agricultural easement or otherwise, so that a buffer would exist between the land involving the proposed agricultural easement and areas that have been developed or likely will be developed for purposes other than agriculture. The purpose is to ensure long-term farm viability. This section is Step 12 within the application (15 points)



CleanOhioFund  
Farmland Preservation

## Tier One (100 possible points) (cont)

- 3.) **Use of best management practices:** The rules give preference to farms which have federally or state approved conservation plans and a history of substantial compliance with applicable federal and state laws. The highest ranking is given to farmland with established and implemented conservation plans. This information must be approved by the local SWCD or NRCS representative. This section is Step 17 within the application (5 points)
  
- 4.) **Development pressure:** The rules give preference to land that is in imminent, but not currently in the direct path of urban development. This is often referred to as intermediate development pressure and includes farms that are neither directly in front of the bulldozer, nor far from development's fringe, but rather farms that are midway between intense pressure and no pressure at all. This section is Step 13 within the application (15 points)



CleanOhioFund  
Farmland Preservation

## Tier One (100 possible points) (cont)

- 5.) **Local comprehensive land use planning:** The rules give preference to areas identified for agricultural protection in local comprehensive land use plans. These points are awarded as an acknowledgement of the importance of local efforts to manage growth and preserve productive farmland. This section is Step 15 within the application (16 points)
  
- 6.) **Other criteria:** The rules allow for the director to determine other preferential criteria for selecting applications. This section is Step 14 within the application (29 points)



CleanOhioFund  
Farmland Preservation

## Tier Two (50 Possible Points)

Tier Two is Step 16 of the application. Each question is worth a maximum of ten points each. The questions are designed to give local sponsors and landowners the opportunity to showcase the unique characteristics of the applicant farmland or operation. It is a chance to explain what makes the application special, in ways that might not be evident in the more objective answers to Tier One questions. Evaluations are based on the thoroughness of responses, not on writing style. The Tier Two questions focus on the following topics:

- 1.) Agricultural infrastructure, support services, and facilities specific to the farm's agricultural activities;
- 2.) Estate, farm succession, and business management plan and other long term investments made on the farm;
- 3.) Potential for the farm to be a good demonstration or showcase project for the promotion of farmland preservation in Ohio;
- 4.) Public commitments to farmland preservation taken by the local government; and
- 5.) Examples of sustainable agriculture on the farm



Clean **Ohio** Fund  
Farmland Preservation

## Regional Balance

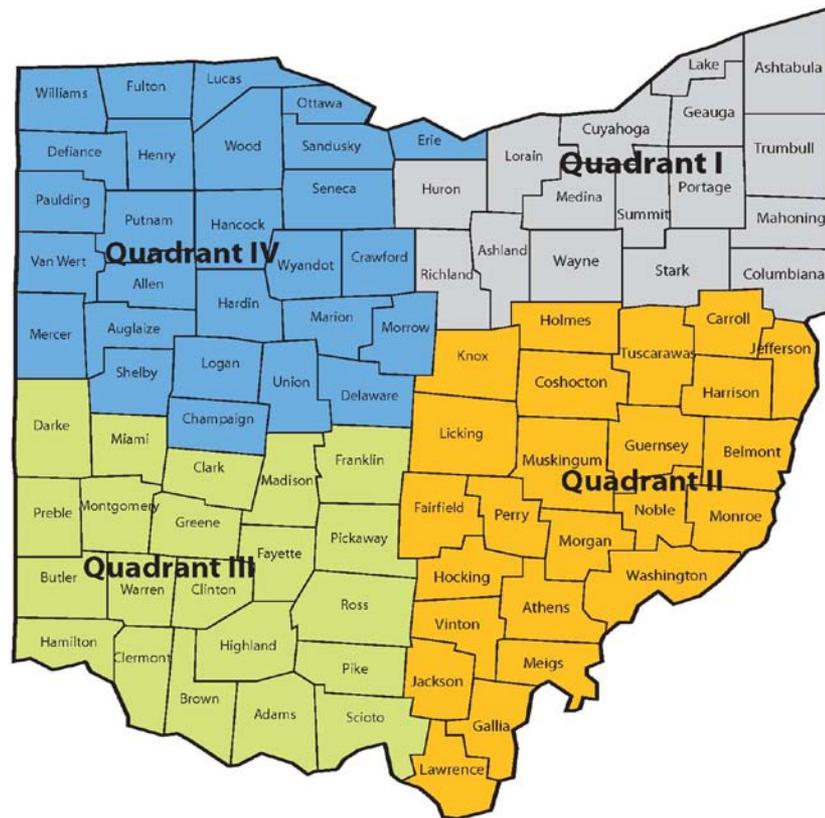
Regional balance is also a component of the ranking process. As defined by 901-2-01 of the Ohio Administrative Code, "Regional Balance" is based upon, but not limited to: (1) the number of applications received from a region in proportion to the total number of applications submitted; and (2) the total amount of funds a region has previously received in proportion to the total amount of funds distributed. The map on the next slide illustrates the Quadrant boundaries for the 2011 Funding Year



# Clean Ohio Fund

Farmland Preservation

## Regional Balance





Clean **Ohio** Fund  
Farmland Preservation

## Main Players - LANDOWNER

- The landowner decides if he or she wants to participate in the program and chooses a local sponsor to submit an application



CleanOhioFund  
Farmland Preservation

## Main Players – LOCAL SPONSOR (Applicant)

- The applicant is the local sponsoring organization that completes and submits the application on the landowner's behalf. The local sponsor can be a government entity (such as a county, township, or county Soil and Water Conservation District (SWCD)), or charitable organization
- A landowner cannot submit an application to sell an agricultural easement directly to the ODA. The Ohio legislature requires applications to be submitted by a local sponsor on behalf of the landowner in order for the nominated property to be considered for agricultural easement purchase. ODA recommends that the local government that has zoning authority over the nominated property serve as the applicant. However, if there is no zoning over the property, the county government may be in the best position to submit an application. If the local government or conservation organization declines sponsorship, there is no appeals process for the state to overturn the local decision. Applications submitted directly by the landowner will not receive consideration



CleanOhioFund  
Farmland Preservation

## Main Players – LOCAL SPONSOR (Applicant)

- **NEW for 2011:** For those farms selected for funding in 2011, **the landowner will be responsible for clearing exceptions** to the title prior to the closing of the Deed of Agricultural Easement. The main point of contact between the landowner and the Ohio Department of Agriculture (ODA) will be the local sponsor.
- For more information about the role of the local sponsor throughout the closing and monitoring process (post-application), local sponsors are encouraged to contact ODA with questions and can request a copy of the current closing process notes.



Clean **Ohio** Fund  
Farmland Preservation

# Main Players – Ohio Department of Agriculture Office of Farmland Preservation

- The Ohio Department of Agriculture directs the easement program. ODA also provides staff assistance for the Ohio Farmland Preservation Advisory Board, which makes critical recommendations regarding the application and program finalists and scores the Tier Two narratives of the AEPP application. The director of agriculture receives the advisory board's counsel and makes the final decision on the program's funding recipients





CleanOhioFund  
Farmland Preservation

## Quadrant and Local Sponsor Meetings

- Every fall/winter, the staff of the Office of Farmland Preservation hold a landowner meeting in each quadrant to garner interest in AEPP and answer questions. Local Sponsors are encouraged to promote and attend these meetings
- Also in the fall or early winter, the Office of Farmland Preservation hosts a local sponsor training to provide more in-depth application information



CleanOhioFund  
Farmland Preservation

# Application Process

- The application will be open and available to applicants for no more than 90 days
- During this time, local sponsors are responsible for ensuring that all parts of the application are completed by the appropriate persons or agencies and submitted to the OFP by the stated deadline. Incomplete or late applications may be disqualified
- Complete applications must be received by 1.) electronic submission and 2.) hardcopy on or before the application deadline. The hardcopy, consisting of a printout of the application, required attachments and signatures, can be sent by registered or certified mail to the OFP by the application deadline. Mailed applications postmarked with the final date of the application period will be accepted. For the 2011 funding round, applications postmarked April 6, 2011 will be accepted if received after April 6
- Once applications are received and ranking is complete, landowners will be notified of their standing. Scoring information will be provided online and finalists will be contacted by the ODA staff. Further instructions will be provided once final selections have been made. Once finalists are chosen, it can take on average 12-24 months to close a farm and for the landowner to receive the purchase payment



# Getting Started

## **Landowner Should Seek Professional Advice**

An agricultural easement can be a major decision for a landowner and his or her family. In order to ensure that the best interests of the landowner are met, ODA highly recommends that the landowner seek independent legal counsel, as well as independent financial advice



CleanOhioFund  
Farmland Preservation

Part II

**2011**

**APPLICATION INSTRUCTIONS  
AND HELPFUL HINTS**



Clean**Ohio**Fund  
Farmland Preservation

## Completing the Application

**NOTE** for 2011: Items in **RED** are new for 2011 or changes for 2011



## Logging On – Creating A New ID

- To reach the Clean Ohio AEPP application Web site, go to [www.agri.ohio.gov/farmland](http://www.agri.ohio.gov/farmland)
- To create a new application or to work on one that you've already started, log into one of two accounts on the left menu within the application Web site- either a **Local Sponsor** account or a **SWCD/NRCS** account. This designation will depend upon your role in the application process. The first step is to create an account as one of these two entities (“New Local Sponsor” or “New SWCD/NRCS”)



CleanOhioFund  
Farmland Preservation

## Logging On – Creating A New ID

- Once the account has been created, you will be able to return later to that account through the “Login” link, using your “User Name” and “Password” for that account
- Throughout the application process, it will be important to remember the “User Name” and “Password,” and the “LSID” (for a Local Sponsor) or “SWCD/NRCS ID” (for a SWCD/NRCS account)
- In order to copy information from a previously submitted application, the original login must be used



Clean**Ohio**Fund  
Farmland Preservation

## Logging On

- The Local Sponsor, once logged into the system, will be able to create applications and enter the needed information. Once logged into the system as a Local Sponsor, a “**Farm List**” will appear, listing all applications that have been started or submitted
- If you would like to work on an existing application, select “**Edit**” next to that farm. If you would like to create a new application, simply click on “**Add a New Farm.**” Once you have input the new local sponsor information section (Step 2), that same information will automatically appear in all other applications, new and copied, if you choose the “**Add a New Farm with Local Sponsor**” button. This information may still be edited if necessary



# Moving Through The Application

- As each step of an application is completed, click “Save” at the bottom of the page. This will allow you to return to the application for editing at a later time. Please do not click “Submit” until you are ready to submit an entire application (The system will not allow a user to submit an application until steps 1-18 are complete)
- Do not use the “Back” button on your browser, as you may lose unsaved information
- Use the side bar located on the left of the application screen to navigate through the different steps of the application

## Application Steps

➤ Farm List

### Initial Steps

- 1. Create Farm ID
- 2. Local Sponsor
- 3. Eligibility
- 4. Agreement

### Application Steps

- 5. Ownership
- 6. Title Holder(s)
- 7. Farm Address Worksheet
- 8. County Auditor
- 9. Farmland Usage
- 10. Third Party Interests
- 11. Restrictions
- 12. Proximity\*
- 13. Development Pressure\*
- 14. Other Factors\*
- 15. Local Comprehensive Plan\*
- 16. Narratives

### SWCD/NRCS Steps

- SWCD Farm List
- 17. Local Comprehensive Plan\*
- 18. Soil Type & Productivity\*

### Appraisal Steps

- 19. Points Based Appraisal
- 20. Certification

\* Indicates Tier One Steps



CleanOhioFund  
Farmland Preservation

## Moving Through The Application

- Once an application has been started, the SWCD/NRCS information can be completed. The local sponsor is responsible for supplying the SWCD/NRCS representative with the needed information (Farm ID, Landowner Last Name, and the Farm Address, County, Township, and Acreage). With this information the SWCD/NRCS representative will have the ability to log into the system and complete Steps 17 and 18 of the application
- When all Steps have been completed, submit the application electronically and print the application. If an application is submitted in error, contact the OFP to un-submit. The Office can also delete applications if necessary

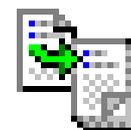


## Repeat Applications

- For Local Sponsors who submitted applications in past years and wish to submit those same farms again, the application system allows Local Sponsors to access applications submitted in previous years. This function is intended to assist the Local Sponsor in submitting a new application with less effort required to re-enter data from a previous year
- Please note that all submitted AEPP applications are subject to the same requirements, regardless of whether information was duplicated from previous applications. Information such as tax records, local resolutions of support, and CAUV tax records should be updated for the current funding round. Some questions will purposefully **not** copy over from year to year

## Repeat Applications

Copy



To utilize data from a previous year's application:

- 1.) Log into the system as a Local Sponsor
- 2.) From the "Farm List" that appears, select the desired farm and click "Copy"
- 3.) A copy of that farm will appear on the list. This will be the copy that you will re-submit (Note: This copy will be assigned a different "FarmID" than the original. You will effectively be submitting a new farm for the given funding round, but with a great deal of information from the previous year(s) automatically entered into it)
- 4.) Click on the "Edit" button of this copy, which will allow you to open, edit, and ultimately submit the application. Not all information will copy from year to year



## Transferring Login Information

Contact the Office of Farmland Preservation with the following requests:

- A local sponsor would like to copy information from a repeat application but cannot because the farm was with a different local sponsor the previous year
- A local sponsor would like to transfer the SWCD/NRCS login information to themselves for a repeat application so that they can input information that the year before was input by an SWCD/NRCS representative
- A local sponsor representative that is new to the organization wishes to request new login information or does not know the previous representative's login information to continue or copy repeat applications



CleanOhioFund  
Farmland Preservation

## Step 1 – Create Farm ID

- This section includes landowner's main contact name and contact information (home address, phone, and email)
  - The landowner “main contact” should be the individual that you would like notified first regarding a possible purchase offer and/or questions regarding the property.
- Alternate Phone has been added for landowners that wish to provide more than one phone number (i.e. home, cell, etc.)



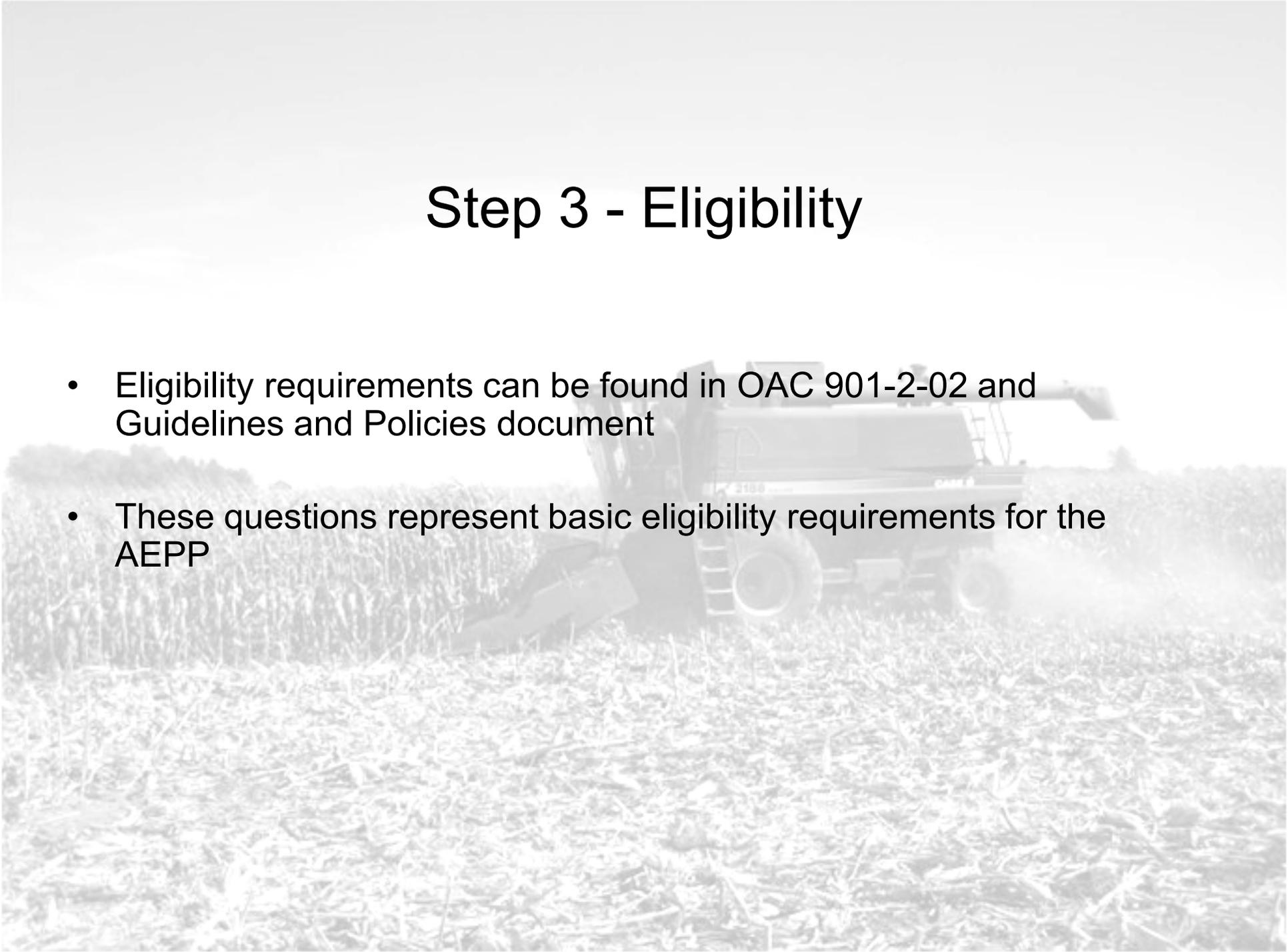
CleanOhioFund  
Farmland Preservation

## Step 2 – Local Sponsor Information

- Complete this section with official local sponsor contact information and representative (if applicable) contact information
- Official Local Sponsor may have different information than their representative (i.e. Official Local Sponsor is the County Commissioners, but the representative is from the Soil and Water Conservation District)

## Step 3 - Eligibility

- Eligibility requirements can be found in OAC 901-2-02 and Guidelines and Policies document
- These questions represent basic eligibility requirements for the AEPP





CleanOhioFund  
Farmland Preservation

## Step 3 – Eligibility (cont)

- 3A: Is the land currently enrolled in CAUV?
  - The application property must be enrolled in CAUV at the time of application
- 3B: Is the land enrolled in the Agricultural District Program?
  - The application property must be enrolled in the Agricultural District Program at the time the application is made
- 3C: If the application covers more than one parcel, are the parcels contiguous?
  - All contiguous parcels owned by the same legal entity must be submitted as one farm (**Guidelines and Policies**)



CleanOhioFund  
Farmland Preservation

## Step 3 – Eligibility (cont.)

- 3D: Is the farm at least 40 acres in size, or, if less than 40 acres (but at least 25 acres) is it adjacent to farmland already held under a permanent agricultural easement so that the total acreage is at least 40 acres?
- 3E: Does the Local Sponsor have the financial ability to monitor this land for compliance with the terms of the Deed of Agricultural Easement?
- 3F: Is the applicant engaged in any non-agricultural commercial activities?
- 3G: Is the farm entirely located within one county?
  - If the farm is located within two or more counties, please refer to the Multi-County Farm Policy in the **Guidelines and Policies**
  - There have been changes to the Multi-County Farm Policy for 2011. Changes will be addressed in the **Guidelines and Policies** portion of the tutorial



## Step 3 – Eligibility (cont.)

- 3H: Is the entire farm, including the homestead, included in this application?
  - No portion of the applicant farm, including the homestead, may be omitted from the application
  - Applicant must answer “Yes or Approved Exception” OR “No”
  - “Approved Exception” means that the applicant farm has received approval from the Director of ODA for a Large Farm Exception
  - Although covered later in this tutorial under the **Guidelines and Policies** section, a Large Farm Exception allows the landowner a one-time split based on the farm’s large size or value. The landowner can then submit one-half of the farm for the program or the whole farm as two separate applications
- 3I: Are all parcels in this application owned by the same legal entity?



CleanOhioFund  
Farmland Preservation

## Step 4 – Conditions of Use Agreement

- Step 4 addresses the Ohio Department of Agriculture's conditions of use for the online application
- Local sponsors must agree and accept the terms of the Conditions of Use Agreement



CleanOhioFund  
Farmland Preservation

## Step 5 – Ownership

- Step 5 includes required background information regarding the applicant farm's ownership
  - 5A: Ownership Type – applicant must identify whether ownership is individual, joint, corporate, trust, partnership, or other
    - Complete step 5A by listing owners, title holders, entity, etc. depending on ownership type
  - 5B: Does anyone with a ownership interest in this applicant property also have an ownership interest in another 2011 applicant property?
  - 5C: If answer to 5B is yes, applicants must identify those owners applying other properties to the 2011 funding round
    - This includes the landowner's first and last name and **acreage**

**Note: No individual will receive more than one funded property in a given funding round (Guidelines and Policies)**



CleanOhioFund  
Farmland Preservation

## Step 6 – Title Holder(s)

- This section requires applicant to complete information about all landowners on the title
  - This includes name and mailing address information
  - As names are typed into this step, they will be automatically populated onto Step 20 (Certifications) to create signature lines for all landowners
  - A certificate of authority can be substituted for multiple landowners signatures. Provide the document with the application (Attachment G) showing that one of the landowners is authorized to act on behalf of the group of landowners



CleanOhioFund  
Farmland Preservation

## Step 7 – Applicant Farm Address

- Put the applicant farm's physical address information into this step, as it may be different from one or more landowners' home addresses
- If the applicant farm is a Multi-County Farm, input the county that the farm will be applying under (see **Guidelines and Policies**)
- There are two township fields to accommodate those farms that lie in more than one township



## Step 8 – County Auditor Records

- This step asks the applicant to supply all of the applicant farm's parcel numbers, acreage of each parcel, as well as values of CAUV, Market Land, and Buildings for each parcel
- Information from this step will be utilized to calculate the Points Based Appraisal (Step 19)
- If the farm is a repeat application, values for this section will NOT copy over from the previous year



CleanOhioFund  
Farmland Preservation

## Step 8 – County Auditor Records (cont.)

- The per acre value is calculated automatically by using 100% of the Market Value of the land (including the homestead property) for each parcel, then dividing the Grand Total by the number of total acres on the farm. The same calculation is used for determining CAUV, using 100% of its value
- Be sure to use appraised value (NOT assessed). Contact the County Auditor's Office for more information. Values input must be reflected in Attachment C



CleanOhioFund  
Farmland Preservation

## Step 9 – Farmland Usage - **ELIMINATED**

Due to recent changes in the Ohio Administrative Code, Step 9 has been **eliminated** for the 2011 funding round

The Step number and title will remain in the application, but no information will be entered in this step. You will proceed to Step 10



CleanOhioFund  
Farmland Preservation

## Step 10 – Third Party Interests

- Step 10 asks more required background information
  - 10A: Likelihood of change or conversion:
    - Is the property currently under dispute?
    - Has the owner of record recently filed for bankruptcy or foreclosure?
  - 10B: Current Mortgage Information:
    - Is there currently a mortgage(s) or lien(s) on the property?
    - Is there a court judgment by the State of Ohio, or any agency thereof, against any party with an ownership interest in the AEPP application property?
  - If the answer to the second question in 10B is “yes,” applicant must indicate these tax liens, civil judgments, and or environmental findings, including lien holder name, contact person, address, telephone, and the parcels associated with the lien



CleanOhioFund  
Farmland Preservation

## Step 11 - Restrictions

- 11A is comprised of multiple questions regarding whether or not there are any restrictive covenants, leases, or easements on the applicant property:
  - Does the applicant property have a Surface Mining Lease?
    - If answer is yes, then the landowner will be asked to remove the surface mining lease prior to the closing of the agricultural easement. **If there was a past lease, it could affect the property's entrance into the program**
  - Is the applicant property participating in the permanent easement program of the Wetland Reserve Program?
    - If answer is yes, please enter the number of acres included in WRP. These acres will be deducted from the application. ODA will not purchase an easement on land which already has an easement



CleanOhioFund  
Farmland Preservation

## Step 11 – Restrictions (cont.)

- Does the applicant property have a Utility Easement?
- Is the landowner aware of any past or present oil/gas leases on the title for the applicant property?
  - Applicants are encouraged to review the Exception Policy document

**Note: Answers for questions in Step 11A will not be copied from year to year for repeat applications**

- 11B: Does the landowner have existing housing (i.e. homestead, personal residence, or tenant house) on the application farm?
  - Applicants are encouraged to review the Homestead/Farmstead policy in the Guidelines and Policies document

# Step 12 – Proximity to Protected Land

- Step 12 is the beginning of Tier One Scoring
- Maximum Points for Step 12 is 15 points
- The highest ranking is given to farmland that is located near other protected areas, which ensures a better chance of long term agricultural viability



CleanOhioFund  
Farmland Preservation

## Step 12 – Proximity to Protected Land

- 12A: The applicant farm's physical location relative to other agricultural, natural resource, open space, or forested land permanently protected by agricultural or conservation easement . **List each easement-protected property individually**
  - Maximum Points for 12A = 7.5
  - Applicants must list Property Type (Agricultural Easement, Conservation Easement, etc.), Acres, and Proximity in Feet
  
- 12B: The applicant farm's physical location relative to other non-easement protected land compatible with agriculture. **List each non-easement protected land individually**
  - Includes: protected wetlands, public parks/forests, airports, military bases, wildlife areas, natural preserves, prison farms, historic or archaeological sites, conservancy parks, reservoirs, wellfields, battlefields, flood pools, publicly-owned agricultural research lands, and protected well heads.
  - Maximum Points for 12B = 2.5
  - Applicants must list Property Type (park, airport, etc), Acres, and Proximity in Feet



CleanOhioFund  
Farmland Preservation

## Step 12 – Proximity to Protected Land

- Wording for the Proximity in Feet Legend was tweaked for 2011 to provide clearer options:

Adjacent (Multiplier = 1.0)

Less than or equal to 3,520 Feet (Multiplier = 0.75)

Between 3,521 & 7,040 Feet (Multiplier = 0.50)

Between 7,041 & 10,560 Feet (Multiplier = 0.25)

Greater than or equal to 10,561 Feet (Multiplier = 0.0)



CleanOhioFund  
Farmland Preservation

## Step 12 – Proximity to Protected Land

- For 12C & 12D, total points cannot exceed 5 points. The applicant will be given credit for the points awarded for the response to either Question 12C or 12D, but not both, depending on which returns the higher point value. For example, if the applicant earns 3.0 points in Question 12C but only 2.0 points in 12D, the applicant will receive 3.0 points



CleanOhioFund  
Farmland Preservation

## Step 12 – Proximity to Protected Land

- 12C: The applicant farm's proximity to two or more adjacent (within 10,560 feet) farms, including the applicant farm, that are applying in the 2011 funding round to sell an agricultural easement. **List each farm individually**
  - Maximum Points for 12C = 5.0
  - Applicants must list Property Type (Last name of application), Acres, and Proximity in Feet
  
- 12D: Single Larger Farm – A single larger farm consisting of 100 acres or more applying to sell an agricultural easement, without any neighbors applying, can receive points under this section because larger farms contribute to a community's farmland preservation efforts
  - More than 350 acres = 5 points
  - More than 300 to 349 acres = 4 points
  - More than 200 to 299 acres = 3 points
  - More than 150 to 199 acres = 2 points
  - More than 100 to 149 acres = 1 point
  - Not applicable = 0 points



CleanOhioFund  
Farmland Preservation

## Step 13 – Development Pressure

- This series of questions pertains to developmental pressures such as sewer and water access, roadway intersections, public road frontage, and number of nearby non-farm homes
- The highest ranking is faced with intermediate development pressure



CleanOhioFund  
Farmland Preservation

## Step 13 – Development Pressure

- 13A: Applicant property's proximity to nearest publicly available sewer line from the nearest public road frontage boundary of the property using public roadway distance
  - Maximum Points for 13A = 5.0 points
  
- 13B: Applicant property's proximity to nearest publicly available water line from the nearest public road frontage boundary of the property using public roadway distance
  - Maximum Points for 13B = 3.0 points



CleanOhioFund  
Farmland Preservation

## Step 13 – Development Pressure

- 13C: Applicant property's proximity to any roadway intersection by listed on the most current available form of the Ohio Department of Transportation's official statewide highway map at <http://www.dot.state.oh.us/maps/Pages/default.aspx> - to be measured by public roadway distance from the nearest road frontage boundary of the farm property
  - Maximum points for 13C = 2.0



CleanOhioFund  
Farmland Preservation

## Step 13 – Development Pressure

- 13D: Public Road Frontage on the applicant farm
  - Maximum points for 13D = 3.0
- 13E: How many **nonfarm** homes exist within a one-half mile perimeter of the farm boundary?



CleanOhioFund  
Farmland Preservation

## Step 14 – Other Factors

- Questions in Step 14 are varied and the highest ranking is given to those that influence local efforts to preserve farmland, including:
  - Population growth
  - Historic designation
  - Enrollment in an agricultural security area (ASA)
  - Bargain sales of agricultural easements
  - Established dedication of landowner to keeping land in agriculture



## Step 14 – Other Factors (cont.)

- 14A: Metropolitan Statistical Area (MSA)
  - Maximum points for 14A = 3.0
  - Highest points go to farms located within an MSA, but are not in the largest county of the MSA
  - Further explanation about MSAs and county populations are referenced in links within Question 14A and in the Frequently Asked Questions (**FAQs**)



## Step 14 – Other Factors (cont.)

- 14B: Enrollment in an Agricultural Security Area (ASA)
  - Maximum points for 14B = 2.0
  - Attachment of **proof of enrollment** is required
  - An ASA authorizes one or more landowners of at least 500 acres of contiguous farmland to request from the boards of township trustees and county commissioners to enroll into an Agricultural Security Area for a 10-year period. It provides certain benefits to farmers, including protection from non-agricultural development, a critical mass of land to help keep farming viable, and possible tax abatement on new real property
  - Information about the ASA program are available at the Office of Farmland Preservation's website at <http://www.ohioagriculture.gov/farmland/>



CleanOhioFund  
Farmland Preservation

## Step 14 – Other Factors (cont.)

- 14C: Is the applicant farm or any part of the farm, including the homestead or buildings, listed on the National Register as an historic or archaeological site; documented on the Ohio Historic Inventory; or has the farm been accepted by ODA as a Century Farm since 1993? (attachment required)
  - Maximum points for 14C = 5.0
  - Question was **reworded** for clarity for 2011
  
- 14D: Does the applicant farm have higher than the required 25% local match?
  - Maximum points for 14D = 12.0



## Step 14 – Other Factors (cont.)

- 14E: Has the landowner submitted this farm in any previous AEPP funding round without declining a full offer in the 2010 funding round?
  - Maximum points for 14E = 1.0
  - Question **reworded** in 2011 for clarity; application will receive a point if it is a repeat application that did not decline a full offer in the previous funding round
- 14F: Since January 2008, has landowner sold or conveyed in fee simple any portion of the applicant farm **wherein the resulting land use is non-agricultural**?
  - Maximum points for 14F = 3.0
- 14G: **If accepted into the AEPP, will this be the first farm in this county to join the program?**
  - Maximum points for 14G = 3.0



CleanOhioFund  
Farmland Preservation

## Step 15 – Local Government's Comprehensive Planning

- The highest ranking is given to farmland that the local government has designated for protection through planning, zoning, and other efforts, and has already taken some steps to protect this farmland
- Information entered in Step 15 will need to be certified by the County or Municipal Planner or Engineer. **When their name is entered at the bottom of Step 15, it will be automatically populated in Step 20 (Certifications) for a signature line**



CleanOhioFund  
Farmland Preservation

## Step 15 – Local Government’s Comprehensive Planning

- 15A: Has the local government adopted a comprehensive land use plan that was **written or revised** within the past seven years – **or** – **is the farm located within an approved Watershed Balanced Growth Plan also approved by the applicant property’s local government?**
  - Maximum points for 15A = 3.0
- 15B: Is the applicant property located within a specific area designated for agricultural use by the comprehensive land use plan – **or** – **is the applicant property located within a Priority Conservation Area (PCA) or Priority Agricultural Area (PAA) in an approved Watershed Balanced Growth Plan also approved by the applicant property’s local government?**
  - Maximum points for 15B = 5.0
- 15C: The applicant property’s zoning type allows for no more than one house per:
  - Options range from no zoning to 41+acres
  - Maximum points for 15C = 4.0



Clean **Ohio** Fund  
Farmland Preservation

## Step 15 – Local Government's Comprehensive Planning

- 15D: How much funding did the local government expend in 2010 for farmland preservation, including administration, planning, education, and/or purchase of agricultural easements?
  - Maximum points for 15D = 4.0
  - Time invested by the local SWCD or regional planning commission may be included if the work was approved and paid for by the local government and was specifically provided for farmland preservation purposes
  - If applicants mark that the local government did expend funding for farmland preservation, space is provided in the application for explanation

## Step 16 – Narratives

- Step 16 consists of the five questions that make up the Tier II portion of the AEPP application
- These questions are designed to give the landowner the opportunity to showcase the unique characteristics of their land or operation. It is a chance to explain what makes this application special (in ways that may not be evident in Tier I questions)
- Evaluations are based on thoroughness, not writing style



## Step 16 – Narratives (cont.)

- These points are scored by the Ohio Farmland Advisory Board
- An Advisory Board scoring guide is available on the Clean Ohio AEPP website
- **New for 2011:** Tier 2 Sample Essays available on the application site



## Step 16 – Narratives (cont.)

- Instructions:
  - Use only the space provided
    - Each question is allowed 1300 characters (about 15 lines). Do NOT use additional sheets or the backs of pages
  - Answer each question and sub-question, even if is to explain that something is not applicable to the applicant farm
  - Information can be cut and paste into the text fields, but remember not to exceed the 1300 character maximum
  - Do NOT use the names of individuals in the answers

**Any violations of the above could invalidate the application**



## Step 16 – Narratives (cont.)

- Tier II is a qualitative measuring of the following five areas:
  - Agricultural infrastructure, support services, and facilities specific to the farm's agricultural activities
  - Estate, farm succession and business management plan and other long-term investments made on the farm
  - Potential for the farm to be a good demonstration or showcase project for the promotion of farmland preservation in Ohio
  - Public commitments to farmland preservation taken by the local government
  - Examples of sustainable agriculture on the farm



## Step 16 – Narratives (cont.)

- 16A: Provide some specific information about the property in this application. In particular, list or describe:
  - (1) The kinds of agricultural activities conducted on the property;
  - (2) The essential agricultural support services and facilities used in the operation; and
  - (3) The distance of those essential support services and facilities from the property

Maximum Points = 10.0



## Step 16 – Narratives (cont.)

- 16B: Discuss the management and future of the property in this application. In particular, describe:
  - (1) What sort of estate plan is in effect for the property;
  - (2) What sort of business plan is there for the operation of the farm;  
and
  - (3) What, if any, long-term investments have been made on the property

Maximum Points = 10.0



CleanOhioFund  
Farmland Preservation

## Step 16 – Narratives (cont.)

– 16C:

- (1) What makes the property in this application a good showcase for the promotion of farmland preservation in Ohio?
- (2) List ideas for making this property a better showcase
- (3) Describe any awards received in these areas, if any

Maximum Points = 10.0



## Step 16 – Narratives (cont.)

- 16D: What has your local government(s) done to:
  - (1) Establish an agricultural preservation board;
  - (2) Fund an office of farmland preservation;
  - (3) Provide steady revenue to purchase agricultural easements;
  - (4) Create or support a land trust; or
  - (5) Demonstrate other public commitment to farmland preservation

Maximum Points = 10.0



CleanOhioFund  
Farmland Preservation

## Step 16 – Narratives (cont.)

- 16E: Explain the ways in which the property in this application demonstrates sustainable agriculture. List all programs (governmental or your own) you have entered into to address the following:
  - (1) Soil erosion
  - (2) Water quality
  - (3) Wetland protection/restoration
  - (4) Wildlife habitat enhancement

Maximum Points = 10.0



CleanOhioFund  
Farmland Preservation

## Step 17 – Conservation Plan

- The Conservation Plan documents the applicant farm's best land use practices
- The highest ranking is given to farmland with established and implemented conservation plans
- Information for this section must be approved by a county Soil and Water Conservation District **or county Natural Resources Conservation Service** representative, and their signature will be required in Step 20 (Certifications)

# Step 17 – Conservation Plan

- 17A: Has the farmer or landowner implemented one of four types of conservation plans as defined/developed by the Natural Resources Conservation Service (NRCS) or the local Soil and Water Conservation District (SWCD)? Or, if the farm is an organic operation, has a conservation plan been approved by a qualified organization that is acceptable to the Director of ODA? Choose one:
  - The Landowner has established and is implementing a complete whole farm plan that addresses all resource concerns, as defined by USDA/NRCS (5 points)
  - The Landowner has established and is implementing a plan that addresses multiple resources, but not all resource concerns (3 points)
  - The Landowner has established and is implementing a plan addresses a single resource, such as Highly Erodible Land Plan (2 points)
  - The farm does not have a conservation plan (0 points)

17A also asks for the Conservation Plan's date of last revision



CleanOhioFund  
Farmland Preservation

## Step 17 – Conservation Plan

- 17B: Conservation Plan Certification
  - This is the place to input the contact information for the person certifying Step 17 for the application
  - Must be a SWCD or NRCS representative
  - This person will also sign in Step 20 (Certifications)
- 17C: This question has been eliminated per OAC revisions
  - Question dealt with the status of nutrient management plans



CleanOhioFund  
Farmland Preservation

## Step 18 – Soil Type Productivity

- The highest ranking is given to farmland with those soils designated as prime, unique, or locally important
- Must be approved by a SWCD or NRCS representative and that person must also sign in Step 20 (Certifications)
- A score between 0 and 20 will be calculated based on the Soils Worksheet completed by the applicant in Step 18
- All soils for the applicant property must be included, less any acres already under permanent easement as reflected in Step 11
  - Previous funding round required homesteads and recreational ponds to be listed with a productivity index of zero





CleanOhioFund  
Farmland Preservation

## Step 19 – Points Based Appraisal

- The application site contains a link to a Points Based Appraisal Worksheet for you to compare your figures with those automatically populated from places elsewhere in the application
- The next slide shows an example of the Points Based Appraisal



# CleanOhioFund

## Farmland Preservation

### EXAMPLE ONLY - EXAMPLE ONLY

1. ODA Agricultural Easement Base:	
a. Market Value <i>(From County Auditors Records, Step 7, Per Acre Value for 100% CAUV)     Land only; exclude value of homestead and buildings.</i>	\$1843.82
b. CAUV <i>(From County Auditors Records, Step 7, Per Acre Value for 100% CAUV)     Agricultural value; land only.</i>	\$408.12
c. ODA Agricultural Easement Base (per acre value) <i>(Number 1A - Number 1B)</i>	\$1435.70
2. ODA Adjusted Land Value <i>(Applicant Farm county's value from the County Listings.)</i>	15%
3. First Adjusted ODA Ag Easement Value Calculation <i>(Number 1C x Number 2)</i>	\$215.35
4. First Adjusted ODA Ag Easement Value <i>First Adjusted ODA Ag Easement Value</i>	\$1651.05
5. ODA Tier One Total Score <i>(After application has been scored, add 2% for every point above a score of 60, e.g., 60=0, 65=10%, 70=20%)</i>	68.3
a. Tier One Points Above "60" <i>(Number 5 - "60")</i>	8.3
b. ODA Tier One Ranking System Farmland Preservation Points <i>(Number 5A x 2%)</i>	16.6%
6. Second Adjusted ODA Ag Easement Value Calculation <i>(Number 4 x Number 5B)</i>	\$274.07
7. Second Adjusted ODA Ag Easement Value <i>(Number 4 + Number 6)</i>	\$1925.12
8. Local Match/Donation <i>(From Other Factors, Step 13, Question 13D)</i>	50%
9. Local Match/Donation Calculation <i>(Number 7 x Number 8)</i>	\$962.56
10. Final Adjusted ODA Ag Easement Value <i>(Number 7 - Number 9; cannot exceed \$2,000.)</i>	\$962.56
11. Total Amount of Farm's Acres, including Homestead Acres (excluding easements) <i>(From County Auditor records, Step 7, Grand Total of Number of Acres)</i>	397.33
<b>12. TOTAL VALUE OF THIS AGRICULTURAL EASEMENT</b> <i>(Number 10 x Number 11, cannot exceed \$500,000)</i>	\$382,454.81

### EXAMPLE ONLY - EXAMPLE ONLY



CleanOhioFund  
Farmland Preservation

## Step 20 - Certifications

- Every AEPP application must be signed by the following:
  - All landowners
    - Beginning with the 2011 funding round, key information about the AEPP process has been added to Step 20 that the landowner must acknowledge with their signature
  - Local Sponsor
  - SWCD or NRCS representative (Step 17 Certification)
  - SWCD or NRCS representative (Step 18 Certification)
  - County or Municipal Planner/Engineer (Step 15 Certification)
- This page must be included with the printed application



CleanOhioFund  
Farmland Preservation

## Step 20 – Certifications (cont.)

**Any inaccuracies or incompleteness regarding the application is grounds for ODA to invalidate the application**



# Printing The Application

In order to print a complete application, the Local Sponsor must “Submit” the application. To submit and print, Steps 1-18 must be complete

- 1.) The Local Sponsor will need to log in
- 2.) Click on Step 19: Points Based Appraisal, located on the left side menu
- 3.) Enter the LSID and the FARM ID as directed
- 4.) Click on “Submit Electronic Application”
- 5.) Click “Next” on Step 20
- 6.) Click “Print Electronically Submitted Application”



CleanOhioFund  
Farmland Preservation

## Printing The Application

- The application is not ready for submission until the printed version of the application includes all necessary signatures for Step 20 and the Attachment Checklist has been completed. Multiple signature pages may be included as necessary
- To print a draft application, meaning an application that is not fully complete, login and click on the “Draft Print” button across from the farm to be printed. This will print all steps of the application, including parts that have been completed and some that have not been completed. “DRAFT” will appear behind the information, indicating the application has not been submitted

**Draft**





# Attachments

- Attachments are required documentation that complete the AEPP application
- Make sure to label the attachments
- Consider including a blank page for attachments that do not apply



CleanOhioFund  
Farmland Preservation

## Attachment A - Resolution

- Attach a resolution or ordinance from the political subdivision or a recorded action from a soil and water conservation district, charitable organization supporting the landowner's application, certifying the availability and committing to pay the required local match (if applicable), and agreeing to monitor, supervise and enforce the deed of agricultural easement on behalf of the director

Board of Trustees  
Your Township, Your County, Ohio Department of Agriculture

Resolution No. ###

A RESOLUTION to the extent permitted by law, Authorizing Participation in Ohio Agricultural Easement Purchase Program.

The Board of Trustees of Your Township, Your County, Ohio met in a regular session on the ## day of MONTH, 2009 at the office of the Board of Trustees of Your Township, Your County, Ohio at 123 Main Street, Your Town, Ohio ##### with the following members present

Board Member 1  
Board Member 2  
Board Member 3

Mr. Board Member 1 moved for adoption of the following Resolution:

WHEREAS, on ## day of MONTH, 2009 the Your Township Trustees, Your County, received a request from John A. and Mary B. Landowner for support of their application to the State of Ohio for purchase of an agricultural easement on the property located at 45678 County Road, Your City, Ohio #####

WHEREAS, the Your Township Trustees, Your County, has reviewed this request for support and determined that the nomination of the property for purchase of an agricultural easement is compatible with the long-range goals of the local government area regarding farmland preservation, and agrees to hold, monitor and enforce the terms of the easement; and,

WHEREAS, the Your Township Trustees, Your County, find the request for the agricultural easement acceptable; and,

WHEREAS, the landowner commits to donating at least 25% of the agricultural easement value; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Your Township, Your County.

Ms. Board Member 3 seconded the motion and the role was called on the question of its adoption. The vote was as follows:



CleanOhioFund  
Farmland Preservation

## Attachment A – Resolution (cont.)

- For single-county farms:
  - A political subdivision (county, township, or SWCD) must **only** attach a resolution from their organization
  - A charitable organization must attach their own organization's resolution **and** resolutions from the Township and County in which the farm sits

Policies have changed for 2011 in regards to multi-county farms. If your applicant farm sits in two or more counties, please refer to the **Guidelines and Policies** document and the **Guidelines and Policies** portion of this tutorial



CleanOhioFund  
Farmland Preservation

## Attachment B – Farm Map

- An 8 ½ x 11 inch map or **aerial photograph** of the application property, including:
  - (1) Delineated **existing or reserved** homestead area(s);
  - (2) Existing roads and buildings;
  - (3) Boundaries;
  - (4) Total road frontage of the farm;
  - (5) Power easements; and
  - (6) Any land excluded from the easement

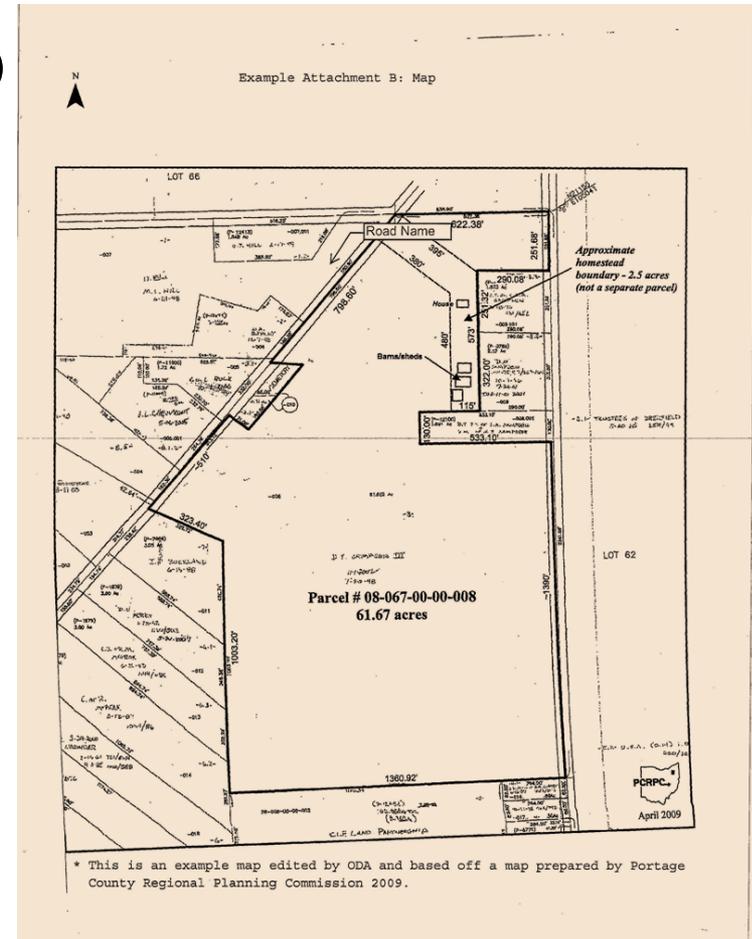


# Clean Ohio Fund

Farmland Preservation

## Attachment B – Farm Map

- Example available as a link in the online application





CleanOhioFund  
Farmland Preservation

## Attachment C – County Auditor Records

- Provide County Auditor tax records and a map of the applicant farm's land values used in responding to Step 8 of this application e.g., the real estate taxes and assessments (tax bill), or other real property records. Be sure to include the most recent documentation showing:
  - (1) Market Value of the application **by tax parcel**
  - (2) CAUV enrollment
  - (3) Agricultural District enrollment



CleanOhioFund  
Farmland Preservation

## Attachment D - Aerial

- Include an 8 ½ x 11 inch map, sketch, or aerial photograph showing **an adequate radius** of the application property. Include information claimed in Step 12 and questions 13A, 13B, 13C, and 13E. This includes, but is not limited to the proximity of the application farm from any protected properties (easement and non-easement), to neighboring applicant farms, distance to sewer and water, pipelines and accessible public roadway intersections

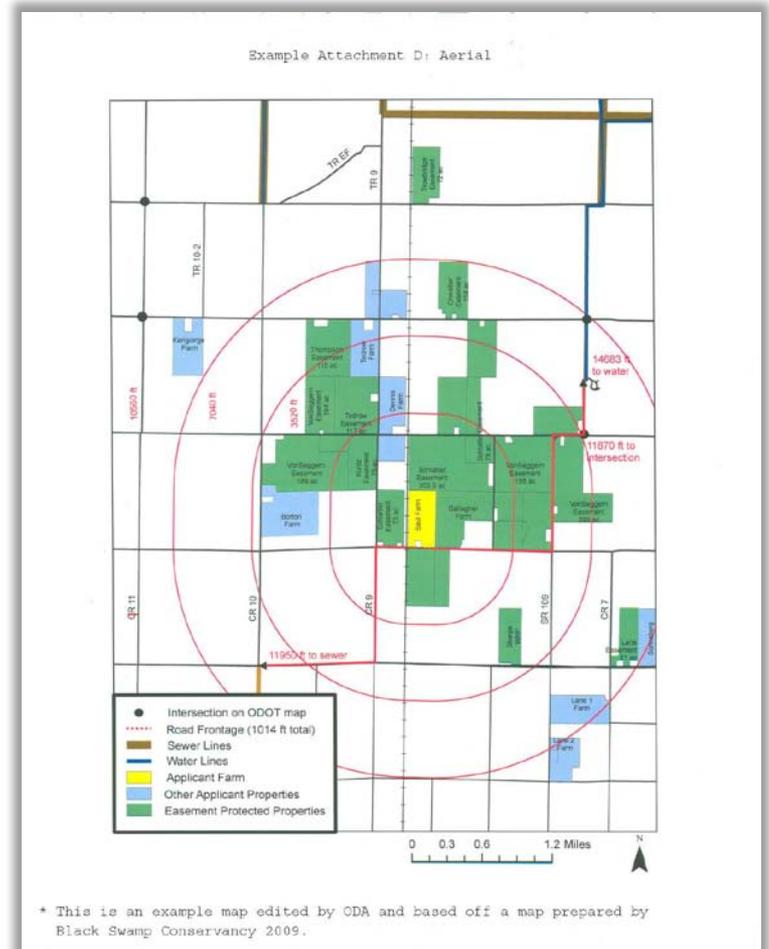


# Clean Ohio Fund

Farmland Preservation

## Attachment D – Aerial

- Example available as a link in the online application





## Maps – Helpful Hint

- For clarity, include a legend, as well as labeling the distances and type of item you are highlighting
  - For example: Sewer (2300 ft), Jones Farm (easement, x ft), Beekman Park (Parkland, x feet)
- Titling the map and prominently labeling the attachment letter as well as a date of creation and author



CleanOhioFund  
Farmland Preservation

## Attachment E – Soils Map

- Include an 8 ½ x 11 inch coded soils map containing a list of soil mapping unit names and symbols.
- Language requiring specific colors for specific soil types was eliminated



CleanOhioFund  
Farmland Preservation

## Attachment F – Historical Designation

- For land or structures that have been historically designated and received points for 14C, attach written verification from the respective designating authority confirming that the land or building is significant and when it was designated as such



Clean **Ohio** Fund  
Farmland Preservation

## Attachment G – Corporations, Partnerships, and Trusts

- If the applicant property's ownership consists of a corporation, partnership, and/or trust the following must be provided:
  - (1) Copy of incorporation papers, and
  - (2) Certificate of authorization that the individual is authorized to act on behalf of the Corporation, Partnership, or Trust



CleanOhioFund  
Farmland Preservation

## Attachment H – Charitable Organizations

- If the local sponsor is a charitable organization, it must be tax exempt and be organized for the purpose of the preservation of agricultural land. To demonstrate this, the organization must provide:
  - (1) A copy of the organization's exemption **under 26 U.S.C. 1, subsection 501(a) and 501(c)**
  - (2) A statement of the organization's stewardship endowment policy
  - (3) An ordinance or resolution supporting the agricultural easement from the **township(s) and county(ies)** where the applicant property is located



CleanOhioFund  
Farmland Preservation

## Attachment H – Charitable Organizations

- The Director of the Ohio Department of Agriculture *may* ask a charitable organization for the following additional information:
  - (a) A copy of the organization’s by-laws **or regulations** stating that farmland preservation is one of its purposes;
  - (b) A list of the organization’s officers, board of directors, and members;
  - (c) The organization’s financial condition, including a balance sheet, revenue and expense statement, and the financing available for monitoring and enforcing an agricultural easement;
  - (d) The organization’s ability to provide the necessary managerial, legal and financial expertise to hold, monitor, and enforce an agricultural easement



CleanOhioFund  
Farmland Preservation

## Attachment I - ASA Enrollment Verification

- If the application claims that the applicant property is enrolled in an ASA within Question 14B, the resolution(s) approving the enrollment must be attached



CleanOhioFund  
Farmland Preservation

## Attachment J – Current Owner’s Deed of Record

- Provide a copy of the current owner’s deed of record. Include the most current deed reference book, volume, and page or other reference to the place of record of the deed. In the case of multiple deeds, numbers for all the deeds should be provided

**WARRANTY DEED**

**QUIT-CLAIM DEED**

**SURVIVORSHIP DEED**



CleanOhioFund  
Farmland Preservation

## Attachment K – Any Other Relevant Information

### **SPECIAL NOTE:**

**Due to OAC Revisions, Attachments K-N have changed for the 2011 funding round...**

## Previous Funding Rounds

- Attachment K: Property Description Certification
- Attachment L: Topographical Map
- Attachment M: Group Applications
- Attachment N: Any Other Relevant Information

**2011**

- “Old” Attachment K-M have been eliminated
- “Old” Attachment N becomes “New” Attachment K

SO....

Attachment K = Any Other Relevant Information



Clean**Ohio**Fund  
Farmland Preservation

## Attachment K – Any Other Relevant Information

- Additional Information may be attached such as the Large Farm Exception Letter (if applicable). According to the OAC 901-2-05(D)(2), applicants may provide photos, maps, or other **VISUAL** aids not to exceed three eight and a half by eleven inch pages. These three pages must be specifically labeled as “Attachment **K**: For Advisory Board Scoring”



## Accuracy is Key!

- Ensuring that the contact information is accurate and complete will aid in the notification process, and assist ODA should there be any issues with the application
- Accuracy in the first steps of the application will speed processing if the application is successful



CleanOhioFund  
Farmland Preservation

Part III

# OVERVIEW OF THE 2011 GUIDELINES AND POLICIES DOCUMENT

# Guidelines and Policies

- The next few slides present important sections and changes in the 2011 Guidelines and Policies for AEPP
- Don't forget to reference the Guidelines and Policies document before and while you complete the application
- The Guidelines and Policies are available on the main Clean Ohio AEPP webpage and on the left-hand side bar of the application's main page



Clean **Ohio** Fund  
Farmland Preservation

## Guidelines and Policies – **Farmstead/Homestead Policy**

- Permits one homestead to be reserved if no housing currently exists on the applicant property. The reservation allows for one single-family home to be built in the future. If housing exists on the property at the time of application, then no additional residences may be built. Any future or existing house on the preserved farm may not be subdivided from the farm



CleanOhioFund  
Farmland Preservation

## Guidelines and Policies – Large Farm Exception Policy

- A large farm exception, if approved by the Director, **may** allow the landowner to request one of the following exceptions based on the farm value or the farm size. The Director of ODA, at his discretion, shall determine whether to grant this exception. The Director's approval **must be obtained prior to the submission of an application and a copy of such approval shall be submitted with the other required attachments to the application.** If the request for a future one-time split is granted, a description of the proposed split must be provided and approved by the State Grantee directly prior to the proposed division



Clean **Ohio** Fund  
Farmland Preservation

## Guidelines and Policies – **Large Farm Exception Policy**

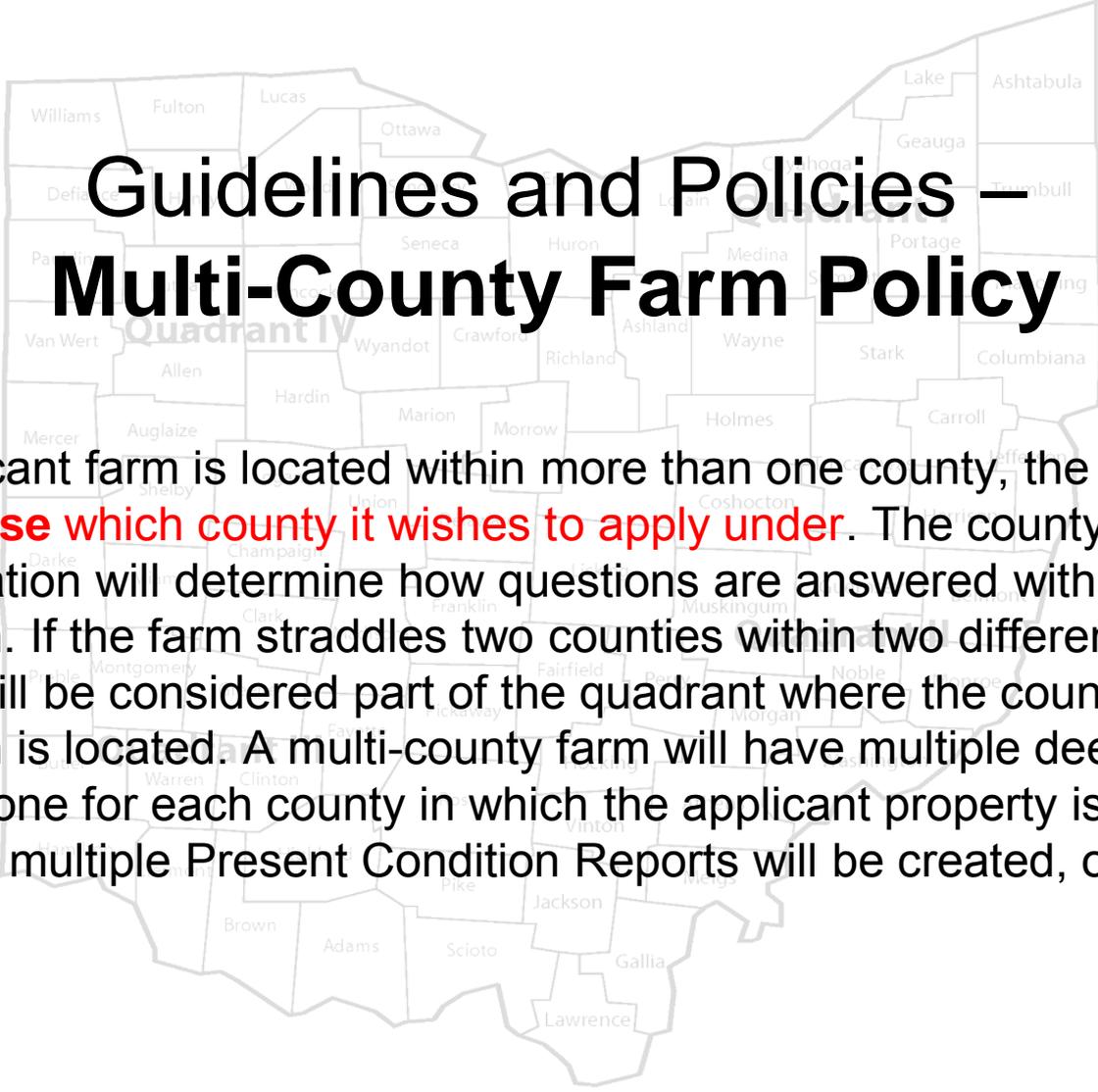
- To request an exception, write to the Director of ODA and the Executive Director of Farmland Preservation. The letter should indicate which exception is requested, include aerial or topographic maps distinguishing the property, and associated parcel number
- If an exception is granted, the landowner can then submit **one or both halves of the farm as individual applications** *or* **submit the whole farm, reserving the one time split for the future**. Please keep in mind only one farm per landowner may be funded in a given year



Clean **Ohio** Fund  
Farmland Preservation

## Guidelines and Policies – **Large Farm Exception Policy**

- Large Farm **Size** Exception: Farms comprised of no less than 400 acres may request the one-time option to split the farm into two parcels of approximately equal size
- Large Farm **Value** Exception: If the applicant farm's points-based appraisal is greater than \$1 million, the landowner may request the one-time option to split the farm into two parcels of approximately equal size



# Guidelines and Policies – Multi-County Farm Policy

- If an applicant farm is located within more than one county, the applicant **may choose which county it wishes to apply under**. The county listed on the application will determine how questions are answered within the application. If the farm straddles two counties within two different quadrants, the farm will be considered part of the quadrant where the county of application is located. A multi-county farm will have multiple deeds recorded, one for each county in which the applicant property is located. Therefore, multiple Present Condition Reports will be created, one for each county



Clean **Ohio** Fund  
Farmland Preservation

## Guidelines and Policies – **Multi-County Farm Policy**

The following additional steps for a multi-county farm need to be addressed:

- Local Sponsors that are political subdivisions: **Obtain your own organization's resolution** (per Attachment A) *as well as* resolutions supporting the agricultural easement **from all other townships and counties in which the farm sits**
- Example: Smith County SWCD is the Local Sponsor, submitting an application for a farm that sits in both Smith County (Roberts Township) and Jones County (Wilson Township). They must attach 1) Smith SWCD resolution, 2) Jones County resolution, and 3) Wilson Township resolution



Clean**Ohio**Fund  
Farmland Preservation

## Guidelines and Policies – Multi-County Farm Policy

The following additional steps for a multi-county farm need to be addressed:

- Local Sponsors that are charitable organizations: Obtain resolutions supporting the agricultural easement from **all counties and townships** in which the farm sits (per Attachment H), *along with your own organizational resolution* (per Attachment A)
- Example: Able Land Trust is the Local Sponsor, submitting an application for a farm that sits in both Smith County (Roberts Township) and Jones County (Wilson Township). They must attach 1) Able Land Trust resolution, 2) Smith County resolution, 3) Roberts Township resolution, 4) Jones County resolution, and 5) Wilson Township resolution



Clean **Ohio** Fund  
Farmland Preservation

## Guidelines and Policies – **Multi-County Farm Policy**

- The Adjusted Land Value may have different values for the multiple portions of the farm. If this is the case, Step 19 will need to be calculated by hand in order to recognize the different values of the land. A calculation worksheet and example is available online or contact the Ohio Department of Agriculture for assistance



Clean**Ohio**Fund  
Farmland Preservation

## Guidelines and Policies – **Clear Title Fast Track Policy**

This new initiative will allow properties that meet the requirements of being a “Clear Title” as described in the next slide to be prioritized with the goal of having the easement closed within one year of the returned title search. All other properties that do not meet the requirements of the “Clear Title” at the return of the title search initiated by ODA will be prioritized to close within the normal 18-24 month timeframe

Definition of “Clear Title” for the “Clear Title Fast Track” – The “Clear Title” must meet both the requirements of the Clean Ohio AEPP and the FRPP programs. According to the OAC 901-2-06 (B) (4): “Interests that limit the title of a property, such as mortgages, leases, liens, restrictions, or legal or equitable interest, must be cleared or subordinated, unless exempted by the Director”



CleanOhioFund  
Farmland Preservation

## Guidelines and Policies – **Clear Title Fast Track Policy**

All title concerns must be removed from the title prior to the title search in order to gain the “Clear Title Fast Track” designation. This includes but is not limited to:

- Mortgages must be subordinated or a “Consent to Easement” must be signed by the mortgage holder
- No oil & gas leases may be present on the title (this includes historic and active/current oil and gas leases)
- All utility easements and/or rights of way must be installed/utilized and the encumbrance must not continue to limit the future easement
- No other “clouds” on the title may exist including those described within the OAC nor those that do not meet the requirements of the FRPP



CleanOhioFund  
Farmland Preservation

## Guidelines and Policies – **Clear Title Fast Track Policy**

All necessary accompanying documents may be submitted to ODA at the time of application as “**Attachment K**” or by mail prior to the title search. ODA is unable to guarantee exact day of a title search and would recommend submitting all documents with or before the Notice of Selection is returned



CleanOhioFund  
Farmland Preservation

Part IV

# OTHER HELPFUL TOOLS AND RESOURCES



## Don't forget these useful tools and documents!

- Handbook
- FAQs
- Sample Deed of Agricultural Easement
- Tier 1 Estimator
- Tier 2 Examples



CleanOhioFund  
Farmland Preservation

# Handbook

- The Application Handbook provides further detail about the Clean Ohio Agricultural Easement Purchase Program and its history
- Provides a breakdown of the various players and roles in the AEPP application process
- Goes into further detail about the selection process and timeline for completing the agricultural easement



CleanOhioFund

Farmland Preservation

**Agricultural Easement Purchase Program  
Application Handbook**



## FAQs

- FAQs can be accessed on the left-hand side bar of the application portal
- New FAQs will be added for the 2011 Funding Round
- FAQ page has been revised to allow users to look for FAQs by step number and category



Clean**Ohio**Fund  
Farmland Preservation

# Sample Deed of Agricultural Easement

- Sample Deed of Agricultural Easement available on ODA's website at <http://www.agri.ohio.gov/Farmland>
- Note that it is a “sample” and there may be changes to the final deed signed at closing. The Local Sponsor and Landowner will receive a copy of the final deed before closing

**OHIO AGRICULTURAL EASEMENT PURCHASE PROGRAM**

**Agricultural Easement**



# Clean Ohio Fund

## Farmland Preservation

# Tier I Estimator

- Available in the left-hand side bar menu in the application
- The purpose of this informational tool is only to provide interested landowners and local sponsors with an estimate of what the total score of the objective Tier One Score of an application to the 2011 funding round of the AEPP may be

### Tier One Scoring Estimator

A.) Acres :

B.) County : --Select Item--

C.) Proximity of farm to other Protected Land (Maximum points = 15)  
The highest ranking is given to farmland that is located near other protected areas, which ensures a better chance of long term agricultural viability.

1. The Applicant Farm's physical location relative to other agricultural, natural resource, open space, or forested land permanently protected by an agricultural or conservation easement. *If none please fill in "None" in Property Type. (Maximum Points = 7.5)*

Property Type	Acres	Proximity in Feet
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--
<input type="text"/>	<input type="text"/>	--Select Item--

Total Acre Equivalents

Total Acreage Factor

Weighted Multiplier

Points For 1.

2. The Applicant Farm's physical location relative to other non-easement protected land compatible with agriculture. These lands include the following: protected wetlands, public parks/forests, airports, military bases, wildlife areas, natural preserves, prison farms, historic or archaeological sites, conservancy parks, reservoirs, well fields, battlefields, flood pools\*, publicly-owned agricultural research lands, and protected well heads. *If none please fill in "None" in Property Type. (Maximum Points = 2.5)*

Property Type	Acres	Proximity in Feet
<input type="text"/>	<input type="text"/>	--Select Item--



## Tier II Examples

- Answers from previous applications are public information and may be useful for comparison
- **New for 2011:** Tier II Essay Examples are available on the left-hand side bar menu of the application site



Clean**Ohio**Fund  
Farmland Preservation

Ohio Department of Agriculture  
Office of Farmland Preservation  
8995 E. Main Street  
Reynoldsburg, OH 43068-3399  
614-728-6210  
farmlandpres@agri.ohio.gov  
[www.agri.ohio.gov](http://www.agri.ohio.gov)

